AGENDA

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL TO BE HELD IN PERSON AND VIRTUALLY AT WEST BRANCH CITY HALL, 121 N. FOURTH ST. ON MONDAY, APRIL 3, 2023, BEGINNING AT 6:00 P.M.

PLEASE NOTE: All guests and parties in attendance are asked to sign in if they will be making any comments during meetings, so that the City Clerk may properly record your name in the minutes. Public comments are limited to 3 minutes in length while matters from the floor are limited to 10 minutes. All in attendance are asked to silence all cell phones and other electronic devices. Accommodations are available upon request to those who require alternately formatted materials or auxiliary aids to ensure effective communication and access to City meetings or hearings. All request for accommodations should be made with as much advance notice as possible, typically at least 10 business days in advance by contacting City Clerk Lori Ann Clover at (989) 345-0500. [DISCLAIMER: Views or opinions expressed by City Council Members or employees during meetings are those of the individuals speaking and do not represent the views or opinions of the City Council or the City as a whole.] [NOTICE: Audio and/or video may be recorded at public meetings of the City Council.]

- I. Call to order
- II. Roll call
- III. Pledge of Allegiance
- IV. Scheduled Matters from the Floor
 - A. County Update
 - B. Heather Neuhaus
- V. Public hearing
- VI. Additions to the agenda
- VII. Public comment on agenda items only (limited to 3 minutes)
- VIII. Bids
 - A. Water System & Infrastructure Upgrades Contract 1B Utilities
- IX. Unfinished Business
- X. New Business
 - A. Bills
 - B. Transfer of Adult Use Marijuana License
 - C. Purchase of Real Property
- XI. Approval of the minutes and summary from the regular meeting held March 20, 2023.
- XII. Consent Agenda
 - A. Treasurer's Report and Investment Summary
 - B. Minutes from the WWTPA meeting held December 20, 2022
 - C. Minutes from the special meetings of the DDA held January 17, 2023 and February 6, 2023
 - D. Minutes from the Board of Review March 2023 session
- XIII. Communications
 - A. Proposal 2 article in the Review
 - B. National League of Cities letters

XIV, Reports

- A. Mayor
- B. Council
- C. Manager
 - 1. Budget discussion

XV. Public comment any topic

XVI. Adjournment

UPCOMING MEETINGS-EVENTS

April 11 Planning Commission 6:00 pm

April 17 City Council 6:00 pm

April 19 Airport Board 12:15 pm

April 25 DDA 12:00 pm

May 1 City Council 6:00 pm

May 8-11 BS&A On-site Training

May 9 Planning Commission

May 15 City Council 6:00 pm

May 17 Airport Board 12:15 pm

May 23 DDA 12:00 pm

ADVERTISEMENT FOR BIDS

City of West Branch Water System & Infrastructure Upgrades Contract 1B – Utilities

The City of West Branch is requesting Bids for water service replacement. Bids for the construction of the project will be received at the city offices 121 N. Fourth Street, West Branch, Michigan, until 1:30 p.m. local time, Tuesday March 28, 2023. At that time the Bids received will be publicly opened and read.

The project includes the installation of approximately 2,600 feet of 8" & 10" sanitary sewer and structures, sanitary leads, 3,300 feet of 12"-36" storm sewer and structures, storm leads, 1,100 feet of storm forcemain, and one storm sewer lift station and all related appurtenances.

The Issuing Office for the Bidding Documents is: Fleis & VandenBrink Engineering – 2125 Ridgewood Drive, Suite 101, Midland, MI 48642: Telephone (989) 837-3280.

Bid Room at www.fveng.com. Prospective Bidders may request the Bidding Documents from the Issuing Office. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including addenda, if any, obtained from sources other than the Issuing Office. Bids will be accepted only from Plan Holders of Record. In order to be a Plan Holder of Record Bidding Documents must be obtained from the Issuing Office.

Bidding Documents will be emailed in portable document format (PDF) at no charge.

The date that the Bidding Documents are transmitted by the Issuing Office will be considered the Bidder's date of receipt of the Bidding Documents.

A pre-bid conference will not be held.

This project is subject to prevailing wages.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

The City of West Branch reserves the right to accept any bid, reject any or all bids, to waive informalities and make the award in any manner deemed in the best interest of the City of West Branch.

City of West Branch John Dantzer City Manager



RECOMMENDATION OF AWARD

March 29, 2023

Mr. John Dantzer City Manager City of West Branch 121 N. Fourth Street West Branch, Michigan 48661

RE: Water System & Infrastructure Upgrades

Contract 1B - Utilities

Dear Mr. Dantzer

We have reviewed the bids received on March 28,2023 for the Site Utilities being funded through the MEDC and EPA grant programs.

The 3 bids received are summarized as follows:

J & N Construction, LLC
 Fessler & Bowman, LLC
 Katterman Trucking, Inc.
 \$1,261,394.00
 \$1,789,487.00
 \$3,393,700.00

The apparent low bidder J & N Construction, LLC has completed similar work and are currently completing the DWSRF Contract 1A site grading and water main construction for the city on the same site. Based on our review, we feel confident that J & N Construction, LLC can deliver a quality project.

Our engineers cost opinion for the project was \$1,225,000.

We would recommend contract award to J & N Construction, LLC in the amount of \$1,261,394.00 contingent upon approval and financing from MEDC and EPA grant program.

We have also attached a copy of the detailed bid tabulation.

Please feel free to call me with any questions.

Sincerely,

Gary O. Bartow

Regional Manager / Associate



CITY OF WEST BRANCH Ogemaw County, Michigan Water System & Infrastructure Improvements Contract 1B - UTILITIES Project 854110

BID TABULATION BID DATE: TUESDAY, March 28, 2023 at 1:30 p.m.

						J&N Construction LLC	uction LLC	Fesser & B	Fessler & Bowman, Inc.	Katterman	Katterman Trucking, Inc
Item No.	Description	Unit	Cuantity	Estimated Unit	Estimated Bid Amount	Bid Unit Price	Bid Amount	Bid Unit Price	Bid Amount	Bid Unit Price	Bld Amount
-	General Conditions, Bonds, and Insurance, Max 5%	ST	1 8	70,000,00	20,000,00	\$ 58,047,00	\$ 58,047.00	\$ 82,000.00	\$ 82,000,00	162,500.00	\$ 162,500,00
2	Soil Erosian Control	SI	1 8		2,000,00	\$ 10,000.00	3 10,000.00	\$ 39,300.10	\$ 39,300,10	\$ 10,000,00	\$ 10,000.00
60	4' Senitary Manhole	E.	13 \$	8,500.00 8	110,500.00	\$ 6,378.00	\$ 52,914,00	9,000.00	\$ 117,000.00	12,500,00	\$ 162,500.00
*	Sanitary Manhole, Additional Depth	VFt.	88	300,00	19,500.00	3 139.00	8 9,035,00	\$ 0,04	\$ 0.65	1,000.00	\$ 65,000.00
9	8" Sanitary Sewer	Ę	2700 8	75.00 8	202,500.00	\$ 114,00	\$ 307,800,00	\$ 138.00	\$ 372,600.00	\$ 345,00	\$ 931,500.00
9	6" Senitary Cap	Ea	4.8	300,00	1,200.00	\$ 101.00	\$ 404.00	\$ 50.00	\$ 200.00	\$ 500,00	\$ 2,000.00
7	Connect to Existing Sanitary Manhole	ű	1 8	3,000.00	3,000.00	\$ 6,236,00	\$ 5,236.00	\$ 6,500.00	S 6,500.00	10,000,00	\$ 10,000.00
8	12" Storm Sewer	5	750 8	56.00 8	\$ 41,250,00	5 53,40	\$ 40,050,00	\$ 72.00	\$ 54,000,00	6 230.00	\$ 172,500.00
a	15" Storm Sewer	5	20 8	80.00	1,200.00	\$ 124,00 \$	2,480,00	8 90.00	\$ 1,800.00	\$ 235.00	\$ 4,700.00
9	18" Storm Sewer	5	1800	70.07	\$ 126,000,00	\$ 82.50	\$ 166,500.00	00'06	\$ 162,000,00	\$ 245.00	\$ 441,000.00
+	24" Storm Sewer	5	1250 \$		106,250,00	\$ 140.00	\$ 175,000,00	\$ 140,00	\$ 175,000,00	\$ 265.00	\$ 331,250.00
42	15* Storm Cap	ū	#D	400,00		\$ 103,00	\$ 103,00	\$ 110,00	\$ 110.00	1,000,00	\$ 1,000,00
12	12" Flared End Section	ß	1 8	1,500.00	3 1,500,00	\$ 147,00	\$ 147.00	\$ 350,00	\$ 350,00	1,000.00	1,000.00
#	18" Flared End Section	Ea	38	2,000.00	00'000'9	\$ 291,00	\$ 873,00	\$ 415,00	\$ 1,245.00 \$	1,000.00	3,000,00
15	24" Flared End Section	ű	63	2,500,00	00.002,7	\$ 395,00	1,185.00	\$ 650,00	3 1,950,00	1,000.00	\$ 3,000.00
9	Plain Riprap	PÁS	200 \$	\$ 00.00	10,000,00	\$ 60,00 \$	12,000,00	\$ 62,00	\$ 16,400.00	40.00	8 8,000,00
4	Heavy Riprap	Syd	\$ 02	80.00	1,200.00	\$ 384,00	\$ 7,680.00	\$ 112.00	\$ 2,240.00	00.001	\$ 2,000.00
9	4' Storm Catch Basin	E#	\$ 02	4,500.00 \$		\$ 2,566.00	\$ 51,320,00	\$ 4,475.00	8 89,500,00	\$ 10,000.00	\$ 200,000,00
6	4' Storm Structure, Additional Depth	VFt	25 \$			\$ 140,00	\$ 3,500,00	\$ 0.01	\$ 0.25	1,000.00	\$ 25,000.00
8	4' Storm Manhole	ű	80	6,000.00	48,000,00	\$ 4,459.00	\$ 35,672.00	\$ 4,300.00	\$ 34,400,00	\$ 10,000,00	\$ 80,000,00
된	4' Storm Control Structure	5	1 8	10,000.00	10,000,00	\$ 4,459.00	\$ 4,459.00	\$ 4,405.00	\$ 4,405.00	\$ 10,000,00 \$	\$ 10,000.00
22	S' Storm Catch Basin	1	9	6,500.00	39,000.00	\$ 4,605,00	\$ 27,630,00	\$ 7,120,00	\$ 42,720.00	\$ 12,500,00	\$ 75,000.00
23	5' Storm Manhole	E	2 \$	8,00,00,00	16,000.00		\$ 9,200,00	\$ 6,840,00	\$ 13,680,00	\$ 12,500.00	\$ 25,000,00
72	6' Storm Celtch Basin	Ea	1 \$	8,000000	\$ 00.000,9	5,469,00	\$ 5,469,00	\$ 8,085,00	8 8,085,00	\$ 20,000,00	\$ 20,000.00
52	5" Storm Forcemain	LFt	1025 \$	55.00	\$ 56,375,00	\$ 45,00	\$ 46,125.00	\$ 55,00	\$ 88,150,00	\$ 290.00	\$ 297,250.00
58	6" 45" Bend	ű	ÇB	750.00	8.750.00	\$ 550.00	\$ 4,950.00	\$ 840.00 \$	\$ 8,460,00	\$ 500.00	\$ 4,600.00
27	6° 22.5° Bend	5	T.		00.009	\$ 465,00	\$ 485.00	\$ 825,00	\$ 925.00	\$ 500.00	\$ 500,00
87	Storm Lift Station	8	67 T	140,000,00	140,000,00	\$ 112,253,00	\$ 112,253,00	\$ 311,000.00	\$ 311,000.00	\$ 200,000.00	\$ 200,000.00
29	Construction Stalking (Allowance)	S 1	1 8	12,000.00	12,000,00	\$ 12,000,00	\$ 12,000.00	\$ 12,000.00	\$ 12,000,00	69	\$ 12,000.00
30	Construction Testing (Allowance)	প্র	1.8	6,000.00		\$ 6,000,00	\$ 6,000,00	\$ 6,000.00	\$ 6,000,00	\$ 6,000.00	49
				•••	1,150,600.00		\$ 1,198,497,00		\$ 1,652,021.00		\$ 3,266,200.00
AL TERNATES	TES										
31	8"x6" Wye	Ē	17 8	.,	5,100.00	\$ 434.00	_	133.00	\$ 2,261.00	4	40
32	6" Sanitary Lateral	15	525 \$		28,250.00	8 67.00	\$ 35,175,00	\$ 110.00	\$ 57,750.00	畴	40
33	6" San Property Line Riser	펻	17 8	300,00	8,500.00	\$ 161.00	\$ 2,737,00	\$ 1,185.00	\$ 20,145,00	\$ 500,00	\$ 8,500,00
34	Stm Lateral Connection	<u> </u>	14 8	400.00	5,800,00	\$ 273.00	\$ 3,622.00	\$ 645.00	11,830,00	\$ 1,000.00	\$ 14,000.00
58	4" Storm Lateral	5	430 \$		19,350,00	\$ 27,50	\$ 11,625.00		\$ 35,250.00	\$ 50.00	\$ 21,500,00
36	4" Strn Property Line Riser	2	14.8	\$00.00		40,00	-	\$ 730,00	\$ 10,220.00	1,000.00	49
					71,800,00		\$ 62,897,00		\$ 137,466.00		\$ 127,500,00
		Į		v	00 007 060 7		1.261.204.00		e : 789 487 00		3 393 700 00
			The second second				1		1		ı

SECTION 00 41 00

BID FORM

ARTICLE 1 - OWNER & BIDDER

1.01 This Bid is submitted to: City of West Branch

1.02 Name of Project: Water System & Infrastructure Upgrades

Contract 1B - Utilities

1.03 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 - ATTACHMENTS TO THIS BID

- 2.01 The following documents are submitted with and made a condition of this Bid.
 - A. Required Bid security;
 - B. All documents required as shown in Section 00 45 46 GOVERNMENTAL CERTIFICATIONS AND DOCUMENTS.

ARTICLE 3 - BASIS OF BID

3.01 Unit Price Bids

A. Bidder will perform the following Work at the indicated unit prices:

Item No.	Description	Unit	Estimated Quantity		Bid Unit Price	Bid Amount
1	General Conditions, Bonds, and Insurance, Max 5%	LS	1	\$	58,047.00	\$ 58,047.00
2	Soil Erosion Control	LS	1	\$	10.000.00	\$ 10,000.00
3	4' Sanitary Manhole	Ea	13	\$	63 78.00	\$ 32.914.00
4	Sanitary Manhole, Additional Depth	VFt	65	\$	139.00	\$ 9.035.00
5	8" Sanitary Sewer	LFt	2700	\$	114,00	\$ 307.800.00
6	8" Sanitary Cap	Ea	4	\$	101.00	\$ 404,00
7	Connect to Existing Sanitary		1	\$		\$
	Manhole	Ea	*	L	5236.00	5236.00
8	12" Storm Sewer	LFt	750	\$	53,40	\$ 40,050.00
9	15" Storm Sewer	LFt	20	\$	124,00	\$ 2,480,00
10	18" Storm Sewer	LFt	1800	\$	92.50	\$ 166,500,00
11	24" Storm Sewer	LFt	1250	\$	140,00	\$ 175,000.00
12	15" Storm Cap	Ea	1	\$	103.00	\$ 103.00
13	12" Flared End Section	Ea	1	\$	147.00	\$ 147.00
14	18" Flared End Section	Ea	3	\$	291.00	\$ 873.00
15	24" Flared End Section	Ea	3	\$	395,00	\$ 1185.00
16	Plain Riprap	Syd	200	\$	60.00	\$ 12,000.00

17	Heavy Riprap	Syd	20	\$	334.**	\$	7680.00	٦
18	4' Storm Catch Basin	Ea	20	\$	2566.00	\$	51,320.00	1
19	4' Storm Structure, Additional		25	\$		S	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1
	Depth	VFt		ľ	140,00	Ť	3,500,00	
20	4' Storm Manhole	Ea	8	\$	4,459,00	\$	35.672.00	1
21	4' Storm Control Structure	Ea	1	\$	4.459,00	\$	4,459,00	1
22	5' Storm Catch Basin	Ea	6	97	460500	\$	27.630.	1
23	5' Storm Manhole	Ea	2	\$	4600,00	\$	9200,00	1
24	6' Storm Catch Basin	Ea	1	\$	5459.00	\$	5,469.00	1
25	6" Storm Forcemain	LFt	1025	\$	45,00		46,125,00	1
26	6" 45° Bend	Ea	9	\$	550,00	\$	4,950,00	1
27	6" 22.5° Bend	Ea	1	\$	465,00	\$	11500	1
28	Storm Lift Station	LS	1	\$	112,253	\$	112,253.	4
29	Construction Staking (Allowance)	LS	1	\$	12,000.00	\$	12,000.00	1
30	Construction Testing (Allowance)	LS	1	\$	6,000.00	\$	6,000.00	1
Total o	of All Unit Price Bid Items		· · · · · · · · · · · · · · · · · · ·	4	0,000.00		1,198,497,60	7

B. Bid Alternate No. 1 - Sanitary and Storm Sewer Leads:

Item No.	Description	Unit	Estimated Quantity		Bid Unit Price	Bid Amount
31	8"x6" Wye	Ea	17	\$	434,00	\$ 7,378.00
32	6" Sanitary Lateral	LFt	525	\$	67.00	\$ 35,175,00
33	6" San Property Line Riser	Ea	17	\$	161.00	\$ 2737.00
34	Stm Lateral Connection	Ea	14	\$	273.00	\$ 3,822.00
35	4" Storm Lateral	Lft	430	\$	27.50	\$ 11,825,00
36	4" Stm Property Line Riser	Ea	14	\$	140.00	\$ 1,960.00
Total	of All Unit Price Bid Items	•		_		\$ 62,897.00

C. Bidder acknowledges that:

- each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and
- estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Work will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 4 - TIME OF COMPLETION

- 4.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 4.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 5 - BIDDER'S ACKNOWLEDGEMENTS: ACCEPTANCE PERIOD, INSTRUCTIONS, AND RECEIPT OF ADDENDA

5.01 Bid Acceptance Period

A. This Bid will remain subject to acceptance for 90 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

5.02 Instructions to Bidders

A. Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security.

5.03 Receipt of Addenda

A. Bidder hereby acknowledges receipt of the following Addenda:

Addendum Number	Addendum Date
1	3/20/2023
2	3/23/2023

5.04 Subcontractor and Supplier List:

A. Bid is submitted on the basis of the use of the following Subcontractors

WORK ITEM	FIRM	CITY		
Electrical	Countyline Power	Hope, MI		
Surface Restoration	J & N, LLC & S. Hayes, Inc	Gaylord & Leroy		
Mechanical	J & N, LLC	Gaylord		

ARTICLE 6 - BIDDER'S REPRESENTATIONS AND CERTIFICATIONS

6.01 Bidder's Representations

- A. In submitting this Bid, Bidder represents the following:
 - Bidder has examined and carefully studied the Bidding Documents, including Addenda.
 - 2. Bidder has visited the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - 3. Bidder is familiar with all Laws and Regulations that may affect cost, progress, and performance of the Work.
 - 4. Bidder has carefully studied the reports of explorations and tests of subsurface conditions at or adjacent to the Site and the drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, with respect to the Technical Data in such reports and drawings.
 - Bidder has carefully studied the reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, with respect to Technical Data in such reports and drawings.

- 6. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Technical Data identified in the Supplementary Conditions or by definition, with respect to the effect of such information, observations, and Technical Data on (a) the cost, progress, and performance of the Work; (b) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, if selected as Contractor; and (c) Bidder's (Contractor's) safety precautions and programs.
- 7. Based on the information and observations referred to in the preceding paragraph, Bidder agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
- 8. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

6.02 Bidder's Certifications

- A. The Bidder certifies the following:
 - This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation.
 - 2. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid.
 - 3. Bidder has not solicited or induced any individual or entity to refrain from bidding.
 - 4. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 8.02.A:
 - a. Corrupt practice means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process.
 - b. Fraudulent practice means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition.
 - c. Collusive practice means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels.
 - d. Coercive practice means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

BIDDER hereby submits this Bid as set forth above: Bidder:

	J & N Construction, LLC	
Ву:	(typed of printed name of organization)	
	(individual's signature)	_
Name:	William P. Mason	
	(typed or printed)	
Title:	General Manager	
	(typed or printed)	_
Date:	03/28/2023	
	(typed or printed)	_

If Bidder	is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.
Attest:	Done Oblan
	(individual's signature)
Name:	Doreen Osborne
	(typed or printed)
Title:	Office Manager
	(typed or printed)
Date:	03/28/2023
	(typed or printed)
Address f	or giving notices:
	1223 Anna Drive, Gaylord, MI 49735
Bidder's (Contact:
Name:	William Mason
	(typed or printed)
Title:	General Manager
	(typed or printed)
Phone:	989-732-8318
Email:	wmason@jandnllc.com
Address:	
	1223 Anna Drive, Gaylord, MI 49735
Bidder's C	Contractor License No.: (if applicable) N/A

END OF SECTION

J & N CONSTRUCTION, LLC.

1223 ANNA DRIVE GAYLORD, MI 49735

PHONE (989)732-8318 FAX (989)731-1729

March 22, 2019

To Whom It May Concern:

William P. Mason, General Manager / estimator for J&N, LLC., has authorization to sign all bids on behalf of the corporation.

Sincerely,

Robert A. McQuéstion

Member

Document 00 43 13

BID BOND (PENAL SUM FORM)

Bidder	Surety
Name: J& N CONSTRUCTION, LLC	Name: Ohio Farmers Insurance Company
Address (principal place of business): 1223 Anna Drive Gaylord, MI 49735	Address (principal place of business): 1 Park Circle , P.O. Box 5001 Westfield Center, OH 44251
Owner	Bid
Name: City Of West Branch Address (principal place of business): 121 N. 4th Street West Branch, MI 48661	Project (name and location): City of West Branch Water System & Infrastructure Upgrades Contract 1B Utilities; Project Number: 854110-18
	Bid Due Date: 3/28/2023
Bond	
Penal Sum: Five Percent of the Bid Amount	
Date of Bond: 3/08/2023	
Surety and Bidder, Intending to be legally bound he do each cause this Bid Bond to be duly executed by	ereby, subject to the terms set forth in this Bid Bond, y an authorized officer, agent, or representative.
Bidder	Surety
J & N CONSTRUCTION, LLC	Ohio Farmers Insurance Company
By: Ville (Standard)	(Full formal name of Surety) (corporate seal) By: (Signature) (Attach Power of Attorney)
Name: WILLIAM P. M ASON (Printed or typed)	Name: Samuel Duchow (Printed or typed)
Title: GENERAL MANAGER	Title: Attorney-in-Fact
Attest: Och Osl (Signature)	Attest: (Signopline)
Name: Docen Osean NE (Printed or typed)	Name: Karla K. Heffron (Printed or typed)
Title: OFFICE MANAGER	Title: Witness
Notes: (1) Note: Addresses are to be used for giving any require joint venturers, if necessary.	ed notice. (2) Provide execution by any additional parties, such as

- Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond will be Owner's sole and exclusive remedy upon default of Bidder.
- Default of Bidder occurs upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
- 3. This obligation will be null and void if:
 - 3.1. Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2. All Bids are rejected by Owner, or
 - 3.3. Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
- 4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
- Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice
 of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award
 including extensions does not in the aggregate exceed 120 days from the Bid due date without Surety's
 written consent.
- No suit or action will be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety, and in no case later than one year after the Bid due date.
- 7. Any suit or action under this Bond will be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
- 8. Notices required hereunder must be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Postal Service registered or certified mail, return receipt requested, postage pre-paid, and will be deemed to be effective upon receipt by the party concerned.
- Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the
 authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute,
 seal, and deliver such Bond and bind the Surety thereby.
- 10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond will be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute governs and the remainder of this Bond that is not in conflict therewith continues in full force and effect.
- 11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER & AND ISSUED PRIOR TO 10/12/21, FOR ANY PERSON OR PERSONS NAMED BELOW.

General Power of Attorney

CERTIFIED COPY

POWER NO. 4830912 00

Westfield Insurance Co. Westfield National Insurance Co. Ohio Farmers insurance Co.

Westfield Center, Ohio

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to Individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint

MICHAEL J. DOUGLAS, CHRIS M. STEMAGEL, CHRISTOPHER M. KEMP, ROBERT DOWNEY, CONNIE SMITH, KORY MORTEL, ELIOT MOTU, SAMUEL DUCHOW, JOHNTLY OR SEVERALLY

and State of WI its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertailings, or other instruments or contracts of suretyphip-

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in WESTFIELD INSURANCE COMPANY, westfield by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, westfield by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, westfield by any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-In-Fact, may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such Instruments so executed by any such designature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimite, and any power of attorney or any certificate relating thereto by facsimite, and any power of attorney or any certificate relating thereto by facsimite, and any power of attorney or any certificate relating thereto by facsimite, and any power of attorney or any certificate relating thereto by facsimite, and any power of attorney or certificate bearing facsimite signatures or facsimite seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a mee

held on February 8, 2000.

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto

Corporate Seals Affixed

State of Ohio County of Medina MANONAL IN

WESTFIELD INSURANCE COMPANY WESTFIELD NATIONAL INSURANCE COMPANY OHIO FARMERS INSURANCE COMPANY

Gary W. Htumper, National Surety Leader and Senior Executive

On this 12th day of OCTOBER A.D., 2021, before me personally came Gary W. Stumper to me known, who, being by me duly sworn, did depose and say, that he resides in Hartford, CT; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial Seal Affixed

State of Oblo County of Medina

38.



David A. Kotnik, Attorney at Law, Notary Public My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are

In Witness Whereof, I March A.D., 2023 I have hereunto set my hand and affixed the seals of seld Companies at Westfield Center, Ohio, this 8th day of







Frank A. Carrino, Secretary

BPOAC2 (combined) (06-02)

ATTACHED IS A LIST OF THE BILLS TO BE APPROVED AT THIS COUNCIL MEETING

BILLS \$108,410.09

BILLS AS OF 3/31/23 \$108,410.09

Additions to Bills as of \$0

Paid but not approved \$136.24

TOTAL BILLS

\$108,546.33

BILLS ARE AVAILABLE

AT THE MEETING

FOR COUNCIL'S REVIEW

Vendor Name	Amount	Description
ARNOLD SALES		VARIOUS SUPPLIES
BADGER METER	1,065.33	CELLULAR SERVICE MARCH
BECKETT & RAEDER		DDA STREETSCAPE IMPROVEMENTS
CIVICPLUS	1,195.00	ANNUAL MUNICODE
CONSUMERS ENERGY	18.94	ELECTRIC
DO ALL INC	304.66	RECYCLING CENTER
DTE ENERGY	3,454.72	GAS
ELECTION SOURCE	535.00	ANNUAL MAINTENANCE
FLEIS & VANDENBRINK	15,528.25	WATER SYSTEM & INFRASTRUCTURE UPGRADES
GREG WANGLER AUTO REPAIR		DPW REPAIRS
HUTSON INC	452.19	VARIOUS SUPPLIES
LUCYNSKI SERVICES LLC	450.00	RECYCLING BINS
MERS OF MICHIGAN	29,277.76	RETIREMENT MARCH
MUFFLER MAN	140.00	POLICE REPAIRS
MVW & ASSOCIATES INC	1,000.00	ASSESSOR CONTRACT APRIL
ON DUTY GEAR LLC	801.69	POLICE SUPPLIES
PETES RADIATOR	60.00	DPW REPAIRS
PITNEY BOWES INC RENTAL ACCT	34.99	MONTHLY RENTAL FEE
PRINTING SYSTEMS	107.58	SHUT OFF ENVELOPES
SCHINDLER ELEVATOR CORPORATION	241.61	QUARTERLY ELEVATOR WWTP
SPICER GROUP	640.00	LOAD RATINGS
STATE OF MICHIGAN	82.00	WATER SAMPLES
TODD WENZEL BUICK GMC	38,041.80	DPW NEW TRUCK
TRACTOR SUPPLY CREDIT PLAN	138.24	VARIOUS SUPPLIES
TRUCK & TRAILER SPECIALTIES	1,035.71	DPW NEW TRUCK PARTS
UPS	9.13	DPW SHIPPING
VIC BOND SALES INC	381.49	VARIOUS SUPPLIES
WEST BRANCH AUTOMOTIVE	392.63	VARIOUS SUPPLIES
WEST SIDE MACHINE	380.00	REPAIRS #74

TOTAL 108,410.09



City of West Branch Application for Marihuana Facilities License (CITY OF WEST BRANCH ORDINANCE 22-02)

New		
Renewal (shall be filed at leas	t 90 days prior to the date of	license expiration)
Amendment		
Transfer of Fully Licensed Ex	isting Establishment	
Applicant Contact Information		
Nickolas Gregory Calkins		Member
(First, Middle, Last Name of Contact	t for this Application)	(Title)
nickolasgcalkins@outlook.con	a	248-895-5948
(Email address)		(Phone)
10248 W Jefferson Ave	River Rouge	MI / 48218
(Mailing address)	(City)	(State/Zip)
Description of the individual's role in	this application:	
Nick is a part owner and attorn	ney for the Company.	
		Page 1 of 9

Type of Permit Requested		
Check only one - a separate p	permit application must be comp	leted for each permit type.
Medical Marihuana Pr	ovisioning Center	
Adult Use Marihuana	Retailer	
Grower Class A	Class B Class C	# of grower licenses
Processor		
Secure Transporter		
Safety Compliance Fac	illty	
Facility Location		
West Branch Provisionia	ng Cantar II C	
(Business Name)	ing Center, LLC	
518 E Houghton Ave	747 4 D 1	NET / 40.001
(Physical Address)	West Branch	MI / 48661
,	(City)	(State/Zip)
248-895-5948 (Phone)	7)	nickolasgcalkins@outlook.com
(r notie)	(Fax)	(Email)
Facility/License Owner		
West Branch Provisionin	g Center, LLC	
(Facility/License Owner)		
92-1202907		
(Federal Tax Identification N	umber)	
10248 W Jefferson Ave	River Rouge	MI / 48218
(Physical Address)	(City)	(State/Zip)
248-895-5948		nickolasgcalkins@outlook.com
(Phone)	(Fax)	(Email)
Self - Individual Owner	Corporation*	
VLLC*	Partnership*	
*For anything other than "Self officers, members, partners, ar	;" attached a separate sheet listin ad individuals.	ng all information for directors,
		Page 2 of 9

MI / 48218 (State/Zip) tjawad89@gmail.com (Email) / or business managers. MI / 48218 (State/Zip) asgcalkins@outlook.co
(State/Zip) tjawad89@gmail.com (Email) or business managers. MI / 48218 (State/Zip)
(State/Zip) tjawad89@gmail.com (Email) or business managers. MI / 48218 (State/Zip)
tjawad89@gmail.com (Email) or business managers. MI / 48218 (State/Zip)
(Email) or business managers. MI / 48218 (State/Zip)
MI / 48218 (State/Zip)
MI / 48218 (State/Zip)
(State/Zip)
(State/Zip)
(State/Zip)
(State/Zip)
asgcalkins@outlook.co
(Email)
f interest as defined by his as needed (pages 3-4).
MI / 48124
(State/Zip)
tjawad89@gmail.com
(Email)
eframe you resided at

Page 3 of 9

Description of individual's role in this application:	
Part owner and lead operator	
Have you had building/code violations or delinquent taxes/utility bills? Yes	☑ No
Have you ever violated, been accused by a municipality of violating, or been coviolating an ordinance similar to the city's ordinances regulating marihuana fact If yes, provide detailed information here:	onvicted of silities?
Have you ever applied for or been granted any commercial license or certificate governmental agency concerning marihuana that has been denied, restricted, su or not renewed?	e issued by any spended, revoked No
If yes, please attach a statement describing the facts and circumstances describing application, denial, restriction, revocation, or nonrenewal, including the licensist date each action was taken and the reason for each action.	ng the ng authority, the
Do you have any interest in any other application for a permit or approved permordinances?	nit under City's
If yes, provide relevant information here:	MNo
	Page 4 of 9

Do you have any interest in any other marihuana facility in Michigan?
If yes, provide relevant information here: Description Provide relevant information here:
I also own and operate a cultivation facility to help supply the retail establishments
Indicate any businesses you have owned, your occupation, and employer for the 5 years including and immediately preceding this application: (attach additional pages if necessary) Businesses Owned: Royal Highness, LLC; Royal Highness PC2, LLC; Royal Highness PC3, LLC; Royal Highness PC4, LLC; Royal Highness PC5, LLC; Royal Highness PC4, LLC; Royal Highness PC4, LLC; Royal Highness PC5, LLC; Royal Highness PC6, LLC; Ro
Occupation: Owner / operator in Michigan Cannabis Industry; prior business experience in owning / operating pharmacies Employers: N/A
Attachments Please attach the following and clearly label each required attachment.
Attachment A: Application fee and ID. Submit \$1,500 for all new and renewal applications. Please make check payable to "City of West Branch." Present a suitable form of identification along with the fee.
Attachment B: Ownership or Authorization to use Property. Proof of ownership or authorization to use the property for a marihuana facility. If the applicant is not the owner of the proposed licensed premises:
A notarized statement from the owner of such property authorizing the use of the property for a marihuana facility, if the applicant is not the owner of the proposed licensed premises
2. A copy of any deed reflecting the applicant's ownership of, or lease reflecting the right of the applicant to possess, or an option reflecting the applicant's right to purchase or lease, the proposed licensed premises.
Please note that the City of West Branch Zoning Ordinance requires marihuana facilities and establishments to be a distance of at least 300 feet to any building used for education, child care, or addiction treatment purposes or a park. This measurement shall be the distance from any building in which the facility or establishment is operating and an eligible building on another lot or to the lot line of a park.
Attachment C: Prequalification. Proof of prequalification by the State of Michigan for a marihuana facility state license including a copy of the application form submitted to LARA for prequalification (attachments are not required).
Page 5 of 9

Facility or Business Manager			
(Name)			
(Mailing Address)	(City)	(State/Zip)	
(Phone)	(Fax)	(Email)	
Are there other facility or bu If Yes, how many? Attached a separate sheet list		☐ No other facility or business managers.	
Property Owner			
(Name)			
(Mailing Address)	(City)	(State/Zip)	
(Phone)	(Fax)	(Email)	
Each person named on the Michigan law, must fill out	application, including any the following questions. Pleas	true party of interest as defined by se duplicate this as needed (pages 3-4).	
Nickolas Calkins			
(Name)			
323 Eileen Dr	Bloomfield Hill	s MI / 48302	
(Mailing Address)	(City)	(State/Zip)	
248-895-5948		nickolasgcalkins@outlook.com	
(Phone)	(Fax)	(Email)	
each address),	resses over the past three years comfield Hills, MI 48302	(indicate timeframe you resided at	
		Page 3 of 9	

Description of individual's role in this application: Partial owner and attorney for the company		
Have you had building/code violations or delinquent taxes/utility bi	lls? 🗌 Yes 🔽	No
Have you ever violated, been accused by a municipality of violating violating an ordinance similar to the city's ordinances regulating ma If yes, provide detailed information here:		
Have you ever applied for or been granted any commercial license of governmental agency concerning marihuana that has been denied, re or not renewed? If yes, please attach a statement describing the facts and circumstant application, denial, restriction, revocation, or nonrenewal, including date each action was taken and the reason for each action.	estricted, suspe	nded, revoked No
Do you have any interest in any other application for a permit or appordinances?	proved permit	
If yes, provide relevant information here:	Yes	No

Do you have any interest in any other marihuana facility in Michiga	ومشنع	A.
If yes, provide relevant information here:	∐ Yes	No No
Indicate any businesses you have owned, your occupation, and empincluding and immediately preceding this application: (attach addition)	oloyer for the 5 ional pages if n	years lecessary)
-Former Partner of boutique cannabis law firm 2018	- 2022 (focus	
on corporate / real estate transactions and regulatory	compliance	
-Current In-House Counsel for Royal Highness Brand	ds	
Attachments		
Please attach the following and clearly label each requ	ired attachmer	nt.
Attachment A: Application fee and ID. Submit \$1,500 for all applications. Please make check payable to "City of West Brane identification along with the fee.	new and renew ch." Present a s	val uitable form of
Attachment B: Ownership or Authorization to use Property authorization to use the property for a marihuana facility. If the the proposed licensed premises:	. Proof of owner applicant is no	ership or t the owner of
A notarized statement from the owner of such property a property for a marihuana facility, if the applicant is not t licensed premises	unthorizing the	use of the proposed
2. A copy of any deed reflecting the applicant's ownership right of the applicant to possess, or an option reflecting t purchase or lease, the proposed licensed premises.	of, or lease refl he applicant's i	lecting the right to
Please note that the City of West Branch Zoning Ordinance re establishments to be a distance of at least 300 feet to any buil care, or addiction treatment purposes or a park. This measur from any building in which the facility or establishment is ope on another lot or to the lot line of a park.	ding used for ed rement shall be t	ucation, child he distance
Attachment C: Prequalification. Proof of prequalification by t marihuana facility state license including a copy of the applicati for prequalification (attachments are not required).	he State of Mic on form submi	chigan for a tted to LARA
		Page 5 of 9

Attachments D, E, F, and G are for Provisioning Centers/Retailers only. All other facilities should proceed to attachment H.

Attacl	ment D: Qualifications of Applicant. Please include the following:
1 .	Detailed description of the applicant's experience with owning (51% or more), operating, and/or managing a business with inventory tracking and control with a minimum of one year of experience.
2.	Detailed description of the applicant's experience with owning (51% or more), operating, and/or managing a business in a highly regulated industry (minimum of 1 year). Highly regulated means subject to regulations by LARA or a similarly regulated agency (state or federal).
Attacl	ament E: Business Plan. Please include the following:
□ 1.	Detailed description of estimated capital investment (defined as a fixed asset which is purchased for long-term use and not likely to be converted quickly into cash – such as land, buildings, and equipment).
2 .	Business plan with daily operations schedule.
□3.	Proposed staffing plan, complete with descriptions of job duties, proposed wages, and employee qualifications/hiring criteria
4 .	Documented employee policy book and code of ethics to ensure honesty and integrity of employees.
□ 5.	Sworn attestation that the Applicant and/or parties with 25% or more interest in the company have not been subject to any civil monetary judgements entered against it in the last 7 years, excluding family law matters or estate disputes.
☐ 6.	Sworn attestation that the Applicant and/or parties with 25% or more interest in the company have not filed bankruptcy within the last 7 years.
Attach	ment F: Security Plan. Please include the following:
□ 1.	Detailed description of plan to deter and prevent unauthorized entrance into the facility.
□ 2.	Detailed description of plan to deter and prevent theft and diversion.
 	Page 6 of 9

□ 3.	Detailed description of plan for 24/7 video surveillance inside and outside of facility. Plan shall include a security system that alerts owner of possible tampering with facility/contents.
4 .	Detailed description of plan for secure storage of marihuana and proceeds.
☐ 5.	Detailed description of plan for record keeping and inventory management.
☐ 6.	Provide copies of material safety data sheets for hazardous materials and the plan for storage and disposal (or a sworn attestation that no hazardous materials will be on the premises at any time).
Attack	ment G: Economic Impact. Please include the following:
1 .	Description of employee hourly wages which shall be at least 200% of the Federal Poverty Level for a family of two, at its hourly basis for all employees.
□ 2.	Description of employee benefit package.
Attack	ment H: Plans for Planning Commission Review. Please include the following:
□ 1.	 Site Plan (for Special Land Use approval by the Planning Commission). Site plan shall contain all items listed in Section 5.5 (Site Plan Data Required) and Section 6.2 (Special Use Applications) from City of West Branch Zoning Ordinance in addition to the following: Site Plan should show public, private, and secured areas. For growers, the site plan must also show secured areas and any type of outdoor storage.
□ 2.	Other Plans: a. Growers shall provide the following (if applicable): (1) Cultivation Plan (2) Wastewater Plan & Disposal Plan (3) Mold/Mildew/Pest Control Plan (4) Air Quality Plan (5) Mechanical Plan (6) Electrical Plan (as prepared by a licensed electrician and a certification that the premises are equipped to safely accept and utilize the required or anticipated electric load for the facility)
	 b. Processors shall provide the following (if applicable): (1) A detailed description of products to be produced including (2) Plant Waste Disposal Plan

- (3) Wastewater Plan
- (4) Mechanical Plan

Phone: (989) 345-0500 Fax: (989) 345-4390 clerk@westbranch.com

- c. <u>Provisioning Centers/Marihuana Retailers</u> shall provide the following (if applicable):
 - (1) Description of products and services to be provided
 - (2) Plant Waste Disposal Plan.

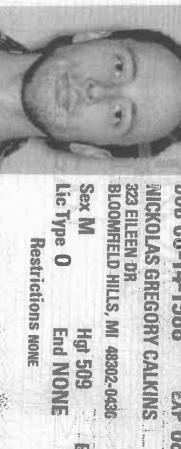
I, the undersigned, have the authority to sign this application on behalf of ("the Facility or Company"). I have read all of the above answers, including all sheets and information provided in connection with this application and they are true and correct. The Facility agrees to comply with all terms and conditions of a permit as it may be issued. Finally, I understand that the Facility has a continuing duty to provide the City of West Branch with current information and will notify the City
provided in connection with this application and they are true and correct. The Facility agrees to comply with all terms and conditions of a permit as it may be issued. Finally, I understand that the Facility has
with all terms and conditions of a permit as it may be issued. Finally, I understand that the Facility has
a continuing duty to provide the City of West Branch with current information and will notify the City
Clerk in writing of any changes to the Facility's mailing address, phone numbers, electronic mail
address or other contact information as well as changes to any other information the applicant has
provided to the City as part of the permit application within ten (10) days of any such change occurring.
I acknowledge that the City of West Branch may be required from time to time to release records in its
possession. The applicant hereby gives permission to the City of West Branch to release any records or
materials received by the City from the applicant as it may be requested to do so as permitted by the
Freedom of Information Act, MCL 15.231 et seq.
Signature:
Printed Name: Nickolas Calkins Title: Mente
Business:
Submit application to:
West Branch City Clerk
121 N. Fourth St.
West Branch, MI 48661

False information included on this application shall be a basis for the City of West Branch to deny the application.

Checkl	ist for Application
□ 1.	Signed application form
<u> </u>	Attachment A (Application Fee and Identification)
3.	Attachment B (Ownership or Authorization to use Property)
4.	Attachment C (Prequalification)
5.	Attachment D (Qualifications of Applicant) - RETAILERS/PROVISIONING CENTERS ONLY
☐ 6.	Attachment E (Business Plan) – RETAILERS/PROVISIONING CENTERS ONLY
7.	Attachment F (Security Plan) - RETAILERS/PROVISIONING CENTERS ONLY
8.	Attachment G (Economic Impact) - RETAILERS/PROVISIONING CENTERS ONLY
9 .	Attachment H (Plans)
After a	list for License pplication has been approved, the following shall be submitted to the City Clerk prior to the e of a Marihuana Facilities License:
□ t.	Licensing Fee. A licensing fee of \$5,000 shall be paid. Applicant will be credited \$1,500 which was paid at the time of application, so final payment is equal to \$3,500.
2.	Proof of Insurance. A licensee shall at all times maintain full force and effect for duration of the license, workers compensation as required by State law, and general liability insurance with minimum limits of \$1,000,000 per occurrence and a \$2,000,000 aggregate limit issued from a company licensed to do business in Michigan having an AM Best rating of at least A The policy shall name the City of West Branch and its officials and employees as additional insureds to the limits required by this Section. A licensee or its insurance broker shall notify the city of any cancellation or reduction in coverage within seven (7) days of receipt of insurer's notification to that effect. The licensee, permittee, or lessee shall forthwith obtain and submit proof of substitute insurance to the City Clerk within five (5) business days in the event of expiration or cancellation of coverage.
3.	Certificate of Occupancy. A Certificate of Occupancy issued by the Ogemaw County Building Department.
4.	State License. A copy of Marihuana licensed issue issued by the State of Michigan Department of Licensing and Regulatory Affairs.
5.	Other. Any other information that the City Clerk, law enforcement, Fire Chief, Public Works Supervisor, Zoning Administrator, City Manager, and/or City Attorney or their designees reasonably determines to be necessary in connection with the investigation and review of the application.
	Page 9 of 9

Attachment A

NOT FOR FEDERAL DENHIFICATION DRIVER LICENSE



008 08-14-1988 635

Sex M Lic Type O

End NONE

Restrictions NONE



DRIVER LICENSE

NOT FOR FEDERAL DENTIFICATION

J 630 785 666 731 DOB 09-21-1989

ISS 09-28-2022 EXP 09-21-2026

092189

TAREK OROWA JAWARD 24645 FAIRMOUNT DR DEARBORN, MI 4812%=1598

Sex M Hgt 600 Lic Type O End NONE

Eyes BRO



Restrictions Corrective Lens

DDI 1205161270440

Rev 69-16-2021

Attachment B

Richard C Wing

March 8th, 2023

My commission expires: 12 30 2

RE: Special Use Permit 518 East Houghton Ave. West Branch MI 48661 Tax ID # 65-052-629-002-00 I Richard C Wing, owner of 518 East Houghton Ave. West Branch MI 48661, hereby give permission for Tarek Jaward (Herbology Cannabis Co.) to apply for a special use permit and I am allowing him to use the building for a marijuana facility through the city of West Branch for the above-mentioned property. Richard C Wing Signature of individual Authorized to Sign on Behalf of Entity Subscribed and sworn to by Kichard Wing Notary Public Signature **Notary Public Printed Name**

County of Oge Maw. Acting in the County of Oge Maw

Attachment C

GRETCHEN WHITMER GOVERNOR



ORLENE HAWKS DIRECTOR

STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING VIA ELECTRONIC MAIL

Date: February 02, 2023

Addressee: West Branch Provisioning Center, LLC

Address: 500 Temple Street Suite 2M

Detroit, MI 48201

RE: Prequalification status for your pending application

Dear Applicant:

The Cannabis Regulatory Agency (Agency) considered your partial application for prequalification status and determined that you have prequalification status pursuant to the licensing provisions of the Michigan Regulation and Taxation of Marihuana Act (MRTMA) and associated rules. This letter may be provided to a municipality as documentation of your prequalification status. Please note that this is a pending status until all application requirements of the MRTMA and associated rules are completed. A state license for a marihuana establishment cannot be issued at this stage of the application process. During complete application review, the Agency will consider all information relevant to eligibility including information that has been newly acquired or information that is newly apparent since determination of prequalification status.

If you have not already done so, please submit a marijuana establishment license application (Step 2) for each state license for which you wish to apply. You may submit an application online through the Accela Citizen Access Portal on the Agency website at www.michigan.gov/cra or your application may be submitted by mail.

Mailing Address:
Cannabis Regulatory Agency
Licensing Division
Adult-Use
P.O. Box. 30205
Lansing, MI 48909

Sincerely,

Breanna
Licensing Division
Cannabis Regulatory Agency

Attachment D

APPLICANT QUALIFICATIONS

<u>Tarek Jaward</u> — Chief Executive Officer (CEO) — Tarek Jaward is a leading operator in Michigan's cannabis industry. He currently owns and operates various medical and recreational marijuana facilities in the metro Detroit area and was the first adult use marijuana retailer to be licensed in Wayne County. A link to Herbology River Rouge is below.

www.shophcc.com

Mr. Jaward has ownership in other marijuana retail establishments at the following addresses:

- -261 Burke St, River Rouge, MI 48218
- -10196 W Jefferson Ave, River Rouge, MI 48218
- -471 Schaefer Hwy, Detroit, MI 48217

Mr. Jaward will implement the training models used to train Company employees, and ensure training meets all compliance requirements. He will also be tasked with ensuring all Company activities are integrated between facility operations. Having operated in Michigan medical and recreational marijuana industry since its inception, Mr. Jaward has successfully operated marijuana retail facilities and just recently launched the Company's first cultivation facility to support consistency and continuity in its retail inventory supply.

Nickolas Calkins - Chief Compliance Officer (CCO) - Mr. Calkins is a leading Michigan Cannabis Business Attorney who has worked with dozens of Medical and Recreational Marijuana companies throughout the State of Michigan, including several currently operating and fully compliant Facilities. Mr. Calkins has worked with Tarek Jaward for 5+ years and is excited to join as an owner of West Branch Provisioning Center, LLC.

Attachment E

WEST BRANCH PROVISIONING CENTER, LLC BUSINESS PLAN

Contents

About Us	3
Goals	3
Company Details	3
Overview	3
Organizational Structure	3
Best Practices	3
Ownership Team Experiences and Roles	4
Compliance History	·············4
Marketing	4
Marketing Plan	4
Inventory and Recordkeeping	5
Recordkeeping	6
EMPLOYEES, BENEFITS, & CONTRACTING	6
Jobs, Job Descriptions, and Benefits – Marijuana Retail Facility	7
Daily Operations Schedule	7
Hours: Mon-Sat 9a – 8p: Sun 9a-7n	-

About Us

Goals

West Branch Provisioning Center, LLC, is proposing to operate an adult-use marijuana retailer establishment at 518 E Houghton Avenue in the city of West Branch. We are excited about the vibrant redevelopment of an underdeveloped property located in such a busy area in the city. Collectively, Company ownership have over 10 years of experience in Michigan's marijuana industry. This experience has allowed them to develop a deep understanding of efficient and compliant operations while delivering an unparalleled customer experience.

Company Details

Business Model

Overview

The Company is owned by individuals with a deep understanding of running highly regulated businesses such as: medical marijuana businesses, adult-use marijuana businesses, real estate development, the pharmaceutical industry, and the legal service industry. The Company knows it can achieve long-term success in the industry because of its team members' proven track records and overall commitment to fundamental good business practices.

Organizational Structure

The Company will be organized in a top-down manner with ownership heavily involved in the day to day operation of the facility. However, Company ownership understands the necessity of a well-trained staff, capable of professional grade work product.

The Company will be owned as follow:

- Tarek Jaward Chief Executive Officer 95%
- Nickolas Calkins Chief Compliance Officer 5%

Company ownership will utilize its connections in the industry to allow its employees to be trained in a manner that allows them to be familiar with their work long before they actually have to perform it. This experience will also introduce prospective employees to what the Company will consider best practices. In addition, added expertise will come from the experience of Company ownership with historically successful commercial marijuana operations.

As stated above, community involvement and impact will be an integral part of this Company's facility. Moreover, the economic impact of the facility on the immediate area should reflect the efforts of the previously listed Company goals. Rounding out the business model will be community development, charitable initiatives, and dedication to employment from within the community.

Best Practices

To ensure the highest product, quality and customer experience, the Company will be in a perpetual state of improvement. This means the Company will continually review all internal Company

procedures, techniques, and technologies to confirm that the Company is always delivering the best product and service possible.

Ownership Team Experiences and Roles

Company ownership will be active in the day-to-day operation of this facility. Below is a brief explanation of their experiences and roles within the Company.

<u>Tarek Jaward</u> – Chief Executive Officer (CEO) – Tarek Jaward is a leading operator in Michigan's cannabis industry. He currently owns and operates various medical and recreational marijuana facilities in the metro Detroit area and was the first adult use marijuana retailer to be licensed in Wayne County. A link to Herbology River Rouge is below.

www.shophcc.com

Mr. Jaward has ownership in other marijuana retail establishments at the following addresses:

- -261 Burke St, River Rouge, MI 48218
- -10196 W Jefferson Ave, River Rouge, MI 48218
- -471 Schaefer Hwy, Detroit, MI 48217

Mr. Jaward will implement the training models used to train Company employees, and ensure training meets all compliance requirements. He will also be tasked with ensuring all Company activities are integrated between facility operations. Having operated in Michigan medical and recreational marijuana industry since its inception, Mr. Jaward has successfully operated marijuana retail facilities and just recently launched the Company's first cultivation facility to support consistency and continuity in its retail inventory supply.

Nickolas Cal kin s— Compliance Officer — Mr. Calkins is a leading Michigan Cannabis Business Attorney who has worked with dozens of Medical and Recreational Marijuana companies throughout the State of Michigan, including several currently operating and fully compliant Facilities. Mr. Calkins has worked with Tarek Jaward for 5+ years and is excited to join as an owner of West Branch Provisioning Center, LLC.

Marketing

Marketing Plan

In line with current practice, we will be employing dedicated marketing personnel to head all marketing campaigns. Herbology Roseville will aim to dominate the online and digital marketplace, while focusing its marketing to those adult use customers over the age of 21, in compliance with local and state advertising rules. Online market awareness is important and crucial to business success, but so are other marketing tactics. The exact marketing strategy will be decided on when the professionals are retained to begin the Company's marketing campaign and subject to review by the company's legal compliance consultant.

Inventory and Recordkeeping

Our team leaders understand what inventory is driving Michigan's market, how to present the customer with a wide range of products, delivery vehicles, merchandising sensory overload. Though acquisition of some flower will be created at the adjacent grow facility, 90% of the retail store's inventory will be acquired from outside vendors with whom we already have strong relationships – because buying power is important given limited access to desired product lines. To provide as thorough a picture of the facility inventory, please see our menu breakdown below.

- I. Dried Flower Products
 - Indica flowers
 - Sativa flowers
 - Hybrid flowers
 - CBD flowers
- Π . Wax
 - Topical Indica wax
 - Topical Sativa wax
 - Topical Hybrid wax
 - Topical CBD wax
 - Ingestible Indica wax
 - Ingestible Sativa wax
 - Ingestible Hybrid wax
 - Indica, Sativa, and Hybrid Cartridges
 - Ingestible CBD wax and Cartridges

III. Oils

- Topical Indica oil
- Topical Sativa oil
- Topical Hybrid oil
- Topical CBD oil
- Ingestible Indica oil
- Ingestible Sativa oil
- Ingestible Hybrid oil
- Indica, Sativa, and Hybrid Cartridges
- Ingestible CBD oil and Cartridges

IV. Topicals

- Indica creams, lotions, and skincare products
- Sativa creams, lotions, and skincare products
- Hybrid creams, lotions, and skincare products
- CBD creams, lotions, and skincare products

V. Edibles

- Indica edible products like brownies, cookies, gummies...etc.
- Sativa edible products like brownies, cookies, gummies...etc.
- Hybrid edible products like brownies, cookies, gummies...etc.

- CBD edible products like brownies, cookies, gummies...etc.
- VI. Pre-rolls
 - Indica marijuana cigarettes
 - Sativa marijuana cigarettes
 - Hybrid marijuana cigarettes
 - CBD marijuana cigarettes
- VII. Gear
 - Batteries for ionizers, vaporizers, and other related electronics
 - Glassware
 - Ionizers, vaporizers, and related products
 - Rolling papers

This inventory list should not be viewed as exhaustive and will continue to grow as needs and demands become identified.

Recordkeeping

The Company understands the need for internal regulation with any medical marijuana facility. In order to accomplish the goals of the Company for compliance, the Company will maintain logs for all parts of this facility. Employee logs will be kept monitoring employee entrance to and exit from the facility. Storage rooms and secured access points will have log sheets to be signed by anyone entering those areas, as well as a brief description of reasons for the employee's presence in that area. All product held by the facility will be adequately logged in a physical and digital database. The Company will require logs on all plants from when they enter the cultivation stage to when they are eventually sold to patients, with an intricate log process for every step in the process. Logs will be reviewed daily, and physical logs will be digitally recorded at the close of each day.

TANGIBLE CAPITAL INVESTMENT

Our preliminary calculations show an approximate capital outlay of \$2,500,000. This cost includes all monies required to purchase and renovate the real estate, securitize the premises, outfit the facility with the necessary technology, provide initial staffing and inventory, and all other miscellaneous items necessary to open the doors and support the first 3 months of operations.

EMPLOYEES, BENEFITS, & CONTRACTING

Plans to Atr act and Hire from Within the Commun by - We are committed to hiring local and attract community members to work in our facility.

Competitive Compen at on ,Benefits, and Educational Programs — We have outlined competitive compensation for each individual position to ensure industry leading pay at each position. A comprehensive benefits and industry education package for each position is provided to attract and keep industry talent.

Local Contractors – We are committed to hiring local contractors to provide renovation support.

Jobs, Job Descriptions, and Benefits

Employees will be divided by area of the facility that they are employed in. Below find a proposed list of jobs and a brief description of what that job will be, with projected job totals being full-time positions. We may decide to engage additional employees at each position on a part-time basis, in which the projected total will increase.

Position	Starting Wage	Expected Hires
Receptionist	\$16	3
Bud Tender	\$16	15
Shift Leader(s)	\$17	6
Assistant Manager	\$18	2
Human Resources Manager	Salary	1
Store Manager	Salary	1
Asst Com plianceDirector	Salary	1

Daily Operations Schedule - Hours: Mon-Sat 9a - 8p; Sun 9a - 7p

Pre-Opening	Completed	Employee Name	Time
Security Sweep			8:30-9:00AM
Cleaning & Sanitation			8:3 09:00AM
POS Till Check			8:3 09:00AM
Inventory Count			8:3 09:00AM
During O pration			
Scheduled Cleaning			12-2 PM & 6-8PM
Mid-Day Inventory Count			4:00PM
Cash Safe Drops			1 PM5PM/8PM
Shift Change Reports			End of Shift Auto
Metrc & Software Check			1 PM5PM/8PM
Secured Storage Check			1 PM5PM/8PM
POS Com plance Audit			4:00PM/8:3 0PM
Closing			
Security Sweep			M-Sat 7:3 0PM Sun 6:30PM
Cleaning & Sanitation			7:45PM / 6:45PM
POS Till Check			8:00PM / 7:00PM

Daily Sales Log Report	8PM / 7PM
Inventory Balance	8:30PM / 7:30PM
Account for Discrepancies in Count	Time as Needed
Secured Storage Check	8:30PM / 7:30PM
Final Cash Drop	8:45PM / 7:45PM

Our policy will be to offer at minimum a starting wage of \$16 per hour and ensure that all employees are paid so as to earn above the 200% federal povery line threshold. This minimum base rate ensures all employees will be earning a livable wage. Additionally, we will offer the following benefits to its employees after they complete 90 days of full-time employment:

- Medical;
- Dental;
- Vision:
- Life Insurance:
- Disability Insurance; and
- Retirement Funds Account.

The roster of employees actively receiving benefits will be reconciled on a monthly basis with the current invoice from the insurance companies.

All employees are eligible to enroll into our health insurance program, effective the first of the month following 90 days of full-time employment. Our company will pay 80 percent of the healthcare coverage premium for all regular full-time employees, and our HR department will be responsible for advising employees of their upcoming eligibility for initial insurance election 30 – 45 days prior to the employee's 90th day of full-time employment.

Our company will contract with a commercial insurance broker to ensure that the greatest rates and return on investment is achieved for the employees and employer. Reconciliation with the commercial insurance providers will be conducted in the following manner:

- The HR Department will confirm that the proper payroll deduction documents exist in the
 personnel file and that they were forwarded for action to the Payroll Department
 (Bookkeeper & Accountant);
- HR Department will confirm that the payroll deductions are stopped at the request of the employee and that such documentation is forwarded to the Payroll Department;
- Payroll Department will confirm that payroll deductions are indeed being withheld or that payroll deductions cease when appropriate;
- Payroll Department will ensure that the funds being withheld are being applied to the appropriate accounts or cost centers;
- Payroll Department reconciles the deductions made on the invoice provided by the HR Department on a monthly basis.

We are also exploring the potential implementation of a competitive bonus incentive program for production-based employees. This program would be in addition to employee's regular pay and will not be deducted or defrayed by costs associated with the benefits programs the employee is enrolled in. We would offer this bonus program in addition to common workplace bonuses like time and half overtime, hazard pay, and holiday premiums. Other benefits include paid sick leave, unpaid sick leave, paid vacation days, unpaid vacation days, and a potential retirement contribution investment match program.

WEST BRANCH PROVISIONING CENTER, LLC

Employee Handbook

Section 1: Introduction

- 1.1. Purpose of this Handbook
- 1.2. Changes of Policy
- 1.3. Employment Forms

Section 2: Terms & Definitions

- 2.1. Define "At-Will" Employment
- 2.2. Equal Employment Opportunity

Section 3: Workplace Violence / Harassment

- 3.1. Unlawful Harassment
- 3.2. Workplace Violence

Section 4: Policies

- 4.1. COVID-19
- 4.2. Smoking / Medicating
- 4.3. Parking
- 4.4. Employer Property
- 4.5. Dress Code

Section 5: Workplace Conduct

- 5.1. Punctuality, Attendance, & Scheduling
- 5.2. Prohibited Conduct / Write-Up Policy
- 5.3. Conducting Personal Business
- 5.4. Business Conduct & Ethics
- 5.5. Police Interaction

Section 6: Employee Benefits

- 6.1. Employee Purchases
- 6.2. Discounting

Section 7: Scheduling / Pay Period

- 7.1. Work Schedules
- 7.2. Timekeeping Requirements
- 7.3. Pay Period / Tips

Section 8: New Hire Probationary Period

- 8.1. New Hire Probationary Period
- 8.2. Paid Time Off Rules and Eligibility

1.1 Purpose of this Handbook

The purpose of this handbook is to familiarize you – the employee – with the policies, rules, and other key aspects of West Branch Provisioning Center (the "Company" or "WBPC"). The information in this handbook supersedes all rules and policies that may previously have been expressed or implied, in both written and oral format. Compliance with this handbook is compulsory for all employees. The Company reserves the right to interpret this handbook's content as it sees fit, and to deviate from policy when it deems necessary.

1.2 Changes of Policy

West Branch Provisioning Center reserves the right to change this handbook's contents, at any time and at our sole discretion. Its provisions may not be altered by any other means, oral or written. You will receive written notice of any changes we make to the employee handbook, and are responsible for understanding and complying with all up-to-date policies. If you are confused about any information defined herein, please contact West Branch Provisioning Center Management.

1.3 Employment Forms

All new employees are required to complete and submit the following forms. Starred (*) forms can be found at the end of this manual. All other forms have been or will be provided separately.

- * At-Will Employment Agreement and Acknowledgement of Receipt of Employee Handbook *
- * Employee Eligibility Form I-9 *

On the day of hire, each new employee is legally obligated to complete the Employment Eligibility Verification Form I-9 and submit documents establishing identity and eligibility within the next three business days. The same policy applies to re-hired employees whose I-9's are over three years old or otherwise invalid.

2.1 At-Will Employment Status

WBPC Personnel are employed on an 'At-Will' basis. Employment 'At-Will' may be terminated or disciplined with or without cause and with or without advanced notice at any time by the employee or the Company. Nothing in this handbook shall limit the right to terminate 'At-Will' employment. No manager, supervisor, or employee of the Company has any authority to enter into an agreement for employment for any specified period of time or make an agreement for employment on other than 'At-Will' terms. Only the Managing Partners of WBPC have the authority to make any such agreement, which is binding only if it is in writing.

2.2 Equal Employment Opportunity

WBPC is an Equal Opportunity Employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. Company policy prohibits unlawful discrimination based on race, color, creed, gender, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical conditions including genetic characteristics, sexual orientation, or any other consideration made unlawfully by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics or is associated with a person who has or is perceived as having any of those characteristics. All such discrimination is unlawful. The Company is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in Company operations and prohibits unlawful discrimination by any employee of the Company, including supervisors and coworkers. To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Company will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee unless undue hardship would result. Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact a Company representative with day-to-day personnel responsibilities and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. The Company then will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. The Company will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose any undue hardship, the Company will make the accommodation. If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to your supervisor or the individual with day-to-day personnel responsibilities. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. The Company will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation. If the Company determines that unlawful discrimination has occurred, effective remedial actions will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. The Company will

not retaliate against you for filing a complaint and will not knowingly permit retaliation by management, employees, or your coworkers.

3.1 Unlawful Harassment

WBPC is committed to providing a work environment free of unlawful harassment. Company policy prohibits sexual harassment and harassment based on pregnancy, childbirth, or related medical conditions, race, religious creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, registered domestic partner status, age, sexual orientation or any other basis protected by the federal, state, or local law or ordinance or regulation. All such harassment is unlawful. The Company's anti-harassment policy applies to all persons involved in the operation of the Company and prohibits unlawful harassment by any employee of the Company, including supervisors and managers, as well as vendors, customers, independent contractors and any other persons. It also prohibits unlawful harassment based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. If you believe that you have been unlawfully harassed, bring your complaint to your own or any other Company supervisor, management, or the personnel administrator of the Company as soon as possible after the incident. You will be asked to provide details of the incident or incidents, names of individuals involved and names of any witnesses. It is mandatory to communicate your complaint in writing. Supervisors will refer all harassment complaints to the personnel administrator, investigative officer, or the Owners of the Company. The Company will immediately undertake an effective, thorough, and objective investigation of the harassment allegations. If the Company determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Company to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to, and including termination. A company representative will advise all parties concerned of the results of the investigation. The Company will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees, or co-workers. The Company encourages all employees to report any incidents or harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. If you think that you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency.

3.2 Workplace Violence

WBPC has adopted the following workplace violence policy to ensure a safe working environment for all employees. The Company has a zero tolerance policy for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination. Possession of non-work related weapons on Company premises and at Company-sponsored events shall constitutes a threat of violence. It is every employee's responsibility to assist in establishing and maintaining a violenceOfree work environment. Therefore, each employee is expected and encouraged to report any incident which may be threating to you or your co-workers or any event which you are reasonable believe is threatening or violent. You may report an incident to any supervisor or manager.

4.1 COVID-19

WBPC is COVID-19 compliant and will follow / enforce all state mandated regulations. Following the release of the MIOSHA Emergency Rules posted 5.25.21, WBPC follows the below guidance.

- Employers may allow fully vaccinated employees to not wear face coverings and social distance provided they have a policy deemed effective to ensure non-vaccinated individuals continue to follow these requirements.
- Employeers should continue to have and implement a written COVID-19 Preparedness and Response Plan in accordance with the updated rules.
- WBPC will not request proof of COVID-19 vaccination from employees and will not hold any
 private medical vaccination records on file in accordance with HIPPA (Health Insurance
 Portability and Accountability Act).
- WBPC Employees have been updated with the latest guidance from MIOSHA and have been asked to comply accordingly.

4.2 Smoking / Medicating

Smoking is not allowed in any area on the premises or within 200 feet of WBPC (unless in a designated smoking area). If working a shift less than 8 hours, two 5-minute smoke breaks are allowed. If working a shift longer than 8 hours, two 15-minute smoke breaks are allowed. No more than 1 person on a smoke break at once (per managers discretion).

Smoking / Consuming cannabis products while working or within 1,00 feet of WBPC is always strictly prohibited and can result in immediate termination of employment.

4.3 Parking

Employees may park their vehicles in designated areas. Employees may not use parking areas specifically designated for neighboring businesses unless approved by the neighboring business and WBPC management. West Branch Provisioning Center is not responsible for any loss or damage to employee vehicles or contents while parked on Company property.

4.4 Employer Property

Lockers, desks, computers, vehicles, and any other company-owned item are WBPC property and must be maintained according to Company rules and regulations. They must be kept clean and are to be used only for work-related purposes. WBPC reserves the right to inspect all Company property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence. Company voicemail and / or electronic mail (e-mail) are to be used for business purposes only. WBPC reserves the right to monitor voicemail messages and e-mail messages to ensure compliance with this tile, without notice to the employee and at any time, not necessarily in the employee's presence. No personal locks may be used on Company-provided lockers unless the employee furnishes a copy of the key or combination to the lock. Unauthorized use of a personal lock be an employee may result in losing the right to use a Company locker. WBPC may

periodically need to assign and / or change "password" and personal codes for certain password protected devices. These communication technologies and related storage media and databases are to be used only for Company business and they remain the property of WBPC. WBPC reserves the right to keep a record of all passwords and codes used and / or may be able to override any such password system. Prior authorization must be obtained before any Company property may be removed for the premises. For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent. Terminated employees should remove any personal items at the time they leave WBPC. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination. Employees will be held responsible if company property (in any form such as retail products to be kept behind the counter or other valuables) is left available for the public to take without authorization or payment. Lockers, desks, computers, vehicles, and any other company-owned item are WBPC property and must be maintained according to Company rules and regulations. They must be kept clean and are to be used only for work-related purposes

4.5 Dress Code

WBPC Dress Code is as follows.

- No open-toed shoes or flip-flops
- No sleeveless shirts (tank tops, string tops, etc.)
- No bare midriffs or shorts less than 6" above knee
- Please utilize proper undergarments
- Leggings are allowed, but Spandex Work-Out leggings are not appropriate (no see-through or ripped)
- No lude or inappropriate images or sayings on shirts.

^{**}On special holiday weekends or special events, WBPC may ask staff to wear matching polos or other matching clothing**

5.1 Punctuality, Attendance, and Scheduling

As an employee of WBPC, you are expected to be punctual and regular in attendance. Any tardiness or absence causes problems for your fellow employees, your supervisor, and the flow of business. Employees are expected to report to work as scheduled, on time, and prepared to start work. Additionally, employees are expected to remain at work for the entire shift, except for meal periods or when required to leave on authorized Company business. Late arrival, early departure, or other unanticipated and unapproved absences from scheduled hours are disruptive and must be avoided. If you fail to report for work without any notification to your supervisor, WBPC will consider that you have voluntarily abandoned or quit your employment. If you walk off the job without the consent of your supervisor, WBPC will consider that you have voluntarily abandoned or quit your employment. If you are unable to report for work on a particular day, you must under all but the most extenuating circumstances call your supervisor at least 2 hours before the time you are scheduled to begin working for that day. You must call and directly speak to a supervisor. A message on the general company voicemail, phone message machine, nor a text message to a co-worker or supervisor will be accepted as a notice of absence. In no circumstance is a text message an acceptable form of communication with your supervisor regarding an absence or late arrival. A "no call, no show" results in voluntary resignation of your position with WBPC.

Process Steps when clocking in / out.

- Staff members must clock in and out on the iPad timeclock in the Employee Entrance Hallway.
 Please avoid using the clock in / out function on the Cova POS Stations, as it doesn't send the same signals to the When I Work App.
- Lunch Breaks All staff members must clock out for lunch breaks using the iPad timeclock in the Employee Entrance Hallway, selecting the 'Start A Lunch Break' option. This will send the proper signal to When I Work and code the clock out as taking a lunch break in the system. If management does not see a clock out for lunch break when submitting payroll, a lunch break will be applied automatically.

5.2 Prohibited Conduct

The following conduct is prohibited and will not be tolerated by WBPC. Engaging in prohibited conduct are grounds for disciplinary action including and up to immediate dismissal of your position with the company. This list of prohibited conduct is illustrative only; other types of conduct that threaten security, personal safety, employee welfare, and Company operations also may be prohibited.

- Falsifying employment records, employment information, or other Company records.
- Recording the work time of another employee or allowing any other employee to record your work time, or falsifying any timecard, either your own or another employee's.
- Deliberate or careless damage or destruction of any company property, or the property of another employee or client. NO ARSON.
- Removing or borrowing Company property without prior authorization.
- Unauthorized use of Company equipment, time, materials, or facilities.

- Theft or stealing of any kind. NO STEALING. Discounting a transaction for non-eligible employee
 / clients or product. Putting extra items in an employee's bag or a clients bag that were not paid
 for, or ringing yourself up for a transaction.
- No using personal cell phones without authorization from a manager.
- Use of a manager code without written permission from management.
- Committing a fraudulent act or a breach of trust under any circumstances.
- Provoking a fight or fighting with fellow employees or clients during working hours or on Company property.
- A physical altercation with another employee or a client that you initiate. NO throwing things, verbal threats, or violence of any kind.
- Verbal abuse, abusive language or altercation that you initiate with an employee or client at any time on Company premises.
- Carrying firearms or any other dangerous weapons on Company premises at any time.
- Causing, creating, or participating in a disruption of any kind during working hours on Company property.
- Engaging in criminal conduct whether related to job performance.
- Insubordination
- Violating any safety, health, security, Company policy, rule, or procedure.
- Committing of or involvement in any act of unlawful harassment of another individual.
- Committing of or involvement in un-wanted sexual advances, sexual harassment, sexual assault, or a sexual or lewd act.
- Failing to lock and secure the building, safes, and products at closing.
- Showing up for your shift under the influence of drugs or alcohol. Using drugs, alcohol, or any cannabis products while working and / or on Company property.
- Sleeping or malingering on the job.
- Deleting browsing history on Company computers.

The Write-Up Policy at WBPC is structured below.

- An employee can be written up by a manager for the following reasons
 - o Being more than 15 minutes late to a shift with no communication
 - o Insubordination
 - Prohibited Conduct defined in section 5.2
- Write-Ups are to be documented and signed / dated by the employee and manager.
- 3 Write-Ups within a rolling 60-day period results in termination.

5.3 Conducting Personal Business

Employees are to conduct only WBPC business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours.

5.4 Business Conduct and Ethics

No employee may accept a gift from any client, vendor, supplier, or other person doing business with WBPC, because doing so may give the appearance of influencing business decisions, transactions, or services. Please discuss expenses paid by such persons for business trips and meals with the Company in advance.

5.5 Police Interaction

All negative interaction with law enforcement must be reported to WBPC management within 24 hours of the incident or risk immediate termination.

6.1 Employee Purchases

WBPC employees receive 20% off their purchases at HLPC (Budtenders, Managers, Reception, Preroll Production, Grow Staff). This excluded seeds, cuttings, cultivation supplies, Tier 1 flower, bundle deals (7 carts for \$100), Prepack / Preroll Specials (example: \$5 prerolls) and other discounted and non-discounted items to management's discretion. Purchases are to be made off shift only. Employee purchases are intended for their personal use only. Purchasing for anyone else using an employee discount, whether they are a medical cannabis patient or not, is strictly prohibited, and may result in immediate termination if violated. Employees are prohibited to putting items aside with the intention of purchasing it. In other words, all product is to remain on the floor in its designated bin / location. All employee purchases are to be verified by a manager. All employee purchases and personal bags / backpacks are subject to inspection at any time.

6.2 Discounting

Employees receive a discount on qualifying products (see Employee Purchases). Customers with a valid non-expired Medical Marijuana Card and Military Service Members / Veterans will receive 10% off eligible items (similar exclusions to Employee Purchases). Discounting for an unqualified member is strictly prohibited. Over-discounting is considered prohibited conduct and will be considered stealing by the Company.

7.1 Work Schedules

WBPC is normally open for business between the hours of 9am to 8pm Monday – Saturday, and 9am to 7pm on Sundays (changes seasonally). Your supervisor will assign your individual work schedule. All employees are expected to be at their desks or workstations at the start of their scheduled shifts, ready to work. Exchanging work schedules with other employees is discourages. However, if you need to exchange scheduled, you must submit a Time-Off Request and notify your supervisor 2 weeks in advance, who may authorize an exchange if possible. Work schedule exchanges will not be approved for the mere convenience of an employee or if the exchange interferes with normal operations or results in excessive overtime. If you need time off for any reason, it is your responsibility to get your shifts covered; it is not the manager's responsibility to fill your absence. Please note that just because a request form is turned in does not mean it is approved. Please follow up with your supervisor on the status of the request of you have not heard a confirmation.

7.2 Timekeeping Requirements

All non-exempt employees are required to use a time clock to record time worked for payroll purposes. Employees must record their own time at the start and at the end of each work period, including before and after each lunch break. Employees also must record their time whenever they leave the building for any reason other than WBPC business. Writing in time for another employee or allowing another employee to manually add time for you, or altering a timecard is not permissible and is subject to disciplinary action or termination. Any errors on your timecard should be reported immediately to your supervisor.

7.3 Pay Period / Tips

WBPC has a bi-weekly pay period starting and ending Monday — Sunday. Tips will be encouraged and collected daily and kept through the weekly period (Monday — Sunday), then divided and dispensed by the number of tips and the hours that you worked for the week. This is to make the tip share a fair hourly bonus. Employees who are strictly Reception / Production are not eligible for Tip Share.

8.1 New Hire Probationary Period

New employees at WBPC are subject to a 30-day probationary period. During this time, new employees will be undergoing training for daily tasks and work performance will be closely monitored by the management. Failure to meet company policies, procedures, and work expectations during this 30-day probationary period will result in immediate termination. Management can revise the probationary period for any new employee based on individual job performance. All new employees will have responsibilities / benefits scaled according to the timeline below.

0 - 15 Days:

- Must be shadowed by a Manager / Senior Budtender for all customer transactions.
- Not included in weekly tip-share while being shadowed.
- Not given Security Gate Card for door access.

16 - 30 Days:

- Can process customer transactions without being directly shadowed by a Manager / Senior Budtender.
- Included in weekly tip-share.
- Granted Security Gate Card for door access.

After the 30-day probationary period, the Management Team will review work performance, overall attitude, and any issues that may have occurred. If deemed satisfactory by the Management Team, the new employee will be released from the probationary period, and will receive a \$2 / hour increase in addition to weekly tip share (if applicable).

8.2 Paid Time Off – Rules and Eligibility

WBPC employees that have been with the company for 1 year are eligible for 1 week of Paid Time Off (PTO). Each year of service earns another 1 week of Paid Time Off (not stacking).

- 1 day of PTO is defined as an 8-hour workday.
- 1 week is defined as 5 working days.
- PTO requests must be submitted via WhenIWork, and must be requested under 'Personal Paid'.
- PTO requests must still be approved by management, and the management team will track PTO
 availability and usage in a common spreadsheet.
- Any PTO days not used by the employees anniversary will be rolled over and available for use.
- PTO hours used are not counted in the weekly Tip Share calculation.
- If an employee leaves the company with PTO hours accumulated, the PTO hours will be paid out in the form of a separate paycheck at the standard rate.

Acknowledgment of Receipt of Employee Handbook

My signature below indicated that I have received a copy of the Houghton Lake Provisioning Center Employee Handbook.

I understand that this handbook contains information regarding the Company's rules, regulations, policies, and benefits which affect me as an employee.

I acknowledge that I have read and understood Company policies.

I also understand that the Company may revise, supplement, or rescind policies, procedures, or benefits described in the handbook, with or without notice.

Print Nam	e	 		
Signature	V	 		_
Date				

AFFIDAVIT OF CIVIL MONETARY JUDGMENTS

The undersigned, Tarek Jaward, on behalf ofhereby deposes and states:	being duly sworn,
 Neither the Applicant, nor any member or parties Company have been subject to any civil monetary the last 7 years. 	
Executed this 9 day of March, 2023	
Tulla	
Signature	
Tanex Januar	
Printed Name	
Notary Acknowledgem	ent
STATE OF MICHIGAN)	
)SS COUNTY OF WAYNE)	
COOLITY OF WATNE	
The foregoing was acknowledged before me on this 94	day of March, 2023, by
	Signature of Notary Public Printed Name of Notary Public State of Michigan County of Oakland My Commission Expires: 61/23/28

AFFIDAVIT OF NO BANKRUPTCY

The undersigned, Tarek Jaward, on behalf of	being duly sworn,
hereby deposes and states:	
Neither the Applicant, nor any member or parties Company have been filed for bankruptcy in the last	
Executed this day of March, 2023	
Signature	
Nickles Calking Printed Name	
Notary Acknowledgen	nent
STATE OF MICHIGAN))SS	
COUNTY OF WAYNE)	
The foregoing was acknowledged before me on this 9	day of March, 2023, by
	Signature of Notary Public
	Printed Name of Notary Public State of Michigan
	County of Oakland My Commission Expires: <u>O(</u> /d)

Date of this notice: 12-01-2022

Employer Identification Number:

92-1202907

Form: SS-4

Number of this notice: CP 575 A

WEST BRANCH PROVISIONING CENTER THE BARN % RICHARD CARL WING 1785 W DOYLE TRL ROSCOMMON, MI 48653

For assistance you may call us at: 1-800-829-4933

IF YOU WRITE, ATTACH THE STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 92-1202907. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent

Taxpayers request an EIN for their business. Some taxpayers receive CP575 notices whe another person has stolen their identity and are opening a business using their informatio If you did not apply for this EIN, please contact us at the phone number or address listed

When filing tax documents, making payments, or replying to any related correspondence it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub

Based on the information received from you or your representative, you must file the following forms by the dates shown.

> Form 941 Form 940 Form 1120

10/31/2023 01/31/2024 04/15/2023

If you have questions about the forms or the due dates shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538,

We assigned you a tax classification (corporation, partnership, etc.) based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter relief determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2020-1, 2020-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, Entity Classification Election. See Form 8832 and its instructions for additional information.

IMPORTANT INFORMATION FOR S CORPORATION ELECTION: If you intend to elect to file your return as a small business corporation, an election to file a Form 1120-S, U.S. Income Tax Return for an S Corporation, must be made within certain timeframes and the corporation must meet certain tests. All of this information is included in the instructions for Form 2553, Election by a Small Business Corporation.

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS FILING ENDORSEMENT

This is to Certify that the ARTICLES OF ORGANIZATION

for

WEST BRANCH PROVISIONING CENTER LLC.

ID Number:

802949277

received by electronic transmission on November 30, 2022, is hereby endorsed.

Filed on December 01, 2022, by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 1st day of December, 2022.

Linda Clegg, Director

Corporations, Securities & Commercial Licensing Burea

Attachment E

WEST BRANCH PROVISIONING CENTER, LLC SECURITY PLAN

Contents

Det	er & Prevent: Unauthorized Entrance to the Facility	1
I.	Policy	1
П.	Plan	1
Ш,	Building and Perimeter Security Plan	1
P	hysical Barriers	1
Si	ignage	2
0	ther Security Measures	., 2
IV.	Interior Security Plan	2
P	hysical Barriers	2
Si	ignage	2
0	ther Security Measures	2
V.	Personnel Security Plan	3
E	mployee Identification	3
Se	ecured Access	3
A	ctivity Monitors	4
VI.	Vault Security Plan: Secure Storage of Marijuana Product	4
P	hysical Barriers	. 4
A	ccess Points	4
A	ctivity Monitor	4
0	ther Security Measures	. 5
INV	ENTORY AND CASH MANAGEMENT	5
I,	Inventory and Recordkeeping Standard Operating Procedure	5
Π.	Theft and Minor Acquisition Prevention Protocol (TMAPP)	7
P	rocedure	7
ш	Cashflow Management & Storage System	. all

Deter & Prevent: Unauthorized Entrance to the Facility

Proper security measures ensure the safety and protection of our customers, personnel, and community. We've implemented a multi-tier security system to provide layers of security, implemented in a manner so that each layer compliments or supplements one another.

I. Policy

If a security plan does not have an effective and well thought out policy, it will not be implemented correctly. Even with routine security measures like video cameras and alarm systems a policy must ensure that those systems are monitored and maintained in a manner that ensures they function in accordance with the Plan.

The Company's policy for security will be focused on protecting customers, personnel, surrounding community, and anyone who may visit the facility for any other reason. The Company will have a zero-tolerance policy for preventable breaches in security. The Company shall instill the responsibility of security within every person employed by the facility. Company policy shall involve routine and continuous inspection, maintenance, and repair to ensure all implemented security measures are functioning at maximum efficiency. This type of policy ensures every tier in the Company security system functions as a deterrent to any potential security threat.

II. Plan

The Plan will ensure that the policy of the company is met. Security will be implemented in a manner that ensures ingress and egress from the facility is monitored and controlled. Physical barriers and video surveillance will be utilized to ensure compliance with access points to the property and facility, as well as exit from the facility and property. On-site security will be monitoring building and perimeter entrances before and after hours of operation. Signage will be posted around the perimeter and inside the facility to ensure all visitors understand limited and restricted access areas. The exterior will be monitored by Guardian Alarm, which offers live monitoring of all camera activity.

The interior of the building will be secured with similar preventative security measures, as well as have on-site and off-site access to those security measures. The interior of the facility will feature multiple independent alarm systems capable of being tied in together. As well as reinforced walls and doors. The interior of the facility shall be completely capable of being locked down. In addition to having optimal physical barriers the Company shall have a plan for personnel to adhere to, that will prevent security breaches within the facility.

III. Building and Perimeter Security Plan

Physical Barriers

Security cameras will monitor all vantage points on the property. Security cameras on the exterior of the building shall run continuously for 24/7/365. Building and perimeter cameras will have the ability to pan, zoom, and tilt allowing the entirety of the premises to be well monitored. Perimeter cameras will be installed in a manner and position that protects them for potential tampering. In addition to traditional cameras, the Company is exploring the potential use of low light or infrared

camera installations along the perimeter of the property and building. Cameras that are capable of low light or infrared recording could be utilized in the case of emergencies or any kind of obstruction to the light sources on the property.

Any windows on the property will be reinforced glass. This type of glass will ensure protection from any kind of forced entry. The Company believes such a secure glass will prevent any easy entry into the building. Windows as well as exits will have roll down steel shutters that can be programmed to be automatically shut or have switch activators. Roll down steel shutters will allow the building to be completely locked down in case of an emergency inside or outside of the facility.

Alarm systems will monitor all possible entrances from the exterior of the building. Alarms will also be strategically placed in any window front areas, and will have fail safe alert technology built in. Alarm systems protecting portions of the property from forced entry will be sensitive to motion and any forced entry.

Signage

Along the perimeter fence and where appropriate signage will be posted to educate the public about the security measures taken by the Company. Such signage includes but is not limited to;

- Premises under 24hr Video Surveillance
- No Trespass
- Trespassers Will Be Prosecuted to The Full Extent of The Law
- Active Security Personnel On-Site
- Unauthorized Access Prohibited

The signage will be posted as a deterrent to any possible commission of a crime or security breach.

IV. Interior Security Plan

Physical Barriers

Upon entrance through the Company's steel doors, patients, visitors and inspectors will be greeted by onsite security personnel. Security protocol will require that all entering the facility display adequate identification before being granted access into the facility. Upon completing the security check point, guests will enter a secured lobby area. The lobby area will be isolated and require a check in at the patient center. The patient center will be secured with glass similar to the style described above. A small retractable portion will be used for interaction with patients and visitors alike. All entryways leading out of the lobby will be locked with buzz in, key, or key card accessible only. This will ensure traffic flow within the facility is controlled, coordinated, and traceable.

Every commercial grade door within the facility will have self-closing hinges. Self-closing hinges will eliminate the possibility of mistakenly open doors. Self-closing hinges generally make doors feel heavier and this can also be a minor preventative measure in addition to automatic locking. Self-closing doors can be used to also control odor emanating from the facility. Additional preventative methods can be used to secure doors on the interior of the facility. Preventative measures include, door draft stoppers, raised door sweeps, industrial grade caulk, and

weatherstrips. Such steps will not only ensure the protection of the room, but also reduce the possibility of contamination, increase odor control, and reduced energy consumption.

Upon review of appropriate documentation and confirmation of records, patients, visitors, and others will be granted access to whatever part of the facility they are entitled to be present in. Access will be allowed through buzz in or call in from an employee. Guests and patients will always be accompanied by staff while within the facility.

Security measures within the interior of the facility will be very intensive. Strategically placed around the show room will be silent alarm triggers. Silent alarm triggers will activate additional security measures and alert personnel inside and outside of the building. The triggers will also act as law enforcement alerts and any trigger will immediately put a request in for emergency officer assistance.

Similar to the outdoor surveillance, the indoor will have strategically placed cameras throughout the premises. Cameras will be high resolutions cameras capable of being displayed clearly on screens greater than 12". Indoor cameras will have the ability to pan, zoom, and tilt as well as capture images in low light. Indoor cameras will be placed throughout the facility in all rooms including those not open to patients. The additional cameras will help ensure not only are patients and guests monitored, but also facility personnel. These cameras will also help ensure facility personnel is exhibiting proper protocol.

V. Personnel Security Plan

Employee Identification

All employees of the facility will be issued physical identification cards from the Company. Identification cards are always to be displayed by Company personnel. Issued identification will feature a picture of the employee's face as well as their name. Employee identification will be displayed before they are granted entry into the facility. In addition to displaying their issued identification, employees will be easily identified by their wardrobe which will be unique to company employees and have their name printed on the apparel. In order to ensure security, in the event of termination, quitting, or any other reason for ending employment, Company issued identification and apparel will be required to be returned to the Company, along with any work uniforms, and any key card inactivated.

Secured Access

Employees will have secured access to areas of the interior of the facility. In order to ensure those secured areas are not compromised the Company will utilize a variety of security measures, starting with access prevention. Access prevention involves using either keys, keycards, or pin pad locks to prevent others from entry into restricted areas. The Company has not decided on which of these methods will be used, however a brief description of each will demonstrate its effectiveness. Doors locked by a single set of keys, with the facility manager would ensure that anytime a secured point is accessed the facility manager is present. Key cards work the same way except instead of keys RFID badges could be scanned to grant access. A pin pad would allow for the most versatility as employees could be granted codes that are unique to each employee to access certain portions of the facility.

Company personnel will be trained to be aware of their surroundings and report any suspicious activity around secured access points. Training like the previously mentioned will be used in conjunction with already existing physical security prevention tactics like cameras, alarms, signage, etc., to ensure total security of the facility.

Activity Monitors

All employees will have required log sheets to complete. Separate log sheets will be used to track activity in different areas of the facility. All employees will log be required to log their actions, as well as their time spent in each room. All secured access zones will have log sheets that must be filled out by employees when they enter and leave the secured access points. Such logs will be especially helpful when employees are accessing storage rooms or other secured access areas. Log sheets will include name, time of entry, action taken, and exit time. This information will be used to track the activities of employees throughout the facility and ensure that their actions can be verified by video and other surveillance methods.

Activity logs will also be kept at reception to help build a complete record of all that enter the facility. All logs kept throughout the facility will be reviewed then digitally recorded and archived at the close of business each day. Digital recordings of files will be organized in a manner that makes future use of those records for any matter easily reviewable. Digital files will be stored on-site and off-site by way of cloud or physical server.

VI. Vault Security Plan: Secure Storage of Marijuana Product

Physical Barriers

A modular vault will be used to store new shipments and any excess marijuana not displayed in the show room. The vault will have its own secure access room. Beginning with the room, the initial security barrier will be a reinforced steel door, that will have restricted access by way of key, keycard, or unique PIN. The company is also considering additional concrete reinforcement to protect the vault room from any blunt force intrusion.

The vault will meet or exceed DEA requirements for narcotic storage. Limited personnel will have access to the vault area, to minimize the potential for loss. To ensure the security of the room, the Company will utilize a modular vault approach, which includes concrete reinforced steel walls and a GSA certified vault door accessible by pin pad only. The vault will have managed racking and storage requirements. Additionally, the vault room will separately be tied into the alarm system to be triggered if there is any unauthorized entry.

Access Points

The vault can only be accessed through the initial steel door, which will require anyone entering to have the appropriate security clearance. Upon entrance, only those with the unique PIN can enter the actual vault and access the protected marijuana and marijuana product. Access to both the vault room and vault will be limited to a specified number of employees.

Activity Monitor

A log sheet will be kept in the room to confirm who enters, when they enter, what they remove from the vault, time spent in the room, and time of exit. This will act as an activity monitor for all

those with access to the vault and vault room. All interactions in the vault room will be reviewed at the close of business. Along with the other logs collected throughout the facility, this activity log will be digitally recorded and archived at the close of business.

Other Security Measures

The vault room will have its own independent alarm system tied into the facility alarm. The room as well as the vault will be under video surveillance. The video cameras will have all the capabilities as the cameras described previously. The cameras will be tied into the same system as all other interior cameras. Video back up for these cameras will be done on-site and off-site by way of cloud or physical server.

Depending on the size of modular safe used, the Company will also consider bolting the structure to the ground. Bolting can be done in a variety of ways and the Company will choose the manner that maximizes security and minimizes chance of detachment. Rolled steel curtains may be used in the event of a lock down situation. The curtains will be placed over the entrance way and impede any chance of entry into the vault room once activated.

Within the vault room will be another safe used to store money and the most valuable items in the facility. The safe within the vault will have its own code and will only be able to be accessed by the highest-level employees.

INVENTORY AND CASH MANAGEMENT

Inventory and Cash management go hand in hand with comprehensive recordkeeping practices. In order to ensure the Company operations, inventory, records, and cash is tracked adequately we have developed the following Standard Operating Procedures (SOP) for the following areas:

- Inventory and Recordkeeping SOP:
 - Includes Recordkeeping and Inventory management plan.
- Theft and Minor Acquisition Prevention Protocol:
 - Includes plan for prevention of theft and diversion of licensed products.
- Cash Flow Management System
 - Includes plan for secured storage of proceeds from sales.

I. Inventory and Recordkeeping Standard Operating Procedure

Track and trace will be the most important feature and overall theme of this SOP and this entire section. Adequate records allow for the Company to constantly and accurately evaluate the operations of the facility and maintain security, integrity, and compliance for this facility. This SOP will deal first with recordkeeping and transition to discuss inventory regulation.

Recordkeeping

To ensure compliance with State and Municipal law, the Company shall keep and maintain upon the premises, in the secured storage area located within each respective facility for a period of five years, complete, legible, and current books and records, including the following:

- Daily sales log;
- Product sales numbers including Metrc SKU numbers, product name, and quantity sold;
- Final medical/retail daily inventory;
- Purchase invoices, bills of lading, manifests, sales records, copies of bills of sale and any supporting documents included in the purchase of marijuana or marijuana infused products;
- Bank statements and canceled checks for all accounts used to purchase marijuana or marijuana infused products for medical/retail sale;
- Records of all financial transactions related to the operation of the medical/retail facility, including contracts and/or agreements for services performed or received related to the operation of the facility;
- Accounting and tax records for the entire facility; and
- All provisioning center employee records, including training, education, discipline, etc.

Procedures

Recordkeeping procedures will be verified by the Company's Human Resources Department (HR), in conjunction with the manager. They will ensure these records are stored for a minimum of five years in complete, legible, and proper form.

HR shall delegate roles and responsibilities to various facility employees in order to establish a proper chain of custody for records in the facility. For each facility all of the above mentioned records must follow the below chain of custody:

- Employee Initiating the Record Creating Action;
- Lead Employee Review of Employee Created Record:
- Approval of Record by End of Shift Manager; and
- Facility Manager and HR Save Digital Copy and File physical copy in dedicated area within the Secured Storage Room.

Each record maintained must include the following information:

- a. The date and time of each sale, distribution, action, or other record generating action;
- b. The name, employee ID number, and shift number of the employee creating the record;
- c. The Company's State issued CRA License number; and
- d. The name of the Lead Employee that reviewed the file and Manager that filed the record.

Closing Inventory Procedure

- a. Upon completing the last transaction, the Retail Manager will print out the daily sales log;
- b. The sales log will detail every sale of the day including product names, SKU numbers, amount sold, and employee that executed the sale;
- c. The total amount sold for each product in that day will be calculated:
- d. The Provisioning/Retail Manager will then deduct the amounts sold from the start of day inventory numbers;
- e. The Provisioning/Retail Manager will then compare that number to the total amount left in inventory at the end of the day;

- f. The number produced from deducing the amount sold from the starting day inventory should match the amount of inventory left in the facility at the end of the day;
- g. In the event that there is any discrepancy between remaining inventory and expected remaining inventory the Provisioning/Facility Manager will immediately conduct and internal audit to account for the discrepancy;
- h. Required as part of this audit will be an interview with any and all employees who are represented on the daily inventory log, and sales staff completing sales;
- Discrepancies must be resolved within 48hrs or notification to the State and Metrc must be initiated; and
- j. If no discrepancies exist at final inventory weigh-in/count, the product will be secured within the secured access area until the morning inventory.

II. Theft and Minor Acquisition Prevention Protocol (TMAPP)

The TMAPP will be supplemented by the Inventory and Recordkeeping procedures detailed above. The records created by procedures above will be utilized in the TMAPP to create a complete theft and diversion free facility.

Minor Acquisition Prevention means utilizing tracking software like Portal42 in conjunction with Metrc to ensure all patients and customers of the provisioning center and recreational retail facility are properly qualified and of the proper age to purchase the medicinal and recreational products we will sell. "Client Portfolios" will be developed by patient and customer interviews and purchase history. As part of the portfolio building the Company will be able to adequately assess the general purchasing habits of its clientele. Using this information, we will craft individualized expected purchasing reports for each client. Deviation from normal purchase history and expected purchase assessments will automatically generate a "red flag diversion request". This request will allow the Company to have its employees ask additional questions to the client. Questions include:

- Your usual purchase history is "X" but it looks like you are going with "Y" today, is there any reason for this change?
- All the medical/recreational marijuana you are purchasing today is for use only by you?
- It is illegal to purchase medical/recreational marijuana product to disperse to minors. (have client sign assurance that product purchased will not be redistributed)
- What is the reason for the increased amount purchased today?

Procedure

- a. In addition to initial comprehensive inventory, the Facility Manager in conjunction with HR, will establish ongoing cash and inventory reviews and accounting:
- b. Secured Storage Rooms will be monitored on the inside and outside by security cameras from multiple angles;
- c. Any areas where marijuana handled, transported, sold, or otherwise present will be under 24/7 video surveillance;
- d. Secured Storage Rooms will be restricted access via key fob;
- e. Key fobs Secured Storage Room access will be limited to a select number of employees;

- f. Key fob access will be automatically recorded to ensure a record of who entered which areas at what times;
- g. Destruction and Waste Disposal protocol ensures all recreational marijuana product scheduled for destruction goes through regulatory checks and multiple weighing throughout the destruction process to ensure no theft or diversion to minors or otherwise;
- h. Labeling of each product sold ensures that the warnings present prevent and alert the user that the product is designated for recreational users 21 years or older;
- i. Each individual product in the secured access room will have physical log that must be updated every time it is interacted with even if no action is taken; and
- j. Daily compliance/inventory will be doubly verified by a lead employee and Facility Manager.

Attachment G

WEST BRANCH PROVISIONING, LLC ECONOMIC IMPACT

EMPLOYEES, BENEFITS, & CONTRACTING

Plans to Attract and Hire from Within the Community – We are committed to hiring local and attract community members to work in our facility.

Competitive Compensation, Benefits, and Educational Programs — We have outlined competitive compensation for each individual position to ensure industry leading pay at each position. A comprehensive benefits and industry education package for each position is provided to attract and keep industry talent.

Local Contractors – We are committed to hiring local contractors to provide renovation support.

Jobs, Job Descriptions, and Benefits

Employees will be divided by area of the facility that they are employed in. Below find a proposed list of jobs and a brief description of what that job will be, with projected job totals being full-time positions. We may decide to engage additional employees at each position on a part-time basis, in which the projected total will increase.

Position	Starting Wage	Expected Hires
Receptionist	\$16	3
Bud Tender	\$16	15
Shift Leader(s)	\$17	6
Assistant Manager	\$18	2
Human Resources Manager	Salary	1
Store Manager	Salary	1
Asst Compliance Director	Salary	1

Daily Operations Schedule - Hours: Mon-Sat 9a - 9p; Sun 9a - 7p

Pre-Opening	Completed	Employee Name	Time
Security Sweep			8:30-9:00AM
Cleaning & Sanitation			8:30-9:00AM
POS Till Check			8:30-9:00AM

Inventory Count	8:30-9:00AM
During Operation	
Scheduled Cleaning	12-2PM & 6-8PM
Mid-Day Inventory Count	4:00PM
Cash Safe Drops	1PM/5PM/8PM
Shift Change Reports	End of Shift Auto
Metrc & Software Check	1PM/5PM/8PM
Secured Storage Check	1PM/5PM/8PM
POS Compliance Audit	4:00PM/8:30PM
Closing	
Security Sweep	M-Sat 7:30 PM / Sun 6:30p
Cleaning & Sanitation	7:45PM / 6:45PM
POS Till Check	8:00PM / 7:00PM
Daily Sales Log Report	8:00PM / 7:00PM
Inventory Balance	8:30PM / 7:30PM
Account for Discrepancies in Count	Time as Needed
Secured Storage Check	8:30PM / 7:30PM
Final Cash Drop	8:45PM / 7:45PM

Our policy will be to offer at minimum a starting wage of \$16 per hour and ensure that all employees are paid so as to earn above the 200% federal povery line threshold. This minimum base rate ensures all employees will be earning a livable wage. Additionally, we will offer the following benefits to its employees after they complete 90 days of full-time employment:

- Medical:
- Dental:
- Vision;
- Life Insurance;
- Disability Insurance; and
- Retirement Funds Account.

The roster of employees actively receiving benefits will be reconciled on a monthly basis with the current invoice from the insurance companies.

All employees are eligible to enroll into our health insurance program, effective the first of the month following 90 days of full-time employment. Our company will pay 80 percent of the healthcare coverage premium for all regular full-time employees, and our HR department will be responsible for advising employees of their upcoming eligibility for initial insurance election 30 – 45 days prior to the employee's 90th day of full-time employment.

Our company will contract with a commercial insurance broker to ensure that the greatest rates and return on investment is achieved for the employees and employer. Reconciliation with the commercial insurance providers will be conducted in the following manner:

- The HR Department will confirm that the proper payroll deduction documents exist in the personnel file and that they were forwarded for action to the Payroll Department (Bookkeeper & Accountant);
- HR Department will confirm that the payroll deductions are stopped at the request of the employee and that such documentation is forwarded to the Payroll Department;
- Payroll Department will confirm that payroll deductions are indeed being withheld or that payroll deductions cease when appropriate;
- Payroll Department will ensure that the funds being withheld are being applied to the appropriate accounts or cost centers;
- Payroll Department reconciles the deductions made on the invoice provided by the HR Department on a monthly basis.

We are also exploring the potential implementation of a competitive bonus incentive program for production-based employees. This program would be in addition to employee's regular pay and will not be deducted or defrayed by costs associated with the benefits programs the employee is enrolled in. We would offer this bonus program in addition to common workplace bonuses like time and half overtime, hazard pay, and holiday premiums. Other benefits include paid sick leave, unpaid sick leave, paid vacation days, unpaid vacation days, and a potential retirement contribution investment match program.

Attachment H

WEST BRANCH PROVISIONING CENTER, LLC PRODUCT OFFERINGS & WASTE DISPOSAL

To provide as thorough a picture of the facility inventory, please see our menu breakdown below.

- I. Dried Flower Products
 - Indica flowers
 - Sativa flowers
 - Hybrid flowers
 - CBD flowers

Π . Wax

- Topical Indica wax
- Topical Sativa wax
- Topical Hybrid wax
- Topical CBD wax
- Ingestible Indica wax
- Ingestible Sativa wax
- Ingestible Hybrid wax
- Indica, Sativa, and Hybrid Cartridges
- Ingestible CBD wax and Cartridges

III. Oils

- Topical Indica oil
- Topical Sativa oil
- Topical Hybrid oil
- Topical CBD oil
- Ingestible Indica oil
- Ingestible Sativa oil
- Ingestible Hybrid oil
- Indica, Sativa, and Hybrid Cartridges
- Ingestible CBD oil and Cartridges

IV. Topicals

- Indica creams, lotions, and skincare products
- Sativa creams, lotions, and skincare products
- Hybrid creams, lotions, and skincare products
- CBD creams, lotions, and skincare products

V. Edibles

- Indica edible products like brownies, cookies, gummies...etc.
- Sativa edible products like brownies, cookies, gummies...etc.
- Hybrid edible products like brownies, cookies, gummies...etc.
- CBD edible products like brownies, cookies, gummies...etc.

VI. Pre-rolls

- Indica marijuana cigarettes
- Sativa marijuana cigarettes
- Hybrid marijuana cigarettes
- CBD marijuana cigarettes

VII. Gear

- Batteries for ionizers, vaporizers, and other related electronics
- Glassware
- Ionizers, vaporizers, and related products
- Rolling papers

This inventory list should not be viewed as exhaustive and will continue to grow as needs and demands become identified.

SANITATION, WASTE DISPOSAL & MANAGEMENT

Sanitation

West Branch Provisioning Center, LLC, will ensure compliance with state and city sanitation requirements by producing its own waste management and sanitation policy Daily cleaning will be required in all areas of the facility. The Company will use industry specific cleaners that do not pose a threat to our inventory, patrons, or personnel. Cleaners used will be stored in locked storage rooms and inaccessible without key. There will be different cleaners used in different portions of the facility as needed.

All employees will be trained according to this sanitation plan and understand its requirements before beginning employment. As part of the sanitation plan, sick employees must report to upper management before entering the premises to determine if they pose a threat to the our customers or other personnel.

Below you will find a list of chemicals and cleaners to be utilized in this facility. This list is inclusive of all information necessary to ensure the cleanliness and sanitation of the facility while posing minimum risk to the products we create and sell.

"GREEN" BUSINESS PRACTICES

The below list of cleaners to be used at the facility demonstrates a commitment to the use of cleaning agents that do not pose an environmental concern. All products listed below are the most highly rated products in their respective category for eco-friendliness and bio-degradability.

LIST OF CHEMICALS AND CLEANERS TO BE USED

Name	Amount	Health (NFPA &HMIS)	Flammability (NFPA & HMIS)	Instability (& HMIS)
Simple Green	1gal	0, 0	0, 0	, 0
MS. Meyers – Hand Soap	37.5oz	1,1	0, 0	,0
Clorox Green Works - Sanitizing Spray	32oz	0, 0	0, 0	, 0

ECOS – Pro	24oz	1,1	0, 0	, 0	
Toilet Bowl				,-	
Cleaner					
MS. Meyers –	48oz	1,1	0, 0	,0	
Dish Soap					
Clorox Green	1gal	2, 2	0, 0	,0	
Works – Pot and			'		
Pan Detergent					
MS. Meyers -	8oz	1, 1	3,3	, 0	
Room Freshener					
Spray					

Waste and Disposal

As mentioned earlier the Company is committed to producing as little waste as possible. Whether it is marijuana waste or run of the mill trash, we are committed to running this facility in a manner that will create as little environmental impact as possible. On-site composting will help the facility cut down on a lot, if not all of its scrap and unusable marijuana. Prior to composting the Company will ensure that the marijuana products composted are completely unusable, this will prevent misuse or diversion of any product produced by the facility.

To render all marijuana and marijuana product useless Company employees will first destroy flower by grinding it up into a fine powder, or appropriately breaking down an infused product. Upon completion of the breakdown the Company employees will mix the flower or infused product with an appropriate and approved compostable substance. The resulting mixture will be at least 51% non-marijuana product. The mixture will render the product unusable and unrecognizable. Upon completion of mixing the Company employees will securely package the waste in the Secured Access Room and schedule disposal. Employees will record all marijuana product scheduled for composting, this will give the facility and any compliance officer the ability to track all products including scrap.

All waste that cannot be composted or safely recycled will be handled by a professional waste management team. The Company will contract a professional company to take care of any waste generated by the Company. Any waste stored on the exterior of the facility will be done in accordance with the West Branch city code.

Management will be responsible for; reviewing all waste log information, ensuring all waste is unusable, waste has been placed in the appropriate receptacle, sanitization of all products used in the process, and confirming what can be composted was not included with non-compostable waste. All packaging materials used by and in the facility will be compostable or recyclable. These steps will cut down on the harm caused by more traditional pollutants. Waste storage receptacles will be stored onsite and surrounded by high walls. Cameras as described in the Security Plan will monitor the area where receptacles are stored. The Company will have a dedicated pick-up date and an option to have additional pick-ups as needed.

1. Transfer, sale, or purchase of license.

- a. A medical marihuana facility or adult use marihuana establishment license is valid only for the owner named thereon, the type of business disclosed on the application for the license, and the location for which the license is issued. The licensees of a medical marihuana facility or adult use marihuana establishment license are only those persons disclosed in the application or subsequently disclosed to the city in accordance with this section.
- b. Each operating license is exclusive to the licensee and location. A licensee or any other person must submit an application for licensure with the city clerk before a license is transferred, sold, or purchased.
- c. In compliance with any/all rules issued by the city regarding the sale, transfer or purchase of existing licenses; any entity that holds a city-issued license may transfer or sell their license to a qualifying applicant.
 - (1) Any entity purchasing or receiving a transferred license must submit an application and all associated documentation and all fees.
 - (2) The applicant who is receiving the transfer or purchasing the license must have submitted all new application, license and inspection fees and received all local and State of Michigan approvals, including "approved for prequalification" with the State of Michigan on all applications and associated documentation as well as all inspections as outlined in this section and the Acts prior to beginning or taking over operations.
- d. The attempted transfer, sale, or other conveyance of an interest in a license without city approval is grounds for suspension or revocation of the license or for other sanction considered appropriate by the city.
- e. The following actions constitute transfer of ownership and require a new application, application fee and city council approval:
 - (1) *Persons*. Any transfer of more than 1% of an ownership interest in an applicant or permit holder between persons constitutes a transfer of ownership.
 - (2) *Corporations*. Any transfer of more than 1% of stock or any change in principal officers or directors of any corporation holding a permit constitutes a transfer of ownership.
 - (3) Limited Liability Companies. Any transfer of more than 1% of membership interest or any change in members or change in the interest held by member(s) of any limited liability company holding a permit constitutes a transfer of ownership.

- (4) *Partnerships*. Any change of more than 1% of a partnership interest or any change in general or managing partners of any partnership holding a permit constitutes a transfer of ownership.
- (5) Assets. Any transfer of more than 1% of the assets held by an applicant or permit holder constitutes a transfer of ownership

f. Effect of transfer.

(1) Immediately following the approval of a transfer of ownership by the city, the transferee(s) will obtain all the interests, rights, obligations and responsibilities of the previous license holder. Once a license holder has transferred his or her ownership interest, any privileges enjoyed by that license holder under this ordinance are terminated.

For transfers, the renewal and termination dates of the license shall not change.

Sample Motion to go into Closed Session

"I move to go into Closed Session pursuant to MCL 15.268 (D) to consider the purchase of real property up to the time an option to purchase or lease that real property is obtained."

Permissible Reasons to go into Closes Session pursuant to State Statute:

15.268 Closed sessions; permissible purposes.

Sec. 8.

A public body may meet in a closed session only for the following purposes:

- (a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions.
- (b) To consider the dismissal, suspension, or disciplining of a student if the public body is part of the school district, intermediate school district, or institution of higher education that the student is attending, and if the student or the student's parent or guardian requests a closed hearing.
- (c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.
- (d) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- (e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.
- (f) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, except as otherwise provided in this subdivision, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act. This subdivision does not apply to a public office described in subdivision (j).
- (g) Partisan caucuses of members of the state legislature.
- (h) To consider material exempt from discussion or disclosure by state or federal statute.

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN PERSON AND VIA VIDEO CONFERENCE IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET ON MONDAY, MARCH 20, 2023.

Mayor Frechette called the meeting to order at 6:00 p.m.

Present: City Mayor Paul Frechette, Council Members Carol Adair, Joanne Bennett, Mike Jackson, Ellen Pugh, Rusty Showalter, and Cathy Zimmerman.

Absent: None

Other officers present: City Manager John Dantzer, City Clerk Lori Ann Clover, DPW Supervisor Mike Killackey, Chief Ken Walters, and Attn. Greg Meihn (via Zoom).

All stood for the Pledge of Allegiance.

* * * * * * * * * * * * * * * * * * *

Mayor Frechette opened the Public Hearing for the Proposed 2023-2027 Five-Year Parks and Recreation Plan at 6:01 pm. Members Zimmerman and Bennett both congratulated Manager Dantzer for such a well put together plan in such a short time frame.

No one from the public wished to speak on the subject and no communication was received by City Hall prior to the meeting.

* * * * * * * * * * * * * * * * * * *

MOTION BY FRECHETTE, SECOND BY JACKSON TO CLOSE THE PUBLIC HEARING ON THE PROPOSED 2023-2027 FIVE YEAR PARKS AND RECREATION PLAN AT 6:03 PM.

Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None Absent – None Motion carried

MOTION BY BENNETT, SECOND BY ZIMMERMAN, TO APPROVE PAYMENT OF BILLS IN THE AMOUNT OF \$95,465.52.

Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None Absent – None Motion carried

* * * * * * * * * * * * * * * * * * *

MOTION BY BENNETT, SECOND BY SHOWALTER TO APPROVE THE SPECIAL EVENT PERMIT MAY MENTAL HEALTH AWARENESS.

Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, Zimmerman

No – None Absent – None Motion carried

* * * * * * * * * * * * * * * * * *

MOTION BY ADAIR, SECOND BY PUGH TO APPROVE RESOLUTION 23-08 THE 2023-2027 FIVE-YEAR PARKS AND RECREATION PLAN.

Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, Zimmerman

No - None

Absent - None

Motion carried

RESOLUTION #23-08

WHEREAS, the Recreation Committee is made up of representatives from the City of West Branch, and

WHEREAS, the Recreation Committee began the process of developing the 2023-2027 Five-year Parks and Recreation plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the City of West Branch were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the 2023-2027 Five-Year Parks and Recreation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and

WHEREAS, a public hearing was held on Monday, March 20, 2023 in the Council Chambers of the West Branch City Hall, to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the 2023-2027 Parks and Recreation Plan, and

WHEREAS, the City of West Branch has developed the Plan as a guideline for improving recreation and enhancing natural resource conservation for the City of West Branch, and

WHEREAS, after the public hearing, the City Council of West Branch voted to adopt said 2023-2027 Five-Year Parks and Recreation Plan, and

NOW, THEREFORE BE IT RESOLVED, the West Branch City Council does hereby adopt the 2023-2027 Five-Year Parks and Recreation Plan

MOTION BY SHOWALTER, SECOND BY ADAIR TO APPROVE THE MINUTES AND SUMMARY FROM THE REGULAR MEETING HELD MARCH 6, 2023.

Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, Zimmerman

No - None

Absent - None

Motion carried

MOTION BY SHOWALTER, SECOND BY JACKSON TO RECEIVE AND FILE THE TREASURER'S REPORT AND INVESTMENT SUMMARY; WEST BRANCH POLICE DEPARTMENT FEBRUARY 2023 REPORT; MINUTES FROM THE PLANNING COMMISSION SPECIAL MEETING HELD FEBRUARY 21, 2023; AND MINUTES FROM THE RECREATION COMMITTEE SPECIAL MEETING HELD MARCH 9, 2023.

Yes —Adair, Bennet	Yes —Adair, Bennett, Frechette, Jackson, Pugh, Showalter, Zimmerman					
No None	Absent – None	Motion carried				
	* * * * * * * * * * * *	* * * * *				
Communications shared inclu	uded the Michigan Public Policy Sur	vey March 2023 edition.				
	**********	* * * * *				
MOTION BY FRECHE COMMISSION BOAR MEMBER.	MOTION BY FRECHETTE, SECOND BY SHOWALTER TO APPOINT KAREN BIGGS TO THE ELECTION COMMISSION BOARD AS A MEMBER AND TO THE ZONING BOARD OF APPEALS AS AN ALTERNAT MEMBER.					
Yes —Adair, Bennett	t, Frechette, Jackson, Pugh, Showal	ter, Zimmerman				
No – None	Absent – None	Motion carried				
	* * * * * * * * * * * * * *	* * * * *				
Director has announced her no interim part time director. The not holding up well.	bility of a millage collaborating with etirement in June. At this point the e Board did approve new monitors	went well however the numbers were very the Transit for an August election. The Administrative Secretary will be the for the ambulances as the old ones were				
that he has included the cost	of a new sign for our first-round of 3	n. Manager Dantzer informed members 2023/2024 fiscal year budget.				
Member Showalter wished ev	reryone a happy first day of spring.					
the two letters and tags hung	ely 50 residents that still have the o	ters with council members and Attn. Id meters and haven't scheduled despite mailed out with wording Attn. Meihn will ance Violation.				
Chief Walters said he had one expecting and will be taking till	officer just return that was off due me off.	to the birth of a child and another officer				
Mayor Frechette adjourned th	e meeting at 6:23 pm.					
Paul Frechette, Mayor		Lori Ann Clover, Clerk				

SUMMARY OF THE REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN PERSON AND VIA VIDEO CONFERENCE IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET ON MONDAY, MARCH 20, 2023.

Mayor Frechette called the meeting to order at 6:00 p.m.

Present: Mayor Frechette, Council Members Adair, Bennett, Jackson, Pugh, Showalter, and Zimmerman.

Absent: None

Other officers present: Manager Dantzer, Clerk Clover, DPW Supervisor Killackey, Chief Walters, and Attn. Meihn (via Zoom).

All stood for the Pledge of Allegiance.

Mayor Frechette opened the public hearing at 6:01 pm for the Proposed 2023-2027 Five-Year Parks and Recreation Plan.

Members congratulated Manager Dantzer on a job well done.

No one else wished to speak on the subject.

Council approved closing the public hearing at 6:03 pm.

Council approved bills in the amount of \$95,465.52.

Council approved the special event permit for May Mental Health Awareness.

Council approved Resolution 23-08 the 2023-2027 Five-Year Parks and Recreation Plan.

Council approved the minutes and summary of minutes from the regular meeting held March 6, 2023.

The Treasurer's report and Investment Summary; West Branch Police Department February 2023 Report; minutes from the Planning Commission special meeting held February 21, 2023; and minutes from the Recreation Committee special meeting held March 9, 2023 were received and filed.

Communications were shared.

Council approved the appointment of Karen Biggs to the Election Commission Board as a member and the Zoning Board of Appeals as an alternate member.

Mayor Frechette, and Members Adair and Showalter gave reports. Manager Dantzer and Chief Walters also gave reports.

Mayor Frechette adjourned the meeting at 6:23 pm.

)3/31/2023 01:49 PM Jser: MICHELLE

CASH SUMMARY BY BANK FOR WEST BRANCH FROM 03/01/2023 TO 03/31/2023

Page:

1/1

Jamla Ca Ja		Beginning			Ending
3ank Code ³und	Description	Balance	Total	Total	Balance
		03/01/2023	Debits	Credits	03/31/2023
	I - GENERAL CHECKING				
.01		1,179,438.96	59,667.29	185,547.75	1,053,558.50
.50	CEMETERY PERPETUAL CARE	39,288.30	600.00	0.00	39,888.30
09	CEMETERY FUND	(4,685.34)	1,800.00	2,080.74	(4,966.08)
37	MARIJUANA FUND	1,500.00	1,500.00	0.00	3,000.00
43	BROWNFIELD REDEVELOPMENT AUTHORITY FU	1,964.95	17,236.45	17,236.45	1,964.95
48 51	DDA OPERATING FUND	321,316.33	4,922.21	200.00	326,038.54
76	INDUSTRIAL PARK FUND HOUSING RESOURCE FUND	3,135.20	0.00	186.89	2,948.31
70 18	SEWER DEBT FUND	184,148.98	464.00	0.00	184,612.98
19		185,876.83	30,199.51	180.73	215,895.61
72	WATER DEBT FUND	111,973.45	6,305.79	37.54	118,241.70
90	PLANT REPLACEMENT FUND (R&I)	2.70	0.00	0.00	2.70
91	SEWER FUND	328,194.10	39,705.17	49,812.70	318,086.57
92	WATER FUND	837,398.70	42,518.92	19,127.54	860,790.08
93	WATER REPLACEMENT FUND	477,220.17	286,408.00	199,238.00	564,390.17
53 51	SEWER COLLECTION EOUIPMENT FUND	268,980.24	7,650.47	3,933.30	272,697.41
)4	•	7,916.23	28,404.00	11,922.94	24,397.29
)5	PAYROLL CLEARING	24,778.75	86,092.66	86,092.66	24,778.75
)7	IRONS PARK ENTERTAINMENT FUND YOUTH SAFETY PROGRAM	10,126.57	2,225.00	0.00	12,351.57
17	TOUTH SAFELY PROGRAM	115.00	0.00	0.00	115.00
	GEN1 - GENERAL CHECKING	3,978,690.12	615,699.47	575,597.24	4,018,792.35
/LST MAJ	OR/ LOCAL STREETS				
)2	MAJOR STREET FUND	688,280.05	26,470.06	30,002.40	684,747.71
3	LOCAL STREET FUND	372,607.02	7,204.77	3,669.42	376,142.37
	MAJOR/ LOCAL STREETS	1,060,887.07			
		1,000,007.07	33,674.83	33,671.82	1,060,890.08
Y PAYRO					
4	PAYROLL CLEARING	38,498.33	86,092.66	88,204.54	36,386.45
	PAYROLL	38,498.33	86,092.66	88,204.54	36,386.45
IEM SAVII	NGS				
)1		459,763.43	0.00	0.00	459,763,43
0	CEMETERY PERPETUAL CARE	1,684.82	0.00	0.00	1,684.82
1	INDUSTRIAL PARK FUND	245.48	0.00	0.00	245.48
1	COLLECTION REPLACEMENT FUND	0.65	0.00	0.00	0.65
	WATER FUND	26,428.78	0.00	0.00	26,428.78
2	WATER REPLACEMENT FUND	19,791.93	0.00	0.00	19,791.93
3	SEWER COLLECTION	3,185.28	0.00	0.00	3,185.28
51	EQUIPMENT FUND	103,558.35	0.00	0.00	103,558.35
	SAVINGS	614,658.72	0.00	0.00	614,658.72
X TAXES					
)1	TAX AGENCY	14,038.05	52,015.43	55,327.26	10,726.22
	TAXES	14,038.05	52,015.43	55,327.26	10,726.22

03/31/2023 01:49 PM User: MICHELLE

CASH SUMMARY BY ACCOUNT FOR WEST BRANCH FROM 03/01/2023 TO 03/31/2023 FUND: ALL FUNDS INVESTMENT ACCOUNTS

Beginning Ending Fund Balance Total Total Balance Account Description 03/01/2023 Debits Credits 03/31/2023 Fund 101 004.300 CERTIFICATE OF DEPOSIT A 100,000.00 0.00 0.00 100,000.00 004.400 CERTIFICATE OF DEPOSIT B 150,306.70 0.00 0.00 150,306.70 250,306.70 0.00 0.00 250,306.70 Fund 150 CEMETERY PERPETUAL CARE 004.300 CERTIFICATE OF DEPOSIT C 112,499,74 0.00 0.00 112,499.74 004.400 CERTIFICATE OF DEPOSIT D 113,500.06 0.00 0.00 113,500.06 **CEMETERY PERPETUAL CARE** 225,999.80 0.00 0.00 225,999.80 Fund 251 INDUSTRIAL PARK FUND CERTIFICATE OF DEPOSIT A 004.300 100,000.00 0.00 0.00 100,000.00 004.400 CERTIFICATE OF DEPOSIT B 25,050.19 0.00 0.00 25,050.19 INDUSTRIAL PARK FUND 125,050.19 0.00 0.00 125,050.19 Fund 661 EQUIPMENT FUND 004.300 CERTIFICATE OF DEPOSIT A 150,000.00 0.00 0.00 150,000.00 004.400 CERTIFICATE OF DEPOSIT B 100,200.75 0.00 0.00 100,200.75 **EQUIPMENT FUND** 250,200.75 0.00 0.00 250,200.75 **TOTAL - ALL FUNDS** 851,557.44 0.00 0.00 851,557.44

1/1

Page:

WEST BRANCH AREA WASTEWATER TREATMENT PLANT AUTHORITY

A regular meeting of the West Branch Area Wastewater Treatment Plant Authority was held on Tuesday. December 20, 2022 at the West Branch City Hall.

Chairperson Stephens called the meeting to order at 3:30 p.m.

Present: John Dantzer, City of West Branch; Jim Morris, West Branch Township; and Denis Stephens, Ogemaw Township.

Absent: Paul Frechette, City of West Branch and Ellen Pugh, City of West Branch.

Others in attendance: DPW Superintendent Mike Killackey and Wastewater Superintendent Dan Robb.

* * * * * * * * * * * * * * * * *

Motion by Stephens, second by Morris, to approve the minutes from the meeting held September 20, 2022.

Yes -Dantzer, Morris, Stephens

No – None

Absent -Frechette, Pugh

Motion carried

Motion by Morris, second by Stephens, to approve the Diebold invoice in the amount of \$3,207.00.

Yes -- Dantzer, Morris, Stephens No - None

Absent -Frechette, Pugh

Motion carried

Motion by Morris, second by Stephens, to approve the USDA bond invoice in the amount of \$121,737.50.

Yes –Dantzer, Morris, Stephens No – None

Absent -Frechette, Pugh

Motion carried

The Board discussed the idea of bidding out the insurance again since it had been a few years. It was the consensus to bid the insurance out again effective with the new fiscal year that would start July 1, 2023.

The Board discussed the possibility of increasing sewer rates in order to put aside more money in the R&I account each year. It was noted currently they are only putting \$8,000 a year into the reserve and replacement account and with the costs for maintenance and upkeep of the facility continuing to rise, they may need to look at increasing that amount. It was discussed to try and get that amount closer to \$20,000 a year. Based on calculations provided by member Dantzer, it was anticipated that a \$.25 increase per 1,000 gallons would yield approximately \$21,000 additional in funds each year. The board also discussed looking into a formal rate study for the rate increase. It was the consensus to go with the number provided by member Dantzer and to monitor what the increase would yield in additional revenue. It was noted that all three boards (City Council of West Branch, Ogemaw Township Board, and Ogemaw Township Board) would have to approve the rate increase and that the Authority could only approve a recommendation of rates.

Motion by Dantzer, second by Morris, to approve the recommendation of \$.25/1,000 gallons for the sewer rate fees.

Yes -Dantzer, Morris, Stephens

No - None

Absent -Frechette, Pugh

Motion carried

* * * * * * * * * * * * * * *

Member Dantzer gave the Treasurer's report and noted the Authority had the following amounts in their bank accounts:

- Bond Account \$121,877.78
- Operation account \$22,035.00
- Reserve and Replacement account \$461,425.85

The Board also discussed the next meeting which was scheduled for March 21, 2023 and the need to reschedule it to a different date due to some members being gone at that time. It was the consensus to move the March meeting to March 8th at 3:30 pm.

Member Dantzer noted he was working with the auditors on the audit and it should be completed shortly and he expected it to be presented at the next meeting.

Chairperson Stephens adjourned the meeting at 3:56 p.m.

SPECIAL MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY HELD AT WEST BRANCH CITY HALL, 121 N. FOURTH ST. WEST BRANCH, MI ON TUESDAY, JANUARY, 17 2023.

The meeting was called to order by Chairperson Samantha Fabbri at 12:17 pm.

Present: Joanne Bennett, Samantha Fabbri, Sandy Rabidue, Ken Walters, and Cathy Zimmerman.

Absent: Anthony Bair, Joe Clark, Erin Resteiner, and Autum Hunter.

Others in attendance: Acting Secretary John Dantzer

* * * * * * * * * * * * * * * * * * *

MOTION BY RABIDUE, SECOND BY BENNETT, TO EXCUSE MEMBERS BAIR, CLARK, HUNTER, AND RESTEINER FROM THE MEETING.

Yes - Bennett, Fabbri, Rabidue, Walters, and Zimmerman

No - None Absent - Bair, Clark, Resteiner, and Hunter Motion carried.

MOTION BY FABBRI, SECOND BY BENNET, TO APPROVE THE MINUTES FROM THE REGULAR AND INFORMATIONAL MEETINGS HELD DECEMBER 27, 2022.

Yes - Bennett, Fabbri, Rabidue, Walters, and Zimmerman

No – None Absent – Bair, Clark, Resteiner, and Hunter Motion carried.

MOTION BY FABBRI, SECOND BY BENNETT, TO APPROVE THE BILLS IN THE AMOUNT OF \$3,185.00

Yes - Bennett, Fabbri, Rabidue, Walters, and Zimmerman

No – None Absent – Bair, Clark, Resteiner, and Hunter Motion carried.

* * * * * * * * * * * * * * * * * * *

The Board discussed the base designs for the streetscape project due to the requirement from MDOT to have a federally approved breakaway base. The board discussed the York and the Yale design and the option to choose either the more decorative base that is more costly or the plain base that costs less.

MOTION BY FABBRI, SECOND BY RABIDUE, TO SWITCH THE BASES FOR THE STREETSCAPE PROJECT FROM THE YORK 17 TO THE YALE 17 DESIGN DUE TO COST CONCERNS.

Yes - Bennett, Fabbri, Rabidue, Walters, and Zimmerman

No – None Absent – Bair, Clark, Resteiner, and Hunter Motion carried.

* * * * * * * * * * * * * * * * * * *

MOTION BY FABBRI, SECOND BY BENNET, TO CANEL THE REGULAR MEETING SCHEDULED FOR TUESDAY, JANUARY 24, 2023.

Yes - Bennett, Fabbri, Rabidue, Walters, and Zimmerman

No – None Absent – Bair, Clark, Resteiner, and Hunter Motion carried.

* * * * * * * * * * * * * * * * * * *

Chairperson Fabbri updated the Board on the upcoming bus tour event that would take place on February 3.

Chairperson Fabbri also reminded everyone of the upcoming joint DDA meeting on January 19th at 6:00 pm at the Ogemaw Township Hall.

Member Bennett noted a handicap ramp on the corner of Houghton and Third St. that needed to be looked at due to safety concerns.

Member Rabidue discussed the possibility of including a downtown speaker system in the streetscape design. It was the consensus of the Board to look into including that option.

Acting Secretary Dantzer reminded everyone of the upcoming joint meeting with the Planning Commission and City Council scheduled for Monday, February 6 at 6:00 at the West Branch Police Department.

The meeting was adjourned at 12:31 pm.

SPECIAL MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY HELD AT THE WEST BRANCH POLICE DEPARTMENT, 130 PAGE ST. ON MONDAY, FEBRUARY 6, 2023.

The meeting was called to order by Vice Chairperson Joe Clark.

Present: Joanne Bennett, Joseph Clark, Ken Walters, and Cathy Zimmerman.

Absent: Anthony Bair, Samantha Fabbri, Autum Hunter, Sandy Rabidue, and Erin Resteiner.

* * * * * * * * * * * * * * * * * * *

All stood for the pledge of allegiance

* * * * * * * * * * * * * * * * * * *

There was no quorum present so no official business could take place.

* * * * * * * * * * * * * * * * * * *

Vice Chair Clark provided the annual report to City Council noting they are continuing to work on the Gathering Place, continuing to work on the streetscape project for the MDOT reconstruction, continued the downtown flower program, continued the downtown snow removal program, are continuing to work on seasonal banners with the hopes to have them ready when the new streetscape takes effect, approved a facade grant program, and also noted they decided against looking into the Historical District for the downtown.

The meeting was adjourned at 6:23 pm.

MINUTES

City of West Branch Board of Review 2023 March Session

Meeting 1

Board of Review Organizational Meeting: March 14, 2023 – 9:00am City Hall 121 N Fourth St West Branch, MI

Meeting called to order @ 9:00am

Pledge of allegiance was recited

I Roll Call

Present: Michael Pugh (member), Dale Peters (chair)

II. Election of chair:

Motion by Pugh, to elect Dale Peters as board chair. Approved unanimously.

III Public Comment

Public Comments: There were none.

- IV. Approve Minutes of December 12, 2022 Board of Review Motion by Pugh, Second by Peters to approve the December 13 minutes. Approved unanimously.
- V. Adopt Rules of procedures. There will be no appointments first come, first served. Time limit for appeals will be 10 minutes.

VI. Proceeding

The assessor had no contentious discussions with any property owner last year. Handouts prepared by the Assessor were distributed to members and discussed. These included the poverty guidelines, the CPI values, Appraisal studies for commercial and agricultural, sales studies for Residential, Land values by class, ECF values.

Motion by Pugh to close the meeting, second by Peters. Motion approved unanimously. The meeting closed at 9:30am.

Meeting 2

March 27, 2023 Meeting called to order by chair Peters @ 9:00am

I. Roll Call

Present: Dale Peters (Chair) Michael Pugh (member)

- 1. Tri City Line X 052-900-719-00 Out of Bus
- 2. Fresh Start 052-110-006-00 Charitable exemption granted
- 3. Robert Thomas 052-112-002-00 Poverty exemption granted
- 4. Izetta Reed 052-640-016-50 Veterans exemption granted
- 5. Nicholas Poe 052-250-011-00 Veterans exemption granted
- 6. Brandon Trudel 052-323-004-00 Veterans exemption granted
- 7. Margaret Robinson 052-640-008-50 Veterans exemption granted
- 8. Shelby Roach 052-655-017-00 Veteran exemption granted

Meeting closed @ 4 pm Meeting opened @ 7pm Meeting closed @ 9pm

Meeting 3

March 28, 2023 Meeting called to order by chair Peters @ 9am

I. Roll call

Present: Dale Peters (Chair) Michael Pugh (member)

9. Lisa Jensen 052-108-004-00 Fair and equitable

Meeting Closed @ 4 pm

Respectfully submitted,

James VanWormer, Assessor

PROPOSAL 2

USHERS IN EXPANDED VOTING RIGHTS

By Randy Hannan



t last November's general election, state voters overwhelmingly approved Proposal 2, which embedded a host of voting rights and requirements—some old and some new—in the Michigan Constitution. Organizers of the "Promote the Vote" petition drive collected more than 660,000 signatures to place the measure on the statewide ballot, which then passed with 60 percent of the vote.

The approval of Proposal 2 comes just a few years after Michigan voters approved 2018's Proposal 3, another citizen-led initiative that enshrined in the state constitution a series of voting rights such as same-day registration and no-reason absentee voting.

Identification at the Polling Place

With the passage of Proposal 2, several existing provisions of Michigan's election law are now codified in the state constitution, including the right of voters to verify their identity at the polling place with a photo ID or a signed affidavit. This provision effectively precludes the Legislature from enacting more stringent identification requirements for voting in Michigan.

Absentee Ballot Applications

Many clerks (not to mention political parties, advocacy organizations, and candidates) routinely send absentee ballot applications to voters in advance of every election. Under the constitutional amendment, a voter need only submit a single application to their local clerk to vote by absentee ballot in all future elections. The practical effect of this change is that clerks will be able to send actual absentee ballots to all voters who submit the one-time application.

Amending the state constitution was just the first step toward implementing many of these enhanced voting rights and procedures. According to Lansing City Clerk Chris Swope, enabling legislation will be required to clarify some of the new provisions. In addition, Swope says the state Legislature will need to appropriate money to pay for several new mandates, including a state-funded absentee ballot drop box for every 15,000 voters in every jurisdiction across the state, plus postage costs associated with clerks mailing out absentee ballot applications and ballots, and for voters returning their applications and ballots through the mail

According to a 2022 analysis by the nonpartisan House Fiscal Agency (HFA), the state will need to spend more than S2 million and local jurisdictions will spend another million to meet the constitutional drop box requirement. Postage for an estimated six million absentee ballots is expected to cost the state nearly S5 million for each statewide election.



Early Voting

From a policy standpoint, the most significant change—and the one most likely to present challenges for clerks around the state—is the mandatory early voting period. Michigan now joins 23 other states and the District of Columbia in adopting early voting. For the first time in state history, all Michigan jurisdictions will be required to offer early voting for a minimum of nine days in advance of statewide or federal elections.

"While it is likely to ease congestion at election day voting precincts, especially on and around college campuses that experienced massive voting lines in the 2022 general election, early voting is certain to create new financial burdens for local communities," Swope said. "Nothing in the constitutional amendment requires the state to underwrite any of the costs of implementing early voting, so local clerks and their units of government likely will be on the hook for staffing, security, equipment, and other expenses."

The constitutional amendment also requires early voting to mirror the election precinct experience, where voters complete their ballot then feed it into the counting machine. In addition, more than six election precincts can be combined in one early voting location and multiple jurisdictions within a county can join together to offer early voting. While multijurisdictional collaboration can go a long way toward spreading the financial burden among the individual partners. Swope noted that how these arrangements will work in practice remains to be seen.

The new constitutional requirements also specify that only election officials are authorized to conduct election audits, which precludes the sort of independent election audits pursued by several organizations in the 2020 election cycle.

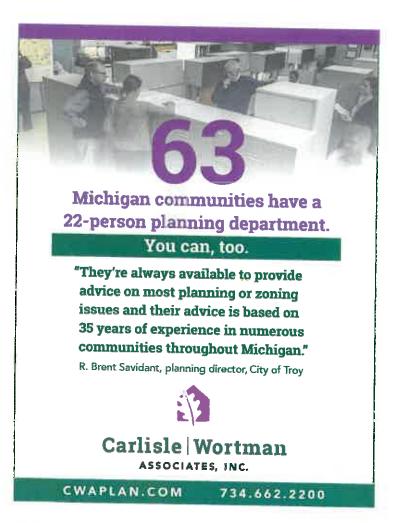
And, after past controversies over private funding to support the administration of public elections, the new constitutional language makes clear that private entities are authorized to make donations to support election administration so long as the donations are publicly disclosed and that the source of the donation is not a "foreign source."

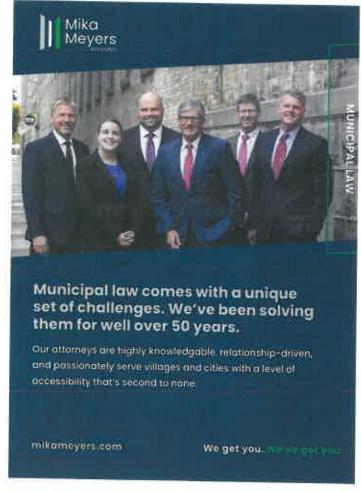


According to Lansing's Swope, city, township, and county clerks across the state already have started asking questions about implementation of the new constitutional mandates and offering suggestions for actions the Michigan Legislature should take to clarify issues related to the early voting process, how much the state will actually pay local units for "state-funded" absentee ballot drop boxes and postage, and related matters.

The League will continue to follow these issues and report on significant proposals to enact enabling legislation and appropriations concerning the voting rights constitutional amendment.

Randy Hannan is the senior communications strategist at communications firm Martin Waymire. You may contact him at 517.485.6600 or rhannan@martinwaymire.com. Prior to joining Martin Waymire, Randy worked in the Lansing Mayor's Office for 12 years serving a wide range of roles including communications director, chief of staff, and deputy mayor.







March 21, 2023

Members of the U.S. Senate and House of Representatives:

Railroads are part of America's communities, and that is why my city and the National League of Cities support action by Congress to improve rail safety in the U.S.

The unfortunate derailment and environmental contamination in East Palestine, Ohio is not unprecedented. There are more than 1,000 trains derailing each year in multiple states. With 140,000 miles of track in the U.S. crossing directly through thousands of cities, towns and villages, the severity of this derailment requires proactive reflection on rail safety actions that Congress can take now. Here are NLC's detailed rail safety recommendations to Congress.

We are encouraged by the introduction of the bipartisan Railway Safety Act of 2023 in the Senate which would improve rail safety, and House members have provided additional proposals to expand the list of chemicals reported so that when - not if - a derailment happens first responders know what they are dealing with.

We ask for Congress to act now on rail safety on behalf of thousands of cities, towns and villages who want to see rail safely moving through their communities.

Thank you,

Darrell O'Quinn	Laney Harris	Laura Pastor
Councilor	City Director Ward 2	Vice Mayor
Birmingham, AL	Texarkana, AR	Phoenix, AZ
Crystal Smitherman City Council President Pro Tem Birmingham, AL	Ron Corbin City Manager Avondale, AZ	Jennifer Adams Vice Mayor Tempe, AZ
LaTonya Tate	Gloria Solorio	Corey Woods
City Council	Councilmember	Mayor
Birmingham, AL	Avondale, AZ	Tempe, AZ
George McCall	Becky Daggett	Priya Bhat-Patel
Council President	Mayor	Council Member
Prichard, AL	Flagstaff, AZ	Carlsbad, CA
Lee Brown	Wally Campbell	Tim McGallian
Mayor	Councilmember	Councilmember
Luxora, AR	Goodyear, AZ	Concord, CA

2023 OFFICERS

PRESIDENT

Victoria Woodards MAYOR Tacoma, Washington

FIRST VICE PRESIDENT

David Sander, Ph.D. COUNCILMEMBER Rancho Cordova, California

SECOND VICE PRESIDENT

Sharon Weston Broome MAYOR-PRESIDENT Baton Rouge, Louisiana

IMMEDIATE PAST PRESIDENT

Vince Williams Union City, Georgia

CHIEF EXECUTIVE OFFICER/ EXECUTIVE DIRECTOR Clarence E. Anthony

Christy Holstege Councilmember Palm Springs, CA

David Sander Vice Mayor Rancho Cordova, CA

Jaime Patiño Councilman Union City, CA

Lorie Gillis City Manager Arvada, CO

Angela Lawson Council Member Aurora, CO

Royce Pindell Mayor Bennett, CO

William Karspeck Mayor Berthoud, CO

Gregory Mills Mayor Brighton, CO

Guyleen Castriotta Mayor Broomfield, CO

Jean Lim City Councilmember Broomfield, CO

Austin Ward City Councilmember Broomfield, CO

James Marsh-Holschen City Councilmember Broomfield, CO

James Keehne City Administrator Burlington, CO Ben Bohmfalk Mayor Carbondale, CO

Tammy Maurer Council Member Centennial, CO

Stephanie Piko Mayor Centennial, CO

Barbara Bynum Mayor Pro Tem City of Montrose, CO

Brandon Bell Trustee Erie, CO

Justin Brooks Mayor Erie, CO

Ari Harrison Trustee Erie, CO

Jeni Arndt Mayor Fort Collins, CO

Zo Stieber Hubbard Mayor Fort Lupton, CO

Richard Applegate City Council Member Fountain, CO

Dr Detra Duncan Council at Large Fountain, CO

Gordon Rick City Council Member Fountain, CO

Patricia Vice Mayor Genoa, CO Johnny Olson Council Member Greeley, CO

Tammy Swisher Town Manager Hartman, CO

Ron Carpenter Superintendent Haxtun, CO

Damien Berg Councilmember Johnstown, CO

Gary Lebsack Mayor Johnstown, CO

Greg Nein Town Manager Julesburg, CO

Aron Lam Mayor Keenesburg, CO

Larry Zaragoza Town Manager La Jara, CO

Adam Paul Mayor Lakewood, CO

Scott Peterson Mayor Las Animas, CO

Kyle Schlachter Mayor Littleton, CO

Joan Peck Mayor Longmont, CO

Jeff Durbin City Manager Louisville, CO Jon Mallo City Councilmember Loveland, CO

Earle Bidez Mayor Minturn, CO

Gigi Dennis City Manager Monte Vista, CO

David Frank Mayor Montrose, CO

Meredith Leighty Mayor Northglenn, CO

Shannon Lukeman-Hiromasa Mayor Pro Tem Northglenn, CO

Becky Brown Council Member Northglenn, CO

Megan Burns Council Member Northglenn, CO

Katherine E. Goff Council Member Northglenn, CO

Jay Jaramillo Council Member Northglenn, CO

Richard Kondo Council Member Northglenn, CO

Tim Long Council Member Northglenn, CO

Nicholas Walker Council Member Northglenn, CO Frankie Hernandez Mayor Ovid, CO

Ben Kleimer Trustee Redcliff, CO

John Clark Mayor Ridgway, CO

Dan Shore Mayor Salida, CO

Tara Beiter-Fluhr Mayor Sheridan, CO

Devin Granbery City Manager Sheridan, CO

H.A. Buck Wenzel Mayor Silver Cliff. CO

Charles Glaze Mayor Starkville, CO

Nancy McNally Mayor Westminster, CO

Paul Rennemeyer Mayor Windsor, CO

Hilary LaBarre Mayor Woodland Park, CO

Jeanette Herron Majority Leader Bridgeport, CT

Michael Purzycki Mayor Wilmington, DE Bryan Dorman Chief of Police Bartow, FL

Mike Herr City Manager Bartow, FL

Trish Pfeiffer City Commissioner Bartow, FL

Joshua Fuller Mayor Bay Harbor Islands, FL

Daniela Jean Commissioner North Miami Beach, FL

Kimberly Glas-Castro Assistant Village Manager Palm Springs, FL

Katie Abbott Councilmember Pinecrest, FL

Kaye Riley Mayor Argyle, GA

Byron Amos Councilmember Atlanta, GA

Linda Blechinger Mayor Auburn, GA

Ollie Clemons, Jr Mayor Austell, GA

Jonathan Elmore Mayor Avondale Estates, GA

Alice Venter Mayor Baldwin, GA Lois Salter Mayor

Berkeley Lake, GA

Janet Jones Mayor Bogart, GA

Booker Gainor IV Mayor CAIRO, GA

James Palmer Mayor Calhoun, GA

Melanie Hammet

Mayor

City Of Pine Lake, GA

Terry Branch Mayor Claxton, GA

Bianca Motley Broom

Mayor

College Park, GA

Diane H. Causey

Mayor

Coolidge, GA

Patti Garrett Mayor Decatur, GA

Joseph Geierman

Mayor Doraville, GA

John Reid Mayor Eatonton, GA

Hattie Portis-Jones Councilwoman Fairburn, GA

Jason Holt Mayor Fitzgerald, GA Aprill Smith Mayor Gordon, GA

Richard Proctor Mayor

Grantville, GA

Douglas Hollberg

Mayor Griffin, GA

Roxanne Whitaker

Mayor Harlem, GA

Liz Ordiales Mayor

Hiawassee, GA

Frank Moran Mayor Hiram, GA

Leroy Guinn Mayor

Homeland, GA

Charle Williams Mayor

Jeffersonville, GA

Chemia Henderson

Мауог

Junction City, GA

Yolanda Sheppard Councilwoman Lithonia, GA

Rosannette Kirby Council Woman Lovejoy, GA

Barbara Mafield

Mayor Nahunta, GA

James Pittman Mayor Oconee, GA Kim Learnard Mayor

Peachtree City, GA

Connie Christmas

Mayor Pinehurst, GA

Donnie Roberts

Mayor Register, GA

Walter Turner

Mayor

Reynolds, GA

Jesse Blackwell Councilman Rincon, GA

Kenneth Ruffin Councilman Riverdale, GA

Wayne McGuinty

Mayor Rochelle, GA

Keith Turman Mayor Royston, GA

Donita Bowen

Mayor Santa Claus, GA

Nick Palumbo Alderman

Savannah, GA

Blue Cole Mayor Sharpsburg, GA

David Keener

Mayor Social Circle, GA

Joe Piper Mayor Statham, GA **Brett Jones** Mayor

Tallapoosa, GA

Jill Elliot Mayor Talmo, GA

Eartha Cummings Mayor Tennille, GA

Jay Flowers Мауог Thomasville, GA

Joyce Denson Mayor Toomsboro, GA

Lanny Thomas Mayor Trion, GA

Kenneth Gowin Mayor Tunnel Hill, GA

Brandon Perkins Town Manager Tyrone, GA

Brian Jones Councilmember Union City, GA

Vince Williams Mayor Union City, GA

Bill Caylor City Councilman Varnell, GA

Tom Dickson Mayor Varnell, GA

Sandy Pangle City Councilman - Seat 3 Varnell, GA

Samuel Newson Mayor

Willacoochee, GA

Andrea Gibby Mayor Young Harris, GA

Elaine Clegg City Council member Boise, ID

Lauren McLean Mayor Boise, ID

Debby Sosine Village President Algonquin, IL

Karen Darch Village President Barrington, IL

Brian Cecola Village President Barrington Hills, IL

Kevin Wallace Village President Bartlett, IL

Paula Schumacher Village Administrator Bartlett. IL

David Brady Village President Bedford Park, II

Frank DeSimone Village President Bensenville, IL

Katrina Thompson Mayor Broadview, IL

Missey Moorman Schumacher Village President Crest Hill, IL

5

Raymond R. Soliman Mayor Crest Hill, IL Joseph Marchese Mayo Darien, IL

Teresa Kernc Mayor Diamond, IL

David J. Kaptain Mayor Elgin, IL

Richard G. Kozal City Manager Elgin, IL

Kelly Burke Mayor Evergreen Park, IL

Nancy Miller Village President Forest View, IL

Sarah Davis City Council Member Galesburg, IL

Gerald Smith City Manager Galesburg, IL

Jaclyn Smith-Esters City Council Member -5th Ward Galesburg, IL

Howard Roin Village President Glencoe, IL

Gerry Daley Mayor Hainesville, IL

Rodney Craig Mayor Hanover Park, IL Christopher Clark Mayor Harvey, IL

Ghida Neukirch City Manager Highland Park, IL

Nancy Rotering Mayor Highland Park, IL

William McLeod Mayor Hoffman Estates, IL

John Tatooles Village President Inverness, IL

Carie Anne Ergo Village Administrator & Chairperson of the Coalition to Stop CPKC Itasca, IL

Michael Talbett Chief Village Officer Kildeer, IL

George Pandaleon Mayor Lake Forest, IL

Ray Bogdanowski Village President Lake in the Hills, IL

Dominic Marturano Mayor Lindenhurst, IL

Bill Jacob Village President Long Grove, IL

Suzanne Fahnestock Village President Maple Park, IL Nathaniel George Booker Mayor

Maywood, IL

Frederic Offerman Village President Minooka, IL

Tom Phelan Village Manager Oak Lawn, IL

Vicki Scaman Mayor Oak Park, IL

John Mahoney Mayor Palos Park, IL

Rick Reinbold Mayor Richton Park, IL

Regan Stockstell Village Manager Richton Park, IL

Julian Alexander Trustee Richton Park, IL

John Noak Mayor Romeoville, IL

David Pileski Mayor Roselle, IL

Jason Ashmore Mayor Sesser, IL

Don DeGraff Mayor South Holland, IL

Robert Kolosh Village President Thornton, IL

6

Patrick Carr Village Manager Tinley Park, IL

Michael Murray Mayor Tiskilwa, IL

David Brummel Mayor Warrenville, IL

Eileen Phipps Village President Wayne, IL

Annunziato Pulice Mayor Wood Dale, IL

Dennis Buckley Mayor Beech Grove, IN

Gregg Sprunger Mayor Berne, IN

John Whicker Mayor Bluffton, IN

Charles Wyatt Mayor Boonville, IN

James Lienhoop Mayor Columbus, IN

Dan Rickord Mayor Decatur, IN

Anita Werling Mayor Delphi, IN

Lloyd Winnecke Mayor Evansville, IN Tom Henry Mayor Fort Wayne, IN

Mark Myers Mayor Greenwood, IN

Dennis Estok mayor Knox, IN

Kelly Mollaun Mayor Lawrenceburg, IN

John Wilkes Mayor Linton, IN

Chris Martin Mayor Logansport, IN

Bob G. Courtney Mayor Madison, IN

Cathy Gross Mayor Monticello, IN

Scott Long Mayor Wabash, IN

David Rhoads Mayor

Washington, IN

Joseph Kelsey Mayor Woodburn, IN

Sheila Paxson Mayor

Glen Elder, KS

Carrie Baeza City Clerk Hugoton, KS Solana Flora Mayor Mission, KS

Jan Faidley Council Member Roeland Park, KS

Brian Dehner City Administrator Edgewood, KY

Brian Traugott Mayor Versailles, KY

Linda Westergaard City Council Member Des Moines, LA

Sharon Green Middleton Councilwoman Baltimore, MD

Denise Mitchell Mayor Pro Tem College Park, MD

Emmett Jordan Mayor Greenbelt. MD

Kristen Weaver Mayor Pro Tem Greenbelt, MD

Jeffrey Slavin Mayor Somerset, MD

Cindy Dyballa City Council Member, Ward 2 Takoma Park, MD

Dennis Hennen Councilmember Berkley, MI

Jana Ecker Assistant City Manager Birmingham, MI

7

Marcus Peccia City Manager Cadillac, MI

Erin LaPere City Manager Charlotte, MI

Sue Osborn Mayor Fenton, MI

Melanie Piana Mayor Ferndale, MI

Joseph Karlichek Mayor Flushing, MI

David Lewicki Councilman Flushing, MI

Michael Vogt Fire Chief Lapeer, MI

Lisa Imus Village Manager Lawton, MI

Jim Gardner Mayor Luna Pier, MI

Jacqueline Terrill Village Manager/Clerk Marcellus, MI

Brian Meissen Village President New Haven, MI

Melanie Nivelt Trustee Ortonville, MI

Sue Hammond Mayor Perry, MI Kevin Krause Director of Community Safety & Development Romulus, MI

Vester Davis Jr. City Manager Springfield, MI

John Dantzer City Manager West Branch, MI

Dan Kealey Councilman Burnsville, MN

Rachel James City Council Member Columbia Heights, MN

Brian Hunke Council Member Hopkins, MN

Mary McComber Mayor Oak Park Heights, MN

Bill Blonigan Mayor Robbinsdale, MN

Patrick Keane Council Member Rochester, MN

Jake Spano Mayor Saint Louis Park. MN

Ellie Rabine Sustainability Specialist St. Louis Park, MN

Jim Arico Mayor Bowling Green, MO

Tara Strain City Administrator Centralia, MO Dan Fowler Councilmember Kansas City, MO

Melissa Robinson Councilmember Kansas City, MO

Dan Fowler City Councilmember Kansas City, MO

Shawnna Funderburk Chief Strategic Operations Officer Liberty, MO

Bryant DeLong Mayor North Kansas City, MO

Lauran Arnold Mayor Webster Groves, MO

Toby Barker Mayor Hattiesburg, MS

Stella Washington Bell Mayor Vaiden, MS

Cynthia Andrus Mayor Bozeman, MT

Jordan Hess Mayor Missoula, MT

Charlotte Griffin Mayor Bear Grass, NC

Terry Turner Mayor Butner, NC

Damon Seils Mayor Carrboro, NC

8

Pam Hemminger Mayor Chapel Hill, NC

Charles Seaford Mayor China Grove, NC

William Mitchell Mayor Dover, NC

Travis Stroud Chief of Police High Point, NC

Jay Wagner Mayor High Point, NC

Mark Bell Commissioner Hillsborough, NC

Robb English Town Board Commissioner Hillsborough, NC

Kathleen Ferguson Commissioner Hillsborough, NC

Matt Hughes Mayor Pro-Tem Hillsborough, NC

Jennifer (Jenn) Weaver Mayor Hillsborough, NC

Willis Apple Mayor Pro Tem Kernersville, NC

Scott Neisler Mayor

Kings Mountain, NC

Dontario Hardy Mayor Kinston, NC TJ Cawley Mayor Morrisville, NC

Vivian Jones Mayor Wake Forest, NC

Jeff MacIntosh Council Member Winston Salem, NC

Denise Adams Mayor Pro Tempore Winston-Salem, NC

John Strand Commissioner Fargo, ND

Sarah Hellekson City Administrator Jamestown, ND

Mike Dafney Mayor Alliance, NE

Lance Hedquist Administrator South Sioux City, NE

Charlene Bybee Councilmember/ Mayor Pro Tempore Sparks, NV

Edward Sundquist Mayor Jamestown, NY

Tara Mosley Samples Councilwoman Akron, OH

Marco Sommerville Deputy Mayor for Intergovernmental Affairs Akron, OH Tim Kirkendall Mayor Albany, OH

Nelson Embrey II Mayor Ashville, OH

Steve Patterson Mayor Athens, OH

Greg Zilka Mayor Avon Lake, OH

Thomas Kelly Councilman at Large Bay Village, OH

Sara Byrnes Maier City Council At-Large Bay Village, OH

Lydia DeGeorge Ward 2 City Council Bay Village, OH

Stan Koci Mayor Bedford, OH

Jeff Asbury Councilman Bedford, OH

Connie Hoblitzell Safety Service Director Belpre, OH

John Carman Mayor Blanchester, OH

Jesse Blackburn Village Administrator Bluffton, OH

9

Jeff Reser Mayor Bucyrus, OH Aftab Pureval Mayor, City of Cincinnati Cincinnati, OH

Donald McIlroy Mayor Circleville, OH

Ryan Puente Deputy Chief of Staff and Chief Government Affairs Officer Cleveland, OH

Brian Kazy Councilman Cleveland, OH

Shannon Hardin Council President Columbus, OH

Max Crown Safety Service Director Coshocton, OH

Christopher Shaw Commissioner Dayton, OH

William Jones Fire Chief East Liverpool, OH

Paul Keller Mayor Fairborn, OH

Dale Paullus Council Member Fairfield, OH

Christina Muryn Mayor Findlay, OH

Gerald Howard Mayor Frazeysburg, OH Donald Banas Vice-Mayor Glenwillow, OH

Wesley Sallee Mayor Greenwich, OH

Cynthia Vermillion City Councilmember Hilliard, OH

Christopher Banweg City Councilman At Large, Hudson, OH Hudson, OH

Frank Comeriato
Asst. City Manager
Operations
Hudson, OH

Chris Foster President, City Council -Ward 2 Hudson, OH

Jeff Knoblauch Finance Director Hudson, Oh

Bradley Kosco City Engineer Hudson, OH

Jody Roberts Communications Manager Hudson, OH

Thomas Sheridan City Manager Hudson, OH

Skylar Sutton Hudson City Council -Ward 3 Hudson, OH

Jerry Varnes Fire/EMS Chief Hudson, OH Greg Hannan
Community Development

Director Hudson, OH

Christie Ward Mayor Lockbourne, OH

Jack Bradley Mayor Lorain, OH

Matthew Cincione Mayor Marble Cliff, OH

Dennis Hanwell Mayor/Safety Director Medina, OH

Fred Hoffman Mayor Middleport, OH

Laurie Green Mayor Mineral City, OH

Patrick Cadle Mayor Newcomerstown, OH

Steve Mientkiewicz Mayor Niles, OH

Brian Ripke Mayor Oakwood, OH

Mary Davis
Ward 4 Council person
village of oakwood
Oakwood village, OH

David Handwerk Mayor Orrville, OH Tracy Colston Director of Safety and Service Port Clinton, OH

Lisa Sarty
Acting Mayor and
President of Council
Port Clinton, OH

Dina Shenker Law Director Port Clinton, OH

Michael Snider Mayor Port Clinton, OH

Sam Sutherland City Manager Portsmouth, OH

Beth Rediger Fiscal Officer Stryker, OH

Timothy Eggleston City Manager Tipp City, OH

William Lutz President of City Council Troy, OH

Robin Oda Mayor Troy, OH

Hans Schneider Mayor Wellington, OH

Richard Dobson City Council West Carrollton, OH

Nakeshia Nickerson Councilwoman Woodmere Village, OH Scott Eudey City Councilor Broken Arrow, OK

Scott Eudey Councilor Broken Arrow, OK

Timothy Rippe Councilor Forest Grove, OR

Peter Hall Councilor Haines, OR

Steve Callaway Mayor Hillsboro, OR

Lisa Batey Mayor Milwaukie, OR

Frank Bubenik Mayor Tualatin, OR

Valerie Pratt City Council President Tualatin, OR

Maria Reyes Councilor Tualatin, OR

Matthew Pacifico Mayor Altoona, PA

Sal Panto, Jr. Mayor Easton, PA

Douglas Baker Mayor Franklin, PA

Ed Gainey Mayor Pittsburgh, PA Erika Strassburger Councilperson Pittsburgh, PA

Rhonda Jerome Councilmember North Charleston, SC

Ritchie Nordstrom Alderman Rapid City, SD

Gabrielle Hanson Alderman At-Large Franklin, TN

Vanessa Fuentes Councilwoman Austin, TX

Brandon Capetillo Mayor Baytown, TX

Bill Heidemann Mayor Corinth, TX

Adam Bazaldua Councilmember Dallas, TX

Steve Dye City Manager Grand Prairie, TX

Ron Jensen Mayor

Grand Prairie, TX

John Lopez Deputy Mayor Pro Tem Grand Prairie, TX

Martha Castex-Tatum Vice Mayor Pro Tem and Council Member Houston, TX

Karla Cisneros City Council Member Houston, TX

11

Sallie Alcom City Council Member Houston, TX

Carolyn Evans-Shabazz City Council Member Houston, TX

Robert Gallegos City Council Member Houston, TX

Abbie Kamin City Council Member Houston, TX

Letitia Plummer Council Member, At-Large 4 Houston, TX

David Robinson City Council Member Houston, TX

Mary Dennis Mayor Live Oak, TX

Thurman Bartie Mayor Port Arthur, TX

Phyllis Viagran District 3 Councilwoman San Antonio, TX

David Cantu Alderperson PI 2 San Elizario, TX

Andrea Barefield Councilmember Waco, TX

Mark Shepherd Mayor Clearfield, UT

Alyia Gaskins Councilwoman Alexandria, VA John Chapman City Councilman Alexandria, VA

Laura Dent Vice Mayor Harrisonburg, VA

Andreas Addison Council Member Richmond, VA

Amy Ockerlander Mayor Duvall, WA

Joe Armand Council Member Harrington, WA

Jason Whalen Mayor Lakewood, WA

Jon Nehring Mayor Marysville, WA

Geoffrey Thomas Mayor Monroe, WA

Jili Boudreau Mayor Mount Vernon, WA Peter Kwon Councilmember SeaTac, WA

Teresa Mosqueda City Councilmember Seattle, WA

Chris Roberts Councilmember Shoreline, WA

Kristina Walker Council Member Tacoma, WA

Allan Ekberg Mayor Tukwila, WA

Kate Kruller City Councilmember Tukwila, WA

Steve Worthington Mayor University Place, WA

Satya Rhodes-Conway Mayor Madison, WI Robert Bauman Alderman Milwaukee, Wl

Cavalier Johnson Mayor Milwaukee, WI

Dan Devine Mayor West Allis, WI

Steve Williams Mayor Huntington, WV

Jennifer Selin Mayor Morgantown, WV

Alexandria Hunt Mayor New Martinsville, WV

Sandy Hunt Mayor New Martinsville, WV

NLC 12



March 2, 2023

The Honorable Maria Cantwell Chair U.S. Senate Commerce, Science and **Transportation Committee** 254 Russell Senate Building Washington DC, 20510 The Honorable Tom Carper

U.S. Senate Committee on Environment and Public Works 410 Dirksen Senate Office Building Washington, D.C. 20510

The Honorable Sam Graves Chair U.S. House of Representatives Transportation and Infrastructure Committee 2165 Rayburn House Office Building Washington, DC 20515

The Honorable Senator Cruz Ranking Member U.S. Senate Commerce, Science and Transportation Committee 512 Dirksen Senate Office Building Washington DC, 20510 The Honorable Shelley Moore Capito Ranking Member U.S. Senate Committee on **Environment and Public Works** 410 Dirksen Senate Office Building Washington, D.C. 20510 The Honorable Rick Larsen Ranking Member U.S. House of Representatives Transportation and Infrastructure Committee 2165 Rayburn House Office Building Washington, DC 20515

2023 OFFICERS

PRESIDENT

Victoria Woodards MAYOR Tacoma, Washington

FIRST VICE PRESIDENT

David Sander, Ph.D. COUNCILMEMBER Rancho Cordova, California

SECOND VICE PRESIDENT

Sharon Weston Broome MAYOR-PRESIDENT Baton Rouge, Louisiana

IMMEDIATE PAST PRESIDENT

Vince Williams MAYOR Union City, Georgia

CHIEF EXECUTIVE OFFICER/ EXECUTIVE DIRECTOR Clarence E. Anthony

Chair Cantwell, Chair Carper, Chair Graves, Ranking Member Capito, Ranking Member Cruz, and Ranking Member Larsen:

The National League of Cities (NLC) continues to support action by Congress and the U.S. Department of Transportation to improve rail safety in the U.S. The unfortunate derailment and environmental contamination in East Palestine, Ohio is not unprecedented, with more than 1,000 trains derailing last year in multiple states. Yet, the severity of this derailment requires proactive reflection on safety requests that have lingered as the country waits for final reports from the National Transportation Safety Board (NTSB), which should also spur action.

With 140,000 miles of track in the U.S. crossing directly through many of the nation's 19,000 cities, towns and villages, local officials continue to look for actions to improve rail safety in their communities with federal assistance and taking precautions - such as increasing local first responders' use of the "AskRail" phone app to provide better information as they arrive on the scene of a rail incident. The safe and efficient movement of people and goods must be the prime objective of transportation policy at all levels of government, but local governments find most rail safety improvements questions boomerang back to Congress as the only recourse.

NLC encourages Congress to consider steps that would make rail and our communities safer including the following recommendations:

Provide Federal Railroad Administration (FRA) data to assess the risk of hazardous materials moving on fewer, longer trains and target safety oversight

Local governments have raised concerns about longer trains dividing communities in two in emergencies, causing firetrucks, ambulances and police to be cut off from their destinations with no clarity on how long a particular crossing might be blocked. This concern is now compounded by the shift to longer trains (referred to as precision railroading), which means each train is more likely to be carrying hazardous materials that could have similar environmental consequences to East Palestine when a derailment happens. Congress should require the FRA to access information to understand the safety risks of derailments in the U.S., the impact of longer trains on the number of hazardous materials cars involved in derailments, and number of crossings blocked for extended, unsafe periods. In a similar manner that we require states to meet basic safety requirements to access federal funding, railroads receiving federal grants should be expected to provide appropriate information to FRA annually. Without information, Congress and the FRA will not have insight into risks by state as well as potential solutions to reduce derailments and national freight challenges.

Ensure financial fines are used first for the community impacted

Financial consequences inform business decisions and should be appropriate to the risk and damages caused. Any fines collected should first be used to address the emergency situation created by a derailment, such as East Palestine, in addition to the required environmental clean up and economic damages caused by the incident. Any community who suffers an incident requiring a fine should expect the full support of the federal government to remedy the harm.

Expedite rail safety improvements and technology tools to reduce rail deaths and derailments

NLC urges Congress to consider increasing support to the Federal Rail Grade Crossing Elimination program to expedite rail crossing separations where needed to reduce conflicts and also provide FRA resources to utilize rail safety technology tools that can be provided to communities to assess pedestrian and car incidents at dangerous crossing hot spots and be moved from community to community upon request. Additionally, FRA and NTSB should consider if wayside detectors locations should be assessed to ensure the checks are happening in advance of more urbanized areas or ahead of critical watersheds so that when a derailment happens, it is less likely to happen in a more populated or impactful area, saving lives and communities' clean water.

Expand the list of hazardous materials that are reported to state and local first responders

The proximity, switching and storage of railroad cars containing volatile and hazardous materials in and through urban and residential neighborhoods remains a core concern, and it has become clear that today's list may not be capturing all the hazardous materials moving on our railways. We agree that updating the list of substances to more accurately reflect a full understanding of what is being moved through communities is needed as well as ensuring that communication between railroads, states, and first responders is clear and efficient. We urge Congress to ensure that mandated communication makes it to the first responder on the scene, not only to the state office.

Invest in local experimentation for improving signs and signals that reduce costs and increase safety

In order for USDOT to accept new railroads safety signs and signals into to the Manual on Uniform Traffic Control Devices (MUTCD), <u>experimentation</u> must occur at the expense of the requester which puts a heavy burden to innovate on local governments when a reasonable investment by Congress in innovation of new concepts could yield cost savings and increase safety. Additionally, if any entity funding MUTCD

experimentation can show significant safety benefits from new structures, any experimental equipment and structures should be maintained in place rather than removed unless it is not included in the next version of the MUTCD.

Support the NTSB's experts and pass their recommendations

Each year the NTSB provides Congress, states and local governments with their "Most Wanted List for Transportation Safety" to save American lives and requests appropriate budget to staff various experts across all modes of transportation to respond and be among the first on the scene to assess the possible causes of the often-fatal incidents. Congress could consider more of their recommendations and ensure appropriate funding for critical response so that causes can be accurately diagnosed and addressed.

Set the expectation for America's railroads to be good neighbors

Railroads are part of America's communities, and local governments expect all railroads to be good neighbors to the communities they reside in by answering local government questions promptly, hosting emergency contact information for incidents and issues, reviewing blocked crossing and safety data annually with communities upon request, and partnering with communities to utilize federal grants to eliminate blocked crossings and congestion points in regions. We must pursue productive collaboration between railroads and communities to reduce conflicts and fatalities related to rail operations.

NLC thanks Congress for their continued attention to rail safety improvements through the IIJA's historic investment. We ask for your continued oversight and leadership to act on these recommendations which can improve safety in thousands of communities, and local governments look forward to discussing these issues with your Committees.

Sincerely,

Clarence E. Anthony
CEO and Executive Director

National League of Cities

CITY OF WEST BRANCH CITY COUNCIL MEETING APRIL 4, 2023

PLEASE TAKE NOTICE that the West Branch City Council meeting scheduled for Monday, April 4, 2023 at 6:00 pm will be conducted both in person and virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19 pandemic.

Public comment will be handled by the "Raise Hand" method as instructed below within Participant Controls.

To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend this meeting, and/or to obtain this notice in alternate formats, please contact the City Clerk by phone at (989) 345-0500 from 8:00 am-4:30 pm Monday- Friday or by email at clerk@westbranch.com, at least five business days prior to the meeting.

Zoom Instructions for Participants

To join the conference by phone:

- 1. On your phone, dial the teleconferencing number provided below.
- 2. Enter the **Meeting ID number** (also provided below) when prompted using your touchtone (DTMF) keypad.

Before a videoconference:

- 1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
- 2. Details, phone numbers, and links to videoconference or conference call is provided below. The details include a link to "Join via computer" as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

To join the videoconference:

- 2. At the start time of your meeting, enter the link to **join via computer**. You may be instructed to download the Zoom application.
- 3. You have an opportunity to test your audio at this point by clicking on "Test Computer Audio." Once you are satisfied that your audio works, click on "Join audio by computer."

You may also join a meeting without the link by going to <u>join.zoom.us</u> on any browser and entering the Meeting ID provided below.

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

- 1. On your phone, dial the teleconferencing number provided below.
- 2. Enter the **Meeting ID number** (also provided below) when prompted using your touchtone (DTMF) keypad.
- 3. If you have already joined the meeting via computer, you will have the option to enter your 2-digit participant ID to be associated with your computer.

Participant controls in the lower left corner of the Zoom screen:



Using the icons in the lower left corner of the Zoom screen, you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera ("Start/Stop Video")
- Invite other participants
- View Participant list opens a pop-out screen that includes a "Raise Hand" icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window
- Share your screen

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between "speaker" and "gallery" view. "Speaker view" shows the active speaker. "Gallery view" tiles all of the meeting participants.

Meeting Information:

Topic: West Branch City Council Zoom Meeting

Time: Apr 3, 2023 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

https://us02web.zoom.us/j/84430248936?pwd=VlhBZVczVXJNUlNyclNjakNSb1YwUT09

Meeting ID: 844 3024 8936

Passcode: 888117 One tap mobile

+13017158592,,84430248936#,,,,*888117# US (Washington DC)

+13052241968,,84430248936#,,,,*888117# US

Dial by your location

- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 9128 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US

Meeting ID: 844 3024 8936

Passcode: 888117

Find your local number: https://us02web.zoom.us/u/kh1ShkLmb