

**CHARTER TOWNSHIP OF WHITE LAKE**  
**Approved Minutes of the Regular Board of Trustees Meeting**  
**December 17, 2019**

Supervisor Kowall called the meeting to order at 7:00 p.m. He then led the Pledge of Allegiance.  
Clerk Lilley called the roll:

Present:       Rik Kowall, Supervisor  
                  Terry Lilley, Clerk  
                  Mike Roman, Treasurer  
                  Andrea C. Voorheis, Trustee  
                  Michael Powell, Trustee  
                  Scott Ruggles, Trustee  
                  Liz Smith, Trustee

Also Present:   Aaron Potter, DPS  
                  Jennifer Edens, Recording Secretary

Supervisor Kowall announced that the Township has acquired 57 acres south of the new township campus site. This property, more commonly known as the Brendel Lake Campground, is now owned by White Lake Township. Its destiny lies as a park for all our residents to enjoy. It also offers an opportunity to preserve open space which is something that with time and progress will be harder to come by. This opportunity was made possible by pursuing a grant from the Michigan Department of Natural Resources Trust Fund. The Fund paid for 74% of the costs and no General Fund dollars were used. It was completely funded by Park and Recreation Millage money and Grant money. It has also allowed an opportunity for a separate purchase of a two-acre site which is the future site of the new public safety building. A condition of acquiring the property with the Grant is to reserve it as a park land for perpetuity for the residents of today and tomorrow. He thanked his fellow Board members for their support and encouragement over this two-year process. He gave special thanks to Sean O'Neil, Planning Director and Jason. He further thanked the MDNR Trust Fund and the Pawlak family for their patience and cooperation. Lastly, he thanked the residents for the opportunity of leadership and the lifetime accomplishment that will benefit the residents to come. He presented a plaque of the new park for all to see.

#### **AGENDA**

Clerk Lilley amended the Agenda as follows:

- Additional Items 11H (A, B, C, & D)
- Treasurer's Report
- New List of Bills dated 12/17/19
- Removal of Item 14 Executive Session (A & B)

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Agenda, as amended. The MOTION PASSED by voice vote (7 yes votes).**

#### **PUBLIC COMMENT**

Mary Earley, 5925 Pine Ridge Court. She noted that Supervisor Kowall has been busy with the park, but more importantly he got us a stop light at the corner of Teggerdine and White Lake. She thanked him as she very much appreciates it. She further questioned if the W.O.T.A. meeting is open to the public.

Doug Hankes, 10115 Joanna Kay. He has lived there for fifteen years. He wishes his neighbors and the Board a very Merry Christmas and a Happy New Year. He thinks this has been a big year for White Lake and he is very proud of the Board. He wanted to follow up regarding the park, a wonderful Christmas present for everyone. He noted that he has been involved in the oil and gas business for years and he goes way back with the MNRTF which is supported by the Oil and Gas Association of Michigan. They set up a fund to purchase land for recreation as a give back for the land that the oil companies take to build on. He is glad that they selected White Lake to receive this park. He would like to see a dog park as part of the development. He further asked who will oversee the development committee and asked who he would contact to be involved in the process.

Clerk Lilley indicated that at the last meeting before the closing, he had the opportunity to make the motion to buy the park and as he indicated for him it had been nearly twenty-five years in the making. He is very pleased to say that after twenty-five years, six supervisors and six boards that we were able to complete it. The past two years have been the most intense with the efforts of Supervisor Kowall, Planning Director Mr. O'Neil and Senior Staff Planner Mr. Iacoangeli to make this happen. He is happy to have the public safety building, township civic center and park all in one area. He spoke of properties that will be sold to offset the future costs. He encouraged people to get more involved, especially those with misunderstandings.

Trustee Powell noted that he would normally not be in favor of more parkland, but this location is so unique. He indicated that to have the park combined with the municipal campus makes it invaluable to draw residents to that area.

## **CONSENT AGENDA**

- A. LIST OF BILLS**
- B. BUDGET AMENDMENTS**
- C. REVENUE AND EXPENSE**
- D. CHECK DISBURSEMENT**
- E. 2019 APPOINTMENTS FOR PLANNING COMMISSION, ZBA AND PARKS & RECREATION**
- F. DEPARTMENT REPORTS**
  - 1. POLICE**
  - 2. FIRE**
  - 3. COMMUNITY DEVELOPMENT**
  - 4. TREASURERS REPORT**

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve the Consent Agenda, as amended. The MOTION PASSED by voice vote (7 yes votes).**

Trustee Ruggles identified the appointments made to the Planning Commission, Zoning Board of Appeals, and the Parks and Recreation:

### **Parks and Recreation**

Peter Meagher – Term to Expire December 18, 2022

T. Joseph Seward – Term to Expire December 18, 2022

**Zoning Board of Appeals**

Josephine Spencer – Term to Expire December 18, 2022

Niklaus Schillack – Term to Expire December 18, 2022

**Parks and Recreation**

CJ Bratta – Term to Expire December 18, 2022

**MINUTES**

**A. APPROVAL OF MINUTES – REGULAR BOARD MEETING, NOVEMBER 19, 2019**

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Powell to approve the Minutes of the Regular Board Meeting, November 19, 2019. The **MOTION PASSED** by voice vote (7 yes votes).

**B. APPROVAL OF MINUTES – SPECIAL BOARD MEETING, NOVEMBER 26, 2019**

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Voorheis to approve the Minutes of the Special Board Meeting, November 26, 2019. The **MOTION PASSED** by voice vote (7 yes votes).

**PROCLAMATION TO CELEBRATE THE 200<sup>TH</sup> BIRTHDAY OF OAKLAND COUNTY**

Supervisor Kowall identified Commissioner Eileen Kowall presence at the meeting. He then read the Proclamation into the record. In relation to the history of the County, he noted an interesting fact that the new property acquired by the Township has a tree that is approximately 400 years old.

**PUBLIC HEARING**

**A. FOR ESTABLISHMENT OF BOGIE LAKE NORTH SANITARY SEWER MAIN SPECIAL ASSESSMENT DISTRICT (SAD)**

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to open the Public Hearing for the Establishment of Bogie Lake North Sanitary Sewer Main Special Assessment District (SAD). The **MOTION PASSED** by roll call vote (Kowall/yes, Lilley/yes, Roman/yes, Ruggles/yes, Powell/yes, Voorheis/yes, Smith/yes).

Trustee Powell clarified that there are three public hearings that the Board must hold. First, for the intention to establish a SAD, which was held last month. Second, to establish the SAD, which is being held tonight. Third, to determine the value of the SAD, which will/would be held in the future.

Eric Provins, 1228 Pinecrest Drive. "I want to comment from the internet on septic systems as opposed to sewer systems. The septic system requires more maintenance and has an upward advantage over sewer lines. They don't pump wastewater long distance to be processed at a water treatment facility. They don't use less energy overall, smaller environmental impact, bacteria in septic tanks also breaks down reducing the threats of leaks between the home and local facility. Aside from the recurring cost of pumping the tank every few years, septic systems are quite inexpensive once they are installed. No monthly fees to be paid, no interruption for broken sewer line, no effect on household septic systems. If you don't want to be dependent on a municipal sewer system a septic system provides a great deal of independence and

security. A well-maintained septic system can last for decades if you clean it out every three to five years. If the sewers are installed, who pays when they back up in your house. More insurance I have to pay for. They say it increases his home value and that is more taxes I have to pay to the Township. In Walled Lake the sewer rates went up 30% this year and it is probably not going to stop any time soon. Depending on what percentage of people approved saying they want sewers in, you would think you would need 75% majority for approval. At the last meeting it was denied, and they decided to bring it up a different way. We are starting from scratch again.”

Margaret Stocker 11175 Sugden Lake Rd. “We were asked to do this. The situation I have a problem with is my septic is perfectly fine. I bought a home and it doesn’t have any sewage or well issues. My taxes have already gone up since I purchased my home and I already pay approximately \$4,000 every year and the new one just came in for the library and fire department and with a levy added to that it is going to raise the value of my home – raise my taxes and it affects us. When people came around explaining this to us, they said it was to help with the lake plumes. The fact is that we have no lake plumes on Bogie Lake. There are individuals that are having issues with their sewer that cannot afford it. They have to plan accordingly to maintain their home. It should not affect all of the people in that area that don’t need it. There are places that other people can go to get help to pay for those systems. They need to think about that when they go to put this on other people to have to pay for their stuff. There are no estimates. All we’re getting are estimates. There is no straight number. First, we got five-thousand and something, and then we got eight-thousand and something, and now we got another one that says \$745,000, but it doesn’t say how much it will cost each person. There was one individual who has thirty lots that made a deal with the city. Instead of paying the thirty lots, they only have to pay for three lots. That ups our price as homeowners, and I don’t think that is very fair. There are a couple of individuals that require sewer systems. They will not be mandated to hook to those systems if you approve this. It is voluntary, if it goes through. It should be voluntary because there are people who don’t need it. The people who do have sewers backing up into their house and having to pump out their sewers every three weeks – they’re the ones wanting this. They should be mandated to put that system in and pay the extra \$18,000 to \$24,000 to hook to it. You’re making me pay \$9,000 and I don’t even need it. I am really concerned about three people versus 91 of the people that are in the neighborhood. You are saying that 51% is all you need and there are three people that absolutely need it.”

Ted Williford, 11237 Sugden Lake Road. “I am one of the guilty parties that went door to door to visit with and solicit signatures for the approval of this project. We are very excited that it has passed the first reading and we look forward to it passing a second reading. We know that it will not only enhance the long-term health of our wonderful lake but will also improve the health of the entire water. This discussion septic tanks being a wonderful way to treat sewage – he can’t argue with that because he’s not in that business. What they’ve been told is that it is not the sewage that the lakes are being effected the most by, it is the other stuff that people use along with maintaining their home and that no matter how good a septic system is it will eventually find its way into our ecosystem and eventually our lake and have a deleterious effect. We did discuss and provided material, and offered to answer questions many of which some people did come back three to four times to ask for clarification and each time we met with the wonderful staff at the Township to get the answers to the questions. We know there is a cost involved and we also know that anyone that is in a position that is prohibitive, that there are other vehicles to deter those costs or to eliminate them until the home sells. We have always presented the best information that we have, and never made any promises that we weren’t prepared to stand behind. All questions brought to us, we did

come back to the Township and the County to verify what we provided. At no time did we discuss any specific issues like plume – I don't know where that may have come up. We did discuss clearly the health of our lake and the environment."

Rick Dery, 1149 Pine Crest. "I am one of the people looking forward to sewers coming through our neighborhood. I want to clear up a couple of things. I did not head this up, our Lake Association did not head this up. It was headed up by people in our neighborhood who came to us to see if we could help them. Currently there is over 15 failed systems that I know about in our neighborhood. These little tidbits are my interpretation of what I read, and it may be close and may not be close to what's going on, but you guys can all get your information. In 2011, the Township sent us a letter saying they could sewer us up for \$1,900 a home. If you put 6% on that over ten years it was \$17 per month. We are good – went right on by. In 2019, went \$8,000 estimate - \$71 per month at 6% over ten years. Exponentially it has gone up considerably. In 2028, as you look forward, our fields go bad – today is the best day they are going to operate. They don't get better; cleaning doesn't get better. If you do the math from what started out in 2011, 2028 is going to \$160 plus a month if we don't do something about it. The only new field in our neighborhood that was put in in 2017 was 1222 Pine Crest. It is an engineered field, a short field for a two-bedroom house. It was considered that each bedroom had 150 gallons per day put into it. It is a three-tank field because it is within 50 feet of a waterway and also within 50 feet of a well. Everybody that is on Beryl and most on Pine Crest Drive have the same problems. There is no room to put the new style of field in. It is called an onsite waste disposal system. It is no longer a septic tank. This field that the homeowner put in costs the homeowner \$28,000. It is in public record. It is a short field for only two-bedrooms and built in a matter of three-weeks. That was done on the November 15, 2016 code that was adopted by Oakland County. We are the only state out of the United States that does not have a state septic code, the only one. Several years ago, in 2016, there was a Hose Bills 5732 and 5733 that were introduced by a lady from Dearborn, Julie Plawecki, to have state inspections on all and every septic field to the homeowner's expense. At that time, they were looking for a three-year inspection. Minnesota, Wisconsin, Indiana and Illinois all require them yearly. It is to the homeowner's price that they have to be inspected and at anytime they can deem the field inoperable. That lady died of a massive heart attach before the Bill was voted on. In 2018 there is still talk of that Bill going through. Oakland County has adapted one of the most stringent laws in septic fields that we've seen. I have a cousin that built a house on Commerce Lake. That septic field, by the time it was done, had three tanks, a bubbler, chemical injection system, and a field that sits almost eight-feet tall in his driveway, at the construction cost of \$80,000. Along with that, and you folks can all get this online, comes a deeded property note that shows that thing has been installed and has to have three-year inspection and maintenance contract that must be deeded to the next household. That is what they are doing with water waste. Some of the stuff you can find, since you are looking it up, one-four bedroom requires 1500 gallons and two-compartment tanks. The bottom of the field, for anybody that is within 75 feet of a waterway in 7.6.2 depth to ground water if four feet to the bottom of the field. You folks that live on Beryl, you all know what the water table is right? How big do you think your tanks are going to be – three of them, with a deed coming to it. I myself put a brand-new tank in eight-years ago, I don't need this. What I do see is these costs, we have one person sitting here that has an estimate of \$50,000 to put a septic field in. Not to mention the look of it, you will have to have big berms built. Sugden just did theirs and look at the turnaround of those neighborhoods over there. Remember you are not going to get a building permit even for a full remodel unless you have your field inspected. I know where you folks are living, what you are doing, but with this kind of money that they are going to allow us to string along, for 6%, you are not going to get that anywhere. I know that it is estimated to be \$71 per month, I will be paying it too. You

have to understand, if you don't do it now, it is only going to go up. These people here and Aaron Potter have done a lot of leg work and changed this around three different times to try and fit the shoe to our neighborhood and the fact of the matter is that the Pine Crest people originally came and asked for just the Pine Crest street to be done. It was when they started to look at the whole, that we have one of the laughingstock areas of Oakland County where you see pump trucks coming in and out all the time, all week long. Beryl Avenue, all those fields are underwater. The low spot of Pine Crest Drive is all underwater, so those fields are sitting in the water table. They are not sitting up above the ground like they should be. One of the things that we did, we had a vote with as many as we could get to show up, everyone was invited, we knocked on doors to ask for help to see what was going on, a choice here to include Beryl or not to include Beryl Drive. The people on Pine Crest Drive are going to absorb \$11 a month to include Beryl Drive. At one point it was made our option to disconnect and leave it alone and let it go on its own. Beryl has problems, anybody who's lived in that area for any length of time can see it. If you go in the wintertime you see overflows, you see ditches where grass is growing at 10 degrees outside. Let's not fool ourselves. The problem isn't the affluent coming out of these tanks. These tanks were designed many decades ago. What we have now is chemicals, we have a chemical dump under every sink in everyone of these houses. There has to be a dozen different chemicals going into these sinks that are leaching into the ground. Look around, look at all the things you hear on the news about whole subdivisions where their wells are being contaminated. Its not the poop and the pee, it is the chemicals are getting out into these fields – they can't get rid of them and some of them are permanent. When we are looking at what we want to do here, anyone who walks down Beryl Drive and Sugden Drive can smell it. There are some folks here that have spent that last five years putting bubblers in, chemically treating with enzymes, cleaning them out, putting Vaseline on their legs and climbing in and trying to clean it up. My hat is off to those people trying to do that. We have a serious issue here, 2020 is coming up and there should be no reason why we are not sewerred up. My only concern is that why we're not all getting in on it. I understand it is money burden, nobody wants us to spend money. I don't want to spend money, I'm retired and on a fixed income, I get it. I do see is a lot of things going on, overflows being put to gray water pumps, pumped out to the ditches. I can walk you out to the street to take a look at them I have had the Oakland County Health Department there, now is the time to bite the bullet for future generations. Bogie Lake is one of the best well kept secrets in Oakland County and if we don't do something now it is going to get worse. If it gets worse, the price will go up. Look at it now, \$160 plus a month in another few years. It is not going down. The fact is that these pumps don't back up into your house, they are fluent grinders. All this stuff is available to you, the County's got it, the Township's got it, the setbacks, the builds, how the fields are put in nowadays. I live in the Township, it's not Rik's. I see a way where we can advance our neighborhood and for future generations to come by hooking up to sewers."

Barbara Sampson, 1134 Pine Crest. "I appreciate all that has been done and the members of the Pine Crest Association. The issue I have is that there are a lot who do not need sewers. We have always maintained our septic. I am one of those people who never pours chemicals down my sink. Putting in sewers is not going to address the runoff, the chemicals that people use on their lawns, the fertilizers – that contributes to the pollution of our lakes and waterways. The other issue that I have is that I have friends that have had sewers installed, they were septic and now they are sewers, and grinders do fail. They have had sewage backup into their basements. Eric is right that expense is on the homeowner. I am one of those people who gets my septic field pumped out every eighteen to twenty-four months, always have and I have lived there for over thirty-five years. My concern is that there are very few safeguards for people that say I don't want to do this. I understand that if the sewers go down, I don't have to hook up until I need

septic repairs. That is taking away my rights. Why can I not continue on my septic, get it replaced. Like I did when we first moved in, it is an old house. Why can I not continue with my septic, because I don't want to have to depend on having a sewer bill that will go up yearly for something that I never wanted in the first place. Our 51% majority is just a little more than ma-rule actually. I appreciate the members, but I am against it."

Frank Cavanaugh, 1058 Pine Crest. "I am kind of wishy/washy on the yes versus no, but I do respect all the points brought up on septic fields. I have one myself, I have been there twenty-two years. The main issue I have is the people not on the lake, approximately twenty properties that are on the non-lake side. We are basically going to subsidize the high value for those on the lake. I am not decided on it but supports the people who said septic's are the option they'd like to stay with.

Holly Keller 1106 Pine Crest. "I have heard of hardship, I am not one of them, but there are several people on my street that would have a problem paying, I have heard different stories of how people who can declare a hardship and qualify how they pay for that. I have heard different stories. Also, for people who have put money into engineered septic's, we have some on our street, how do they fit into that financially. I haven't gotten a clear answer and I think these issues needs to be addressed. There are some people on our street that are hardship."

Jill Polenz, 11011 Beryl Drive. "I respect both sides of this issue. Like everyone else I might have to absorb costs that I might not necessarily have to at this time. My septic is functioning. I understand, I have lived there for about a year and a half now, and when I walk my dog because he won't go to the bathroom in my yard, he has to go to the end of the street and back, and the things I smell are disturbing. I am a realtor in Oakland and Macomb County. When I sell a property that is on a septic in Macomb County it goes through a different process than it does here in Oakland County. You have to fill out a form and if it is the time of year where you can't test it, you have file for a postponement and there are different ways you can handle that. However, if the septic system does not perform, if it fails you are required to hook up to the sewer. That is just how they operate. So, every property I sell in Macomb County, that is the process. They have to show that they are preforming or not performing and it's kind of surprises me here that, especially on the lakes that it is not something that is mandatory. I am surprised to say the least that properties are being allowed to transfer without being subject to proving that they are performing. There is a particular property on my street, I can't say for a fact, but it seems to be common knowledge that they don't have a septic that is functioning properly. There are things sited floating in the canal, and it is disturbing. I have wanted to live on the lake all my life. I grew up in the Union Lake area and now that I have fulfilled my dream, it is disturbing to think the water may not be clean. It is something that I think, we are only here as stewards for a short time on this earth and this lake needs to be protected. Even though I am with some of the residents, that I don't need a septic today it doesn't mean that I won't in the future. I would like to see the lake preserved for the future generations."

Toni Miesel, 1173 Pine Crest. "Those that know me and know my situation and for those that don't know me very well, I bought a home a two years ago. I took on a home that pretty much needed rebuilding, which I was in favor of. I did my due diligence, I had three different people inspect my septic system. They all told me it was great. I bought the property, had it rebuilt and within the first week I had to have the tank pumped. Within the first week it was raining and raining, and the water was pouring into my tank. Within another two weeks I had to have it done again because it was the same thing. The first year I lived there I

had to have the tank pumped at least six times. So far in 2019 I know I have had it pumped six times. I don't live there six months; I have another home I leave to for the winter. Even so I think it is a basic to be able to flush your toilet, take a shower every day, run laundry, I have not been able to do a load of laundry in my home. I am probably one of the ones that is an advocate for the sewer, but it is because of need. I am not only thinking in terms of myself, but also of my neighbors. I walk my dog avidly, three to four times a day. I see neighbors who have water sitting in their yards. If you think logically that septic's have to be underwater, and those septic's are not working properly, they can't. When you walk down Beryl which is one of my avenues and you smell that odor all the time, it is disgusting. You just know that it is leaching into the water. I understand, I've lived with septic's all my life. I have never been in a condition where I had it inspected, and it didn't work. This is all new to me and it is really important to me to have it done. Environmentally it is important to the lake and for the lake to have the good stewardship we can actually give it and this the way we can give it by putting in the sewer."

**It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to close the Public Hearing. The MOTION PASSED by voice vote (7 yes votes).**

## **RESOLUTIONS**

### **A. RESOLUTION #19-047; DETERMINING SUFFICIENCY OF PETITIONS AND NECESSITY OF IMPROVEMENTS AND DESIGNATING SPECIAL ASSESSMENT DISTRICT – BOGIE LAKE NORTH SANITARY SEWER MAIN SAD**

Jeanine Smith, Assessing Department, indicated that there is 77% of the land area which is required by law and 59% of the people that have signed the petition. Tonight, is to establish the district to officially establish the size of it. She indicated there are 91 parcels and 92 REU's.

Treasurer Roman asked for comment regarding the comment made by Ms. Stocker that there are thirty lots owned, and we are only counting three of them. To which Mr. Potter noted that we are referring to Debbie Dehart's property and she currently has no plan to develop it. There are no buildable lots identified. Initially an estimation was created, but when confirmed that it was not her intention to develop, it was taken off the table and the pipe was resized to not supply to those lots. He furthered that the same could be said for the 70-acre parcel on the corner of Sugden and Sugden. It was determined to eliminate them from the SAD because we are not land locking them.

Trustee Powell thanked everyone for showing up as it is a very important subject. His company designs engineered septic systems. He reminded that septic systems are not permanent, they are temporary and only do a marginal job cleaning the water before it goes into the ground. The Health Department requires on lakes requires that the system be at least four feet above ground water. A pretreatment process is whole package with a low price of \$8,000 and the high being \$13,000 and that is just the tank not the septic system. He constantly has people in his office in tears because they don't have the funds. He noted the cost to replace a septic system is \$25,000 to \$45,000. He declared that the right thing to do is to put the sanitary sewers in, and that the Township needs them. It saves the lakes and environment around your home. He believes it to be a shame to have the Health Department not approve home improvements because you haven't put in a new septic system. Sewer lines are an incredible insurance policy. You can use your septic until you don't want to.



He is going to vote yes on this, he doesn't think it is big government looking out for people. He believes it is the best scenario for White Lake Township. He apologizes to the residents that will be mad at him and frankly while he would like to see you in his office, not for the conditions that you would be there for.

Treasurer Roman indicated that the Oakland County Program for financial help (assuming this is approved) is a super program. It is called the Oakland County Home Improvement Loan Program. It is funded through the U.S. Department of Housing and Urban Development. Oakland County wants to help. To qualify you must meet maximum income numbers. A household size of four can have a household income up to \$61,050 and a two-person maximum household is \$48,850. You must own the home and it must be your primary residence. Your mortgage and home equity loans must be current. Your property taxes must be current, you must have enough equity in the home to support the loan. Bankruptcies must be discharged. He continued that Oakland County is liberal in subordinating. If anyone has specifics, he encouraged them to call his office as he is more than happy to sit down with them and get answers to specific questions. It was noted that the applications and parameters are available tonight. He stated that the Program will pay off your assessment upfront and you will not have monthly payments. He clarified that when you sell/deed the home it must be paid back with no interest.

Clerk Lilley supports everything Trustee Powell indicated. He stated that twenty-years ago this Township had no support to help people and that the Township is lucky that the sewer plan has grown through SAD's. The Board has not required anyone with a sewer line in front of their homes to hook-in. If you had a known problem, you may be required to. He himself, hooked to the sewer system and luckily for him he had the ability to. He supports and recognizes as a Board member that there are a lot of people in the Township that need this kind of help by supporting the sewer main itself, it allows those with immediate need to hook in and provides in the future the availability to hook-in and fix a problem and fix it quick. He will support getting the main in to allow relief to the people who need it now, knowing that we do not require people to hook in unless there is a problem.

Trustee Ruggles agrees with what Trustee Powell said as he does it for a living and what he says is right. He is on a septic system and when it fails, he will need an engineered system. There are pros/cons on both sides. In the long run it benefits the community and benefits you. He understands you don't want to keep getting hit with taxes, but you will reap the benefit for it one day. He will vote yes for it.

Trustee Smith agrees with her colleagues and will be supporting it.

Trustee Voorheis likes the fact that it is a taxpayer driven not Township driven. She is supportive.

Supervisor Kowall noted that this is a tough choice to be made, but in one sense it is an affordable insurance policy even though some disagree. We are a ground water community, a well-head protection community. Everything you dump down your toilet is coming back in your drinking water. We must take measures to protect the assets we have.

**It was MOVED by Treasurer Roman, SUPPORTED by Clerk Lilley to approve Resolution #19-047; Determining Sufficiency of Petitions and Necessity of Improvements and Designating Special Assessment District. The MOTION PASSED by voice vote (7 yes votes).**

Conversation amongst residents regarding validity of signatures on petitions. It was suggested that the resident bring to Jeanine's attention the issues he finds with the petitions. He further questioned the multi parcel properties. He has concerns with 77%.

**B. RESOLUTION #19-046; APPROVING 2020 POVERTY EXEMPTION FOR PROPERTY TAXES**

**It was MOVED by Trustee Ruggles, SUPPORTED by Treasurer Roman to approve Resolution #19-046. The MOTION PASSED by voice vote (7 yes votes).**

**NEW BUSINESS**

**A. REQUEST TO APPROVE DLZ PROPOSAL FOR ENGINEERING SERVICES – BOGIE LAKE NORTH PRESSURE SANITARY SEWER SAD**

Aaron Potter indicated that this is DLZ's proposal for engineered services and inspections. He asked of the Board where specially he is to bill to, and it was identified that there is a line item for this.

Supervisor Kowall confirmed with Mike Leuffgen of DLZ that this proposal covers all necessary costs based on inspection of the site and the nature of the system that will be put in.

Mike Leuffgen indicated that the proposal contains design engineering services fee, construction engineering service fee and a geotechnical investigation fee. Construction engineering can be looked at a later date.

Trustee Powell agrees that this is a general township issue to start out with and that funds need to be expended get it started. In this case the maximum amount of spending until the next public hearing would be \$33,000 in design services and \$8,000 in Geotech fees. He believes the next public hearing should not be held until after the bids have gone out so that they will know almost to the penny what the individual properties will be charged for the sanitary sewers if it proceeds. The numbers to design the system must be paid upfront by the Township because the residents haven't paid anything yet. If the numbers come in too high, this Board would have to decide whether to just let the Township general fund pay the costs of design or proceed to the last public hearing for the cost of the SAD for the development of the construction drawing and assess the people within the SAD district the cost of the design. He thinks the Township is very safe and this an extremely valuable asset for the Township.

Supervisor Kowall noted that from time to time we have to make investments in our residents. These are defining moments of the community.

**It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Powell to approve the expenditure of the \$32,740.00 and \$6,195.00 to DLZ out of PA188 Fund and that at the time that the project goes forward, that the monies be returned to this from the SAD. The MOTION PASSED by voice vote (7 yes votes).**

Rick Dery reminded that the exact path that these mains will go have recently been mapped out by Consumer's and asked if there could be a coordination to save money.

**B. REQUEST TO APPROVE ADDITIONAL POLICE OFFICER AND COMMAND STAFF RESTRUCTURING**

Chief Keller noted that in 2014 they took just over 24,000 calls for service and in 2018 that number grew to over 28,000 call for service. He identified that they are a strong department, they work hard, but they need an additional officer. They are a pro-service and pro-community department and they want to continue that. He confirmed that with the revenue coming in, it will support this officer.

Clerk Lilley noted his concern that command staff restructuring should be part of negotiations, but he does support the chiefs request.

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Smith to approve the additional Police Officer and Command Staff Restructuring. The MOTION PASSED by voice vote (7 yes votes).**

**C. FIRST READING, ORDINANCE TO AMEND CHAPTER 32 – SOLICITATION**

Chief Keller indicated that is regarding solicitors in the roadway. He doesn't agree with it and thinks it is stupid to stand in the road to collect money while cars are going 30/40/50 mph down the road. The Attorney General sees it fit so this will be in accordance with is beliefs. White Lake Township cannot prohibit solicitation in the roadway but can determine where the safest spots are for such solicitation. He believes the two safest locations are at Oxbow and Elizabeth Lake Road and Teggerdine and Elizabeth Lake Road.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to Move to Second Reading the Ordinance to Amend Chapter 32 – Solicitation. The MOTION PASSED by voice vote (7 yes votes).**

**D. REQUEST TO ENFORCE DANGEROUS BUILDING ORDER PURSUANT TO CHAPTER 8 ARTICLE V SECTION 109 OF WHITE LAKE CODE OF ORDINANCES – 1337 PARK**

Trustee Powell indicated that the law is such that in order to demolish private property you must go before a hearing officer. He identified that he is the hearing officer for Commerce Township and that he holds these hearings when the building department indicates that a structure is unsafe or an unattractive nuisance to the public. In this particular case, it was identified that this particular home/structure at 1337 Park is structurally unsafe and needed to be torn down or repaired. It would cost over \$100,000 to make the repairs. The homeowner has never contacted the building department for the Township. Therefore, the building department has requested the Board take action to demolish 1337 Park.

**It was MOVED by Supervisor Kowall, SUPPORTED by Clerk Lilley for a Show Cause Hearing on January 21, 2020 Regarding 1337 Park. The MOTION PASSED by voice vote (7 yes votes).**

**E. REQUEST TO APPROVER MERS HEALTH CARE SAVINGS PROGRAM PARTICIPATION AGREEMENT**

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Health Savings Plan. The MOTION PASSED by voice vote (7 yes votes).**

Clerk Lilley reminded the Board that in 2010 the Township Clerk's Office lost one fulltime employee to meet budget requirements. Since that time, they have shared a part-time person with the Supervisor's Office. That employee is transferring to another department. With the upcoming elections his department is in dire need for an additional fulltime person. His request is to have the Board authorize the fulltime position with a budget amendment.

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the Clerk's Office for a fulltime position and to approve a budget amendment to the 2020 Budget to include a fulltime position rather than part-time. The MOTION PASSED by voice vote (7 yes votes).**

**F. REQUEST TO APPROVE DLZ SURVEYING SERVICES FOR PARCELS 12-22-351-002, 12-22-351-001, AND 12-22-351-002**

Supervisor Kowall noted that this is another essential building block to begin the development process. He further noted that there will be discussions regarding the same.

Trustee Powell believes DLZ's proposals are proper, but he doesn't believe it needs to be done as described in their proposal. He believes that the Township needs DLZ's help but that the scope of work needs to be better defined.

**It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to allow the Supervisor to sign an agreement with DLZ for engineering and survey services to be modified to more closely describe the work that is actually needed in the upland areas on the Township property, utilizing the DLZ Proposal as a guideline for their hourly rates and not to exceed the quoted prices on the proposal. The MOTION PASSED by voice vote (7 yes votes).**

**G. CIVIC CENTER BIDS**

Clerk Lilley noted that the following request/bids are for work that needs to be completed at the newly acquired property where the Civic Center will sit. These quotes are for the demolition and cleanup of the property. He further noted that the remediation company has filed a permit with the state and hopefully will be available January 6, 2020. He indicated that there is sufficient money in the Parks and Recreation Fund to cover this with no need for an amendment.

Supervisor Kowall noted that the Township is required by the grant to remove the buildings from the property. He noted that the state has allowed the Township to post the park as a no trespass area for 180 days because of the hazards on the property.

**A. REQUEST TO APPROVE HIGHWAY REMEDIATION BID TO REMOVE ASBESTOS**

Clerk Lilley noted that this request is for the removal of the asbestos from the two structures on the Civic Center and Parks and Recreation property.

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Powell to approve expenditure not to exceed \$14,000.00 for their contract of \$13,855.00. The **MOTION PASSED** by voice vote (7 yes votes).

**B. REQUEST TO APPROVE RJ HOFFMAN MANAGEMENT CONTRACT FOR REMOVAL OF DEBRIS AND DISPOSAL AT DIRECTION OF TOWNSHIP**

Clerk Lilley noted this is for removal of all additional debris in the park area.

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to enter into a contract that they will provide debris, crush and remove motorhomes, boats and out buildings and that the price includes excavators & operator, labor trucking and disposal costs at \$50.00 per cubic yard with the understanding that this will be at the direction of the Township as to the extent of the work. The **MOTION PASSED** by voice vote (7 yes votes).

**C. REQUEST TO APPROVE ARMSTRONG TECHNICAL SERVICES ASBESTOS ABATEMENT MONITORING PROPOSAL**

Clerk Lilley noted this is for the overseeing of the contractor removing the asbestos and to formulate a final report.

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Powell to monitor the asbestos remediation on the project, not to exceed \$400.00 per day. The **MOTION PASSED** by voice vote (7 yes votes).

**D. REQUEST TO APPROVE MICHIGAN PROPERTY NETWORK ESTIMATE FOR TREE AND BRUSH REMOVAL**

Clerk Lilley noted this if for clearing of the property around the two homes on the property.

Trustee Ruggles understands that time is of the essence, but in the future, he believes the Township needs to stick to its policy regarding going out to bid.

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Voorheis to remove all tress, brush and underbrush between the two properties as discussed and remove wood and brush physically from the site and leave the stumps at a height able to be removed by an excavator to Michigan Property Network in the sum of \$11,000.00. The **MOTION PASSED** by voice vote (7 yes votes).

**OLD BUSINESS**

**A. SECOND READING, AMENDMENT TO CHPATER 8, BUILDING AND BUILDING REGULATIONS, ARTICLE IV, PROPERTY MAINTENANCE CODE**

Trustee Powell questioned in §D-1 of the Ordinance it excludes vacant property because you can't hold them to the same standard as a yard. In vacant land it says it has to be at least 2.5 acres vacant, but it doesn't describe about that vacant land. For example, if you own 10 acres, but only maintain 2 acres it's not vacant – you own it, so are you being demanded to mow 10 acres to less than 8 inches high. He doesn't understand the interpretation of it.

Supervisor Kowall knows that the property maintenance code allows for a homestead footprint that is kept and looked at and he believes there is an exception.

Treasurer Roman noted that it is a civil infraction and a ticket is written.

Trustee Powell also questioned if the process could be sped up to allow that the grass is cut at a quicker more manageable rate when a violation is found. He also questioned to whom the homeowner appeals to, to rescind the ticket.

Supervisor Kowall noted that at the time the letter goes out to the home homeowner, then the vendor is placed on alert so that the property can be cut/cleaned up right around the 10-day mark. So, there is no lag time. Once a ticket is written, the only one who can revoke it is the ordinance officer.

**It was MOVED by Clerk Lilley, SUPPORTED by Supervisor Kowall to update the Property Maintenance Code as requested. The MOTION PASSED by voice vote (7 yes votes).**

#### **TRUSTEE COMMENTS**

Trustee Powell – He wished his fellow citizens and residents a Happy new Year, Merry Christmas, Happy Hanukah, and Ramadan.

He thanked the staff and Supervisor Kowall for making the park happen. If it wasn't for them the property would have gone to a developer.

Treasurer Roman – He updated the Board on a few sewer bond debts. Regarding Phase I sewer debt, between March 2013 and March 2018, the Township Board approved transfers of \$1,540,000 from the General Fund to the Sewer Debt Fund to help make the bond payments. Not only is that bond paid off now, but he has transferred \$100,000 this month back to the General Fund bringing the total transferred back to \$800,000.

Regarding the Pontiac Lake Sewer Bonds, the outstanding balance sits at \$790,000. The Fund currently has \$620,000 in it and with future receipts from SAD collections as well as quarterly debt receipts those bonds will pay off in March of 2022.

He welcomes anyone watching from home, that is involved in the Bogie Lake Sewer Project and may need financial help to please make an appointment with him.

The Improvement Revolving Fund that will hopefully be used for future township hall costs currently holds \$2.6 million and they have budgeted for \$500,000 from the General Fund for next year.

He wished everyone a Merry Christmas and very happy safe holiday season and reminded that the Good Fellow's food delivery is this Saturday at 8:00 a.m. at the Township Hall.

Trustee Ruggles – The Planning Commission meets on Thursday for the last meeting of the year. He was able to stop by the Tree Lighting and it looked like a great time. He wished everyone a Merry Christmas.

Clerk Lilley – In talking about demos he would like to see others on the agenda (Mama Mia's / IGA). He noted that Carol Burkhart was a huge supporter of this Township and he suggest that in the area of the new township hall something could be done to honor her as such. He thanked the Board for everything they do and wished everyone a Merry Christmas and Happy New Year.

Trustee Voorheis – One of her favorite things about her nonprofit that she works for is that they pay her to stay home during the holiday season. She always makes sure to give back and do Meals on Wheels. She has helped in the past and it makes her realize how she doesn't want her parents to live. Sometimes the face of the person delivering a meal is the only face they see all day. She wished everyone a safe and happy holiday season.

Trustee Smith – The next Library Board meeting is December 18<sup>th</sup> at 6:45pm. She thanked White Lake Police Department for Shop with a Cop this past Tuesday. The Tree Lighting event was a success. She thanked the sponsors as it couldn't happen without them. It was an opportunity to spread Christmas joy in our community and it is invaluable to her. Lastly, she indicated that next month she hopes to start a new year with fresh ideas and more communication as she has some ideas. She wished everyone a Merry Christmas, Happy Hanukah, Happy Holiday, Happy new Year.

Supervisor Kowall stated when you move forward and continue to, you do better things to make White Lake a better place to live, work, play, and worship. As of last week, W.O.T.A. is established with three Townships (White Lake, Highland, and Waterford) and operations will commence January 2, 2020. It may be a bit bumpy in the beginning, but we will get through it. There is a plan to use new technology to help residents. He appreciates the Boards' efforts as it took 10 years to do. He is hoping other communities will look at it.

He noted that Shop with a Cop was a great experience. He noted that we take for granted what it is that we have and that it was heartwarming to see the kids and parents get emotional. It has made a difference in a lot of lives.

He shared that Genesis awarded to one of our students, the Fran Anderson award at the Extravaganza event. He also noted that he was very proud to be the representative to pick-up a \$500 check for the White Lake Police Foundation.

Additionally, Chief Keller received a \$10,000 grant from OCBA and the money will go for teen training.

He noted that they had a food drive amongst the Township employees, and they will deliver everything to the Open Door.

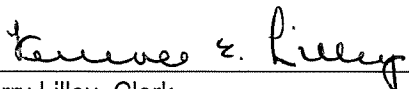
He thanked the Board members and noted that it has been his pleasure serving as supervisor. He looks forward to 2020. Good night and God bless.

**ADJOURNMENT**

**It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to adjourn. The MOTION PASSED by voice vote (7 yes votes).**

The meeting was adjourned at 9:34 p.m.

I, Terry Lilley, the duly elected and qualified Clerk of the Charter Township of White Lake, County of Oakland, State of Michigan, hereby certify that the foregoing is a true copy of the December 17, 2019 special board meeting minutes.

  
\_\_\_\_\_  
Terry Lilley, Clerk  
White Lake Township  
Oakland County, Michigan