

**CHARTER TOWNSHIP OF WHITE LAKE**  
**Approved Minutes of the Regular Board of Trustees Meeting**  
**April 16, 2019**

Supervisor Kowall called the meeting to order at 7:04 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 Fessler Smith, Trustee

Also Present:    Lisa Hamameh, Attorney  
                  Sean O'Neil, Planning Director  
                  Aaron Potter, DPS Director  
                  Jennifer Edens, Recording Secretary

**AGENDA**

Clerk Lilley noted the following changes to the Agenda:  
    New List of Bills dated 4/16/19;  
    Budget amendment correction; and  
    Addition to item 11.

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

**PUBLIC COMMENT**

Mary Early, 5925 Pineridge Court  
She completed the CERT classes (Community Emergency Response Team) and believes it is an excellent program and encourages everyone to participate in it. She noted there will be another class in the Fall and she highly recommends it.

**CONSENT AGENDA**

- A. LIST OF BILLS**
- B. BUDGET AMENDMENTS**
- C. REVENUE AND EXPENSE**
- D. CHECK DISBURSEMENT**
- E. APPOINTMENTS TO SENIOR ADVISORY COUNCIL – 2 YEAR TERM 2019 -2021**

**F. DEPARTMENT REPORTS**

1. POLICE
2. FIRE
3. COMMUNITY DEVELOPMENT
4. TREASURERS REPORT

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

**MINUTES**

**A. APPROVAL OF MINUTES REGULAR BOARD MEETING, March 12, 2019**

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Voorheis to approve the Minutes of the Regular Board Meeting dated March 12, 2019, as corrected. The **MOTION PASSED** by voice vote (7 yes votes).

**PROCLAMATION**

**A. CHILD ABUSE PREVENTION MONTH**

It was **PROCLAIMED** by Supervisor Kowall and **ADOPTED** by the Board (7 yes votes).

**OLD BUSINESS**

**A. SECOND READING; TRAILSIDE MEADOWS REZONING**

Sean O'Neil. Before the Board tonight is the adoption of the zoning map amendment or approval of rezoning. If approved it is joined with the site plan approval under the Planning Department Ordinance.

Trustee Powell mentioned items discussed at a previous meeting and questioned if those items have progressed (i.e. flag lot), to which Mr. O'Neil indicated they will be part of the final site plan approval.

Mickey Jefferies, M/I Homes. Confirmed that letters of intent have been sent to the two property owners adjacent to the *flag* lot. At this time, they have not received any responses from those property owners. As for the S.A.D. buy-in, they are happy to put up the money, but need to figure out the best way to handle it. They prefer to pay the Township directly and will work with the Township to make sure it happens.

Clerk Lilley reminded of his concerns regarding the drainage issue down Elizabeth Lake Road and across township owned property.

Trustee Smith noted that the 20-foot landscape barrier previously discussed is confirmed on Page 8 of 15.

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the rezoning request for Trailside Meadows. The MOTION PASSED by voice vote (7 yes votes).**

**B. APPROVE PUBLIC SAFETY BUILDING SPATIAL PLANNING PROPOSAL**

Chief Keller and Harvy Holland. Chief Keller indicated that they met with Mr. Redstone and are here today to request that Redstone Architects get the bid and do the spatial planning for a new public safety building with a total cost of approximately \$25,000.

There are two phases: 1) wants and needs phase; and 2) nuts and bolts phase where they put everything in place with the lay of the land and actual building itself. The bid includes \$12,000 for program and block and an additional \$12,250 for concept and design. For a total of \$25,250.

Harvy Holland. He believes this project is long overdue. He also believes that Mr. Redstone is very knowledgeable. He personally believes a building together is a great idea and an excellent plan.

It was confirmed by Trustee Powell that this expense would be equally split between the Police and Fire budgets.

Clerk Lilley believes this phase is very important and that part of this process is to convince the citizens of the need.

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Smith to approve Redstone Architects for the programming of \$12,000.65 and \$13,250 for concept and design phase for a total of \$25,250 subject to review of the Township attorney and when agreements are complete, authorize the Supervisor to sign. The MOTION PASSED by voice vote (7 yes votes).**

**NEW BUSINESS**

**A. 2019 OPEB EMPLOYER CONTRIBUTIONS**

Treasurer Roman is seeking permission to make an annual contribution for retiree health care benefits as they have for the past ~~four~~<sup>five</sup> few years.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to approve annual OPEB employer contribution of \$765,000. The MOTION PASSED by voice vote (7 yes votes).**

**B. IT RIGHT SOFTWARE PURCHASE**

Clerk Lilley reminded that the Board approved \$40,000 for PC hardware and this request is for an additional \$14,000 for software. Bringing the total to approximately \$54,000, which includes equipment and software installation.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve software not to exceed \$13,500 from IT Right. The MOTION PASSED by voice vote (7 yes votes).**

#### **C. PUBLIC SAFETY ADMINISTRATIVE APPOINTEE(S) WAGE CLASSIFICATION**

Supervisor Kowall noted that in review of wages paid to the Township chiefs in comparison to neighboring communities, White Lake is on the lower end of the scale. He believes their wages need to rise in order to attract and retain quality people. It has been more than 15 years since this salary scale has had a direct comparison study. That is not to say they haven't had any raises in that time, but that the scale has not been increased. Their increases have mirrored the Union Contract with 2% inflation.

Further it was confirmed that Chief Keller is willing to waive his longevity for the increases. It would be prorated and Human Resources will do the calculations. All new employees will fall within the new scale and language shall be included accordingly.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to approve the proposed wage scale for police and fire chief and that longevity pay no longer applies. The MOTION PASSED by voice vote (7 yes votes).**

#### **D. PRELIMINARY SITE PLAN; WEST VALLEY**

Sean O'Neil indicated this property is located on the west side of Union Lake Road, across from Carpathian Drive, and north of Cooley Lake Road, consisting of approximately 15 acres. Identified as parcel 12-36-176-003. Currently zoned as (RM-1) Attached Single Family.

The above request is now ready for Township Board Consideration. The matter was considered by the Planning Commission at their regular meeting of March 21, 2019. At that time, the Planning Commission recommended Preliminary Site Plan Approval subject to addressing conditions of staff and consultants.

This is a 69-unit project with municipal water and sewer systems. It is necessary to have a secondary access for emergencies, which will be a gated entrance and will tie into an existing driveway. There is one property owner, Ms. Jackson, that is the most impacted neighbor with the basin fencing and secondary access. It was noted that she is okay with the fencing being moved to as close to the basin as possible. Cliff Sieber stated that he has spoken with the property owner and the developer will pave the property owner's driveway up to her garage. Understanding that the property owner would prefer no change in the woods and property, Mr. O'Neil declared that the goal is to minimize the impact as much as possible.

Trustee Powell addressed the width of the sidewalks, their proximity to the roads and to the driveways. He suggested the sidewalks be widened to avoid the cars parking on them and also a six-inch rise to avoid cars rolling onto the sidewalks. Mr. O'Neil agreed to note these changes. Trustee Powell furthered that he is very pleased with the sidewalk width along Union Lake Road and questioned who is the owner of the land to the south-east, as he believes that if an easement could be obtain it would benefit residents in getting to downtown Union Lake. He would like to see a loop on the north-west end to provide future access. He identified a benefit to the sidewalks and driveways being of different material to separate and remind cars and pedestrians to look.

Mary Early, 5925 Pineridge Court. She asked at the Planning Commission meeting if within this development one unit would be a management office. She learned there would not be and that they would not have street lights, but lights outside the garage doors. She wants to know who is going to maintain the property so that it doesn't lead to degradation and crime.

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Preliminary Site Plan subject to staff and consultant comments, including the recent meeting that took place with Ms. Jackson that resolved the fire hydrant, fencing and driveway issue, and to include additions as discussed by the Board as directed by the Planning Department. The MOTION PASSED by voice vote (7 yes votes).**

#### **E. SUEZ FERAZUR PILOT STUDY AGREEMENT FOR ASPEN MEADOWS IRON FILTRATION PLANT**

Aaron Potter indicated that DPS is seeking permission from the Board to commission the piloting of the Ferzazur iron removal process for Aspen Meadows Wellhouse. There are two quotes for the pilot study, one for the pilot itself and one for the engineer's time. Glenn Hummel with HESCO, will assist in assembling the pilots at not costs.

The process is a biological iron removal process discovered in the 1970's. The process uses naturally occurring ground water bacteria. The bacteria, through an enzyme process, absorb a component of the iron molecule as a nutrient and the precipitate is a solid iron. The process is very efficient and has been piloted and studied in Waterford Township. It is very high fluoride filter which leads to a smaller footprint, smaller equipment costs. You are left with a clean iron free effluent that requires very little chlorine to make it safe to drink. DPS believes this is a good, low-cost option for the Township. This would be a two-month pilot.

Treasurer Roman questioned what percentage of total water users will this new plant help. Mr. Potter answered that the average daily demand with this plant could provide 100% of the township with **nearly** iron free water. During peak demand it is close to six times the average factor, but would still require the use of the other plants.

Supervisor Kowall noted that this is the second plant of which the Township has at its current growth and customer base, but that the Township will need three of these plants.

Aaron Potter reminded that the Township has researched this topic and he indicated that this is within the feasibility study from 2004. This plan follows that study.

Clerk Lilley indicated that this project was committed prior to Aaron Potters time with White Lake Township and he commends him for his recommendation and efforts.

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Suez Ferazur Pilot Study Agreement for Aspen Meadows Iron Filtration Plant subject to the attorney's review and authorize the Township Supervisor to sign in the amount of \$14,000. The MOTION PASSED by voice vote (7 yes votes).**

#### **F. AGREEMENT TO RETAIN BAKER TILLY FOR WATER RATE STUDY**

Aaron Potter stated that in light of recent growth in the system, projected capital improvement projects and development, and changes in operations and management, DPS is requiring approval to commission a Water Rate Study to be conducted by Baker Tilly Municipal Advisors (formerly Umbaugh and Associates). The last Water Rate Study was conducted in 2010 by Umbaugh and Associates.

The cost of the Water Rate Study is \$15,000.

Treasurer Roman wants to make sure that the **rate study** will look at the cost of the new iron filtration **system** and the water main down Bogie Lake Road as well.

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve the Water Rate Study to be conducted by Baker Tilly Municipal Advisors, formerly Umbaugh and Associates, subject to the attorney's review and authorize the Township Supervisor to sign. The MOTION PASSED by voice vote (7 yes votes).**

#### **G. AWARD BID FOR CONSTRUCTION OF SETTLER'S POINTE STORM WATER BASIN PROJECT**

DPS requests the Board to award the contract to TSP Services, Inc., for the remediation of the Settler's Pointe Storm Water Basin Project following the recommendation letter from Johnson and Anderson dated April 2, 2019. TSP is the low bidder on the project and met all the requirements of the bid specifications. Pending the confirmation of the role.

Trustee Ruggles asked if it would be beneficial to solicit a quote from a tree company as they have \$42,000 to remove 54 trees and that seems excessive to him. He questioned whether it would be wise to exclude the tree removal and put that out to bid separately. He thinks that is a ridiculous amount.

Supervisor Kowal reminded that TSP Services were the low bidder on this project. He doesn't want to see a situation where they are using multiple contractors for specific jobs.

Trustee Powell stated that most contractors would appreciate taking something like this (tree removal) from them. He highly asks and recommends that even though it is bid this way, that the Township approach the contractor and ask that if the Township could take the tree removal out. He understands that it cannot be removed without their concurrence.

Trustee Smith concurs with Trustee Powell and Ruggles and believes it is a good idea to explore the possibility of removing the tree removal.

Aaron Potter thinks that at this point it would be unfair to ask TSP Services to grant us unit pricing based on a contract specification that is now changing after they bid. He believes that effectively this would put this back out to bid.

Trustee Powell indicated that if the TSP Services said no, he would concur with Mr. Potter. He further asked if the contract / proposal is written to give the Township the ability to modify the contract and unit amounts at the discretion of the Board. Mr. Potter doesn't believe such language is in the contract but would have to defer to the engineering firm.

Supervisor Kowall interjected that the same line item of work in all the bids goes from the low end in the \$20,000 to up to \$70,000. He stated that TSP Services is in mid-range.

Aaron Potter identified that there were to addendums already and all the bidders acknowledged the addendums. He feels like this would be an additional addendum that would restart the bid process.

Supervisor Kowall stated that it would also change the S.A.D. role if everything changes. We are not in the business of a la carte bids, we contracted this to be as cost effective as possible and out of the seven bids this is the contractor that was chosen, and the association seems comfortable with it. He is not going to second guess Mr. Potter. He is the DPS director and he will go along with him.

Trustee Powell clarified with Mr. Potter that this is a unit price contract, not a lump sum contract. He stated that if the unit price changes, it will change the entire process dramatically. We are asking them to go on the as built unit prices, not the lump sum bottom line. Therefore, if we remove the trees from the contract, we are saving the applicants money and reducing the cost of the contract. The argument that it would have to be rebid is not correct.

Trustee Ruggles agrees with the other quotes, but believes the tree removal prices are robbery prices and straight up being gouged. He will not go along with that as there are plenty of companies that can do better than that.

Trustee Smith believes it is worth exploring if it could save the residents money.

Trustee Voorheis identified that it will delay it.

Attorney Hamameh added that it will cost money due the notices that went out for the special assessment role confirmation and the publication cost.

Attorney Hamameh cautioned that they have made you an offer and if you don't accept it then you are making them a counter-offer, which they can reject.

Mike Leuffgen, Engineer. He stated that this is unit price contract and he knows that through the process changes will need to be made to the plan. Their full intent is to work with the contractor to limit the number of trees removed and shift things around. It will be an onsite effort. He's not sure about splitting things up between multiple contractors as it makes it more difficult to accomplish the goal.

Treasurer Roman believes that pulling out the trees to a lower bid penalizes that contractor and they could walk away. He reminded that if they do, the next low bidder is even more money even with a lower tree removal quote. His opinion is that you go with the low bidder as a package deal. He furthered that TSP could be unhappy with the tree removal done by another contractor and now you have complicated the project.

Trustee Powell reiterated that until the contractor is asked, we don't know for sure. Changes in the field will happen. The engineer established these quantities and have added in contingencies to account for that.

It was **MOVED** by Trustee Powell , **SUPPORTED** by Treasurer Roman for the Township to award the bid for the Settler's Pointe Storm Sewer Water Basin Project to TSP with the estimated construction price of \$130,000.00, subject to the actual units that are as built in the field and that staff and/or the engineer approach TSP regarding their allowance of the tree removal to be removed from their contract and if they don't, the contract stands. The **MOTION PASSED** by voice vote (7 yes votes).

**A. PUBLIC HEARING REGARDING CONFIRMATION OF ASSESSMENT ROLL FOR SETTLER'S  
POINTE STORM WATER DETENTION SYSTEM RESTORATION**

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to open public hearing. The **MOTION PASSED** by a roll call vote (Kowall-yes/Lilley-yes/Roman-yes/Voorheis-yes/Smith-yes/Ruggles-yes/Powell-yes).

**John Cole, Lot 22 – Settler's Pointe.** He doesn't have a strong fuzzy feeling that Mr. Potter is acting on the best behalf of his subdivision. He declared that Supervisor Kowall is totally wrong in his estimates for how much the tree removal was as they are the third highest. He questioned when they find out what trees are being removed as he is struggling with the 52 trees being removed to fix the pond. Did it not bother the engineer or Mr. Potter that the company the Board has already selected and voted on had the second



lowest bid for excavation which he believes is the most critical part of this project. He asked what recourse they have and stated he feels like they have been robbed. He thanked Trustee Ruggles for supporting the stupid bid on the tree removal. It is absolutely stealing from us and we have no say in it.

**Joe Kohls, 8185 High Point Trail.** He concurs with Mr. Cole. He deals with a lot of suppliers and sees a lot of contracts. He thanked the board members that disagree with the tree removal pricing. He wouldn't be surprised that the TSP says no, but he appreciates the effort. He thinks \$40,000 is ridiculous. He totally disagrees that it will be mayhem of an issue to have a separate contractor for the trees. It is a lot of money out of their pocket.

**Bill Thomas, 8180 High Point Trail.** He is supportive, he thanks the Township for taking this project from them. There is no way they would have gotten a collective mind from the residents and gotten the job done. People are forgetting the fact that someone has to go door to door to try and get people to pay before we could make these repairs. The Township will go in and make the repairs for us and we thank you for that.

**Rick Brown, 8159 High Point Trail.** When this program began, we asked that they look at scope because there were a lot of concerns about the envision of perfect versus functional. He asks that it be reviewed and that we try to minimize scope because the costs seemed extreme for 37 homeowners to deal with a project of this magnitude. It would be nice if they were a larger subdivision and it could be divided more reasonably amongst homeowners. He appreciates the comments made, because until tonight he didn't feel that anyone tried to temper or control some of the scope and costs. He negotiated contracts for 30 years and just because the bids came in, didn't mean it was the end of the story. He is disappointed that there isn't anymore of a process that would allow for banter. He doesn't think it is unreasonable to tell a provider that they are way out of line on a cost and that if they can't become more reasonable on that cost, we think we can do it cheaper. He doesn't think it is unreasonable, but maybe that's a government way. It is certainly not the way industry does it and it is certainly not the way to control costs.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to close public hearing regarding confirmation of assessment roll for settler's pointe storm water detention system restoration. The MOTION PASSED by voice vote (7 yes votes).**

**1. RESOLUTION #19-011; CONFIRM SPECIAL ASSESSMENT ROLL FOR SETTLER'S POINT STORM WATER DETENTION SYSTEM RESTORATION**

Trustee Powell is concerned that the assessment is estimated at \$160,718.75 and it doesn't include any contingencies and the contract is a unit price contract. He questioned how the cubic yardage would be determined that the contract is subject to; whether it would be as built survey afterwards or will the truckloads be measured as they leave the site. To which Mike Leuffgen indicated the intent would be as built survey afterwards. Trustee Powell furthered that we have a contract with no contingencies at all. He is personally concerned that if we authorized this contract and it starts what do we do when it comes in \$20,000 over budget.

Supervisor Kowall stated that the option is as with every S.A.D. is to reassess whatever the differences are as provided by the law.

Trustee Powell replied that the Board would then have to hold a public hearing again and it is not a pleasant experience. He thought the Board agreed they would never have another contract without contingencies.

Supervisor Kowall indicated the need for a public hearing would depend on the percentage of the overage.

Aaron Potter stated that he and the engineer discussed contingencies and that they felt there was enough flexibility to allow them to accomplish field changes and such. The downside to having the contingencies in there is that these folks wouldn't get it back for ten years and that some of them may not still be the homeowner at that time. He personally was trying to tie up as little amount of their money as possible.

Treasurer Roman confirmed with attorney Hamameh that they cannot change the roll without delaying.

Attorney Hamameh confirmed that they would hold another public hearing to increase the amount as it was published for those that would be assessed would have to come to this public hearing or write a letter in advance.

Trustee Powell stated that they can always refund monies prior to the expiration of an S.A.D. if the project has been completed.

Treasurer Roman added that if all of the monies have been collected prior to the ten years, then absolutely. However, if you don't know if you're going to get that money, then you cannot refund.

Supervisor Kowal referenced a prior S.A.D. and indicated that under the statute we are not allowed to refund until the S.A.D. is termed out.

Treasurer Roman doesn't want to see a delay. He indicated just go with the \$160,000 as long as the residents know if there is cost overruns there will most likely be a reassessment.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to approve Resolution #19-011; Resolution Confirming Special Assessment Roll for the S.A.D. designated Settler's Point Storm Water Detention System Restoration. The MOTION PASSED by roll call vote (Smith-yes/Ruggles-yes/Powell-yes, if it weren't for the urgency of time his vote would be different. It is not worth delaying this project/ Voorheis-yes/Roman-yes/Lilley-no/Kowall-yes, In the future we need to have as much of this covered so that we keep the impact to the residents as minimal as possible. He knows that the engineer and DPS director try to do a really good job are conscientious, but the difficulty is that there is only so much time. When we are asked to perform a task that the community is unable to do we are trying to be a benefit and be of service of them with limited time.).**

Clerk Lilley commented that when S.A.D.'s were started it was up to organizations or residents to come to the Board and ask for help for financing. It is noted that this is not the cheapest way to do things and that using your own financing or going to bank would be cheaper. The Townships process is to go out to bids. This is not the first-time people have gotten critical after bids were received. He is taken back when people who ask for help criticize Arron Potter for the job he has done and done well. It has never been the practice to pick and choose items out of a contract. If he was a contractor bidding for White lake Township, he wouldn't even bother because we have done this several times to accept the low bid and then criticize. We should stick to our guns and tell people to find their own financing.

**B. PUBLIC HEARING; REGARDING ESTABLISHMENT OF SPECIAL ASSESSMENT DISTRICT FOR EMERGENCY SEWER CONNECTIONS 2019-01**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to open public hearing. The **MOTION PASSED** by roll call vote (Kowall-yes/Lilley-yes/Roman-yes/Voorheis-yes/Smith-yes/Ruggles-yes/Powell-yes).

**Public Hearing**

No public comment made.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Smith to close public hearing. The **MOTION PASSED** (7 yes votes).

1. **RESOLUTION #19-012; ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT DISTRICT TO PAY COSTS ASSOCIATED THEREWITH AND TO APPROVE THE PLANS AND ESTIMATES OF COSTS THEREFOR TO BE KNOWN AS EMERGENCY SEWER CONNECTIONS 2019.01**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Voorheis to approve the emergency sewer connections, Resolution #19-012 consisting of four parcels; total cost of \$74,979.98 with a final hearing of May 14, 2019. The **MOTION PASSED** by roll call vote (Kowall-yes/Lilley-yes/Roman-yes/Voorheis-yes/Smith-yes/Ruggles-yes/Powell-yes).

**RESOLUTIONS**

- A. **RESOLUTION #19-013; DECLARING ITS INTENTION TO ESTABLISH A SPECIAL ASSESSMENT DISTRICT KNOWN AS BURGESS BAY AQUATIC WEED CONTROL AND LAKE IMPROVEMENT**

Trustee Powell confirmed that this is a Township Board initiated S.A.D. and not a lake board.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell to approve Resolution #19-013, to declare its intention to finance Burgess Bay weed control and lake improvement. This is an intention resolution set for public hearing on May 14, 2019. The **MOTION PASSED** by voice vote (7 yes votes).

**B. RESOLUTION #19-008; APPROVE 2019 WEST NILE VIRUS PREVENTION PROGRAM**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Voorheis to approve the West Nile Virus reimbursement request, Resolution #19-008 in the amount of \$5,526.80. The **MOTION PASSED** by voice vote (7 yes votes).

**C. RESOLUTION #19-010; APPROVE MARINE PATROL SERVICES AGREEMENT WITH OAKLAND COUNTY SHERIFF'S OFFICE AND APPROVE AGREEMENT BETWEEN THE TOWNSHIP AND ASSOCIATIONS**

Supervisor Kowall stated this a 3-year agreement between the Township and the County where the Township acts as a fiduciary for any assessments that are sought to be paid to the Sheriff to alleviate them having to seek payment.

Clerk Lilley. There are two attachments to the Resolution. First is an agreement between White lake Township and the Oakland County Sheriff's Department and second is an agreement between White Lake Township and any lake association for the marine services. Part of that agreement is that they must post monies with White Lake Township and get a signed agreement by the supervisor.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Ruggles to approve Resolution #19-010 for an agreement with the Oakland County Sheriff's Department to provide marine patrol services for the Township of White Lake. The **MOTION PASSED** by voice vote (7 yes votes).

Clerk Lilley. The second part of the Resolution appears that there is an agreement between White Lake Township and Pontiac Lake Association for marine services in the amount of \$2,160 for the dates of May 24 – September 2. He questions why the agreement was not signed ahead of time and if there is an actual agreement. If this is the makings of the agreement then he moves to authorize the supervisor to sign.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to approve what appears to be an agreement and authorize the supervisor to sign and establish a trust and agency account. The **MOTION PASSED** by voice vote (7 yes votes).

**D. RESOLUTION #19-014; SUPPORTING LEGISLATION ALLOWING TOWNSHIP BOARDS THE OPTION TO HAVE ELECTED OFFICES APPEAR AS NON-PARTISAN ON BALLOT**

Supervisor Kowall. The Michigan Township Association has requested local township consider to either support or oppose legislation to hold township board member elections on a nonpartisan ballot.

Clerk Lilley noted that all should have a copy of what was received by MTA. He notes that the current system has always worked well. A concern he has is with a long ballot the nonpartisan is located on the back-bottom side of the ballot. He is not receptive to deciding on this and it is his recommendation to table this or respond with no comment. He feels this involves more work for the clerk, not legislators and confuses the public. It is a difficult position for him.

Trustee Powell questioned how we even hold a primary if all positions are nonpartisan.

Supervisor Kowall indicated he is not comfortable with this at all.

Trustee Voorhies is surprised that MTA doesn't have a position on this.

Attorney Hamameh thought that MTA provided the draft resolution and that the resolution was to either support or oppose the resolution. The Board can express opposition or support. MTA hasn't taken a position because they are waiting for the locals to decide. She clarified that this Board is stating that the current legislation that would allow township boards to have non-partisan elections - that you are not in support of that legislation.

Treasurer Roman confirmed that you have to have partisan.

**It was MOVED by Trustee Powell, SUPPORTED by Trustee Voorheis to approve the Resolution in opposition to the legislation allowing township boards to have elected officials appear as nonpartisan on a ballot. The MOTION PASSED by roll call vote (Ruggles-yes/Powell-yes/Smith-yes/Roman-yes/Lilley-yes/Kowall-yes/Voorheisi-yes).**

**E. RESOLUTION #19-015; ALLOWING A CHARITABLE GAMING LICENSE FOR THE LIBRARY**

Supervisor Kowall clarified that if approved by the Board, it would then go to the State for final approval.

Clerk Lilley stated that it is necessary that the Friends of the Library must have liability insurance and provide proof of the same forthcoming.

Trustee Powell asked when proof of insurance needs to be provided and who verifies the amount and what is covered by said policy. He further questioned that this is a private event in a publicly owned building. He noted that this has been done before but that it is always a private venue, not a publicly owned building. He further questioned since this is a private event in a public building if that would preempt the public from entering it. He further questioned when/who gives permission to use a public building.

Trustee Ruggles asked if they are charging an entrance fee to enter a public building. He asked if for the first event on May 4, 2019 is for entrance or for activities.

Trustee Smith stated that she understands that this allows them to fundraise a certain number of times per year. They're not looking for just one event, but are looking to be a more active group. This is not specific to one event. It is to allow them to fundraise throughout the year. She further indicated that this license would go to the Friends of the Library not the Library building as their events may not always be held there.

Clerk Lilley noted that he spoke with the Gaming Commission and this application is strictly part of an application process that requires the Board's approval, prior to the rest of the application being submitted to the Gaming Commission. His only question was insurance since this particular event is being held at the Library and they currently do not have their own insurance. He questions whether the 501c3 has insurance as required.

Attorney Hamameh clarified that Clerk Lilley is not concerned about approving this application as much as he is with the need for insurance and responsibilities falling on the Township.

Trustee Powell asked how long is the application approved for to which several indicated one-year. He furthered if this license would approve the location of each event held.

Trustee Smith indicated that this license goes to just the Friends of the Library. This Boards part in it is to just approve this one-page portion. She cannot speak for the Friends or the Board, but it is her understanding that each entity has their own insurance at this time. Not that it is relative to this one-piece form. We are off topic. We should want people to have the correct licenses.

Attorney Hamameh clarified that this allows the Friends of the Library to do charitable gaming (i.e. raffles tickets). It is not location specific or event specific.

Clerk Lilley questioned if the Board is requiring proof of insurance. If the Friends of the Library hold an event in the Library, which is currently on Township's insurance, he is not going to vote to put the Township on the hook. They should provide their own liability insurance.

Trustee Powell reminded that we have done these before but they have always been venue and date specific. He questioned if the event takes place and something happens can the Township not be sued. He believes there must be some reason that the state asks us to approve this.

Attorney Hamameh confirmed that that the gaming license does not cover one specific event to be held at a specific location. If the Township has additional requirements, then they can require additional things (i.e. insurance), but this is the state's requirement, they just want the Township's feedback. If the Board would like to make an additional motion based on specific events, they can do that.

Trustee Smith indicated that the Friends of the Library president would have been here tonight but was advised by Supervisor Kowall that there was no need to appear. They would be happy to come and speak to the Board. They are set up as a 501c3 and it is her understanding that they have their own insurance, but that is irrelevant to this one piece of paper.

Supervisor Kowall agrees with Clerk Lilley regarding the insurance but agrees that a separate motion that would require proof of liability insurance to the Township for any gaming event held on Township property.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to approve Resolution #19-015; local governing body resolution for charitable gaming license for Friends of the White Lake Township Library. The MOTION PASSED by roll call vote (Kowall-yes/Lilley-yes/Roman-yes/Voorheis-yes/Smith-yes/Ruggles-yes/Powell-yes).**

**It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Smith to require as proof of liability insurance as approved by the Townships insurance carrier to be provided to the Township for any event held on Township property. The MOTION PASSED by roll call vote (Voorheis-yes/Powell-yes/Roman-yes/Kowall-yes/Lilley-yes/Ruggles-yes/Smith-yes, we should want to encourage people in the community to get proper licenses and follow rules so we shouldn't make it so hard on them.)**

**F. RESOLUTION #19-016; DECLARING MAY 12-18, 2019 POLICE WEEK  
TRUSTEE COMMENTS**

A resolution to declare May 12 - 18, 2019, as Police Week in the Charter Township of White Lake, Michigan.

Supervisor Kowall read the resolution into the record.

Trustee Powell believes this should be a Board Motion and not a recognition of one individual. To which Supervisor Kowall indicated it is a Board Motion. He doesn't believe a trustee's name should be placed in the resolution, but has no problem with Trustee Smith receiving recognition.

Trustee Smith suggest to amend the second paragraph of the Resolution to read:

"The following preamble of the resolution was offered by the Township Board of Charter Township of White Lake...."

**It was MOVED by Trustee Smith, SUPPORTED by Trustee Powell to pass the Resolution and Township Board of the Charter Township of White Lake declaring Police Week May 12 -18, 2019; Resolution #19-016, as amended The MOTION PASSED by roll call vote (Kowall-yes/Lilley-yes/Roman-yes/Powell-yes, he wants to give credit to Trustee Smith/Ruggles-yes/Smith-yes/Voorhies-yes).**

Chief Keller thanked the Board for the Police Week Resolution. He identified that it is National Safety Telecommunication Week. He wants to recognize and thank the dispatchers of White Lake Township to their dedication to the Township. He stated that without them the police and fire department cannot do their jobs effectively. They are the first line of defense and comfort to the residents who call. He appreciates each and everyone of our dispatchers and wants to commend them for the excellent job they do for the police department, fire department and the Township.

## **TRUSTEE COMMENTS**

**Trustee Voorheis** - She attended the MTA convention in Grand Rapids earlier this month.

She mentioned that at the Historical Society meeting last month they viewed financial statements from 1958 and 1959 and noted what people made in that time for certain jobs. She finds this information very fascinating and will continue to share tidbits.

**Trustee Powell** - He thanked the Board for coming to a consensus and for a great meeting. He also wants to recognize the fact that we have many different religions, cultures and people represented in White Lake Township, but it is the most important holiday and recognition in the Christian faith this Sunday – Easter. Please be safe and those of you who believe go to your local church and give honor to Christ.

**Treasurer Roman** - Thanked the residents for coming to the Board Meeting tonight.

**Trustee Ruggles** - The Planning Commission had a meeting on March 21, 2019 to discuss West Valley. The April meetings have been cancelled. Happy Easter.

**Trustee Smith** - Police Week was started in 1962 nationwide. It is a Michigan Police Week. She is proud to be the first township in Michigan to bring Police Week forward and she hopes many more communities join before this May. May 15 is considered Police Memorial Day and going forward whichever week that day falls in will become Police Week. She asks the community to find creative ways to light up White Lake blue in support and appreciation (i.e. light bulb on front porch, ribbon on your door, car, or mailbox). She asked her colleagues to wear blue to the next board meeting.

Next, she spoke of CERT. 25 residents including herself and husband trained for 26 hours and they are willing, ready and able to support our first responders. She showed her CERT backpack and the items contained within. She noted that they received certificates of training. Residents who wear a CERT vest are there to help residents or first responders. There will be a mock search at Indian Springs for regional CERT and their team will participate. She asks the Board to support CERT in any way that it can. She identified that one way would be in the needs and wants phase of the Redstone Design and they would ask for a little bit of space; maybe a room or closet for storage.



Walled Lake Consolidated Schools asked our Board to entertain a supportive resolution which we did not put on our agenda, so she wants to remind residents in the Walled Lake community that there is an election on May 7.

The Library Board meets April 24<sup>th</sup> at 6:45 p.m. in the old building. It might be the last meeting to meet in the current library.

Friends of the Library are having a fundraiser on May 4 at the new library building. The VIP entrance is at 5:30pm and 6pm the tour and the theme is Kentucky derby. Feel free to dress the part.

The Police and Fire banquet is April 27<sup>th</sup> where they will recognize outstanding individuals from each department.

It is Child Abuse Prevention month as discussed earlier. You may see a lot of blue pinwheels in the community and that is what it is for. She noted that right now, Child Protective Services is in failure of their audit and they are charged with protecting our children and could do a better job.

It is also sexual abuse awareness month.

She would like to ask the Board to start vision planning quarterly. There is so much happening and growth in White Lake.

She closed by wishing everyone a safe and Happy Easter.

**Clerk Lilley** - He notes that it was long agenda this evening. He thanked his fellow Board members. He noted that you turn on T.V. these days and nobody wants to talk, there's no debating. He is happy to get his input in and everybody else's and believes the Board ultimately made some great decisions.

**Supervisor Kowall** - Thanked all the troopers who hung out tonight for 3-hour meeting. He agrees with Mr. Lilley that this Board doesn't always make the easiest or most popular decisions, but none the less they hash it out. He thinks they all gather something from each other and that though it may appear that there is agitation with each other, it is that passion that people on this Board have to make sure they do the best they can for this community. Sometimes decisions aren't easy or fun. We have a good group of people here and good leadership in place. He sleeps well at night knowing he does the right thing and this Board follows its conscious in doing the right thing. He wishes everyone a Happy Easter. God Bless and be safe.

**It was MOVED by Trustee Voorheis, SUPPORTED by Trustee Fessler Smith to adjourn the meeting. The MOTION PASSED by voice vote (7 yes votes).**

The meeting was adjourned at 10:04 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 April 18, 2018 regular board meeting minutes.



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Terry Lilley, Clerk  
White Lake Township  
Oakland County, Michigan