

# CHARTER TOWNSHIP OF WHITE LAKE

## Approved Minutes of the Regular Board of Trustees Meeting

May 15, 2018

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  
Mike Powell, Trustee  
Scott Ruggles, Trustee - Absent  
Liz Smith, Trustee  
Andrea Voorheis, Trustee

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

Clerk Lilley amended the Agenda as follows: Add Items 6A, New List of Bills dated 5-15-18; 7B, Minutes of May 1, 2018 as corrected; 10J, Letter from Ivy Glen Homeowner's Association.

It was **MOVED** by Trustee Powell, **SUPPORTED** by Treasurer Roman to approve the Agenda as amended. The **MOTION PASSED** by a voice vote (6 yes votes).

### PUBLIC COMMENTS

There were no comments by the public at this time.

### CONSENT AGENDA

- A. LIST OF BILLS
- B. REVENUE AND EXPENSES
- C. CHECK DISBURSEMENTS
- D. BUDGET AMENDMENT
- E. DEPARTMENT REPORTS
  1. POLICE
  2. FIRE
  3. COMMUNITY DEVELOPMENT
  4. TREASURER'S ANNUAL REPORT

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve the Consent Agenda as amended. The MOTION PASSED by a voice vote (6 yes votes).**

## **MINUTES**

### **A. APPROVAL OF MINUTES - REGULAR BOARD MEETING, APRIL 17, 2018**

Trustee Powell noted an amendment to the April 17, 2018 Minutes. On Pg. 5, Sub Section B, 2<sup>nd</sup> sentence, change the word "Order" to "Open".

**It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve the Minutes dated April 17, 2018 as amended. The MOTION PASSED by a voice vote (6 yes votes).**

### **B. APPROVAL OF MINUTES - SPECIAL BOARD MEETING, MAY 1, 2018**

Treasurer Roman had numerous changes in regard to Ballot language which have already been provided to Clerk Lilley and are included in the amended Minutes.

Trustee Powell noted a correction on Pg. 19. Under his comments, the second sentence should read, "He would very much like this put on the November ballot for 'MORE' people to speak on it, not fewer."

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the Minutes dated May 1, 2018 as amended. The MOTION PASSED by a voice vote (6 yes votes).**

## **PRESENTATION**

### **A. PLANTE MORAN 2018 ANNUAL FINANCIAL STATEMENTS**

Pam Hill, Audit Partner with Plante Moran along with Christopher Gilbert, presented a PowerPoint overview of the financial audit results for White Lake Township. Approximately 300 hours were spent this year auditing the books and records of the Township. The audit opinion letter was once again an unmodified opinion which means the Township received an A plus which is the highest level of assurance you can get. Chris Gilbert led the Board and audience through a brief slide show overview of the Township's finances. Slide two showed the General Fund Revenue and Transfers for the past five years by category. From 2016 to '17 there was a decrease in revenues. Back in 2015 there was a sale of two parcels of land and in 2016 there was also a sale of a piece of property. If you were to eliminate the sale of fixed assets, you would see a constant increase in each year. One of the largest revenue sources is property taxes, which has increased this past year due to the fact that taxable values have increased. State shared revenue is the other largest revenue source which also has increased as there were more sales taxes collected and distributed by the state.

Slide three looks at the General Fund Expenditures and Transfers. This is showing the expenditures from the General Fund for the past five years. You will notice a decrease from '16 to '17 due to operating transfers. Also, there was a decrease of Public Works due to the Township revisiting how the sewer wages were allocated. General government is the largest expenditure category for the Township and it has remained consistent over the past five years. The Township has done a lot to keep the costs down and consistent.

Slide four is a comparison between Unassigned Fund Balance to Expenditures. The annual expenditures have been relatively consistent over the last five years. In total, the Fund balance in the General Fund has increased since last year. Unassigned Fund Balance has decreased the past few years because the Township has more strategically earmarked and set aside funds for Township purposes. Currently, the Township could go a little over four months and pay their bills as they become due without generating any revenue.

The next slide shows all Governmental Fund Expenditures over the past five years by category. From 2016 to '17, there was an increase of about \$2.3 million in expenditures. The largest reason was due to the Township purchasing the Elizabeth Lake Road property. Public safety has increased due to the Township having more equipment acquisitions in the Police and Fire Fund.

The next slide shows the Water Fund, comparing the operating revenue versus expenses over the past five years. In 2013 to '14, the operating expenses were higher than the revenue. This meant the Township wasn't bringing in enough revenue to cover the costs associated with providing water services. The Township had a rate study done and integrated their capital needs into their current rate structure. Since 2015 the revenue began to exceed the expenses indicating a healthy Water Fund.

The final slide shows the actual total taxable value in the Township from 2009 to 2024. Through 2017 are actual numbers with a projection of 2% going forward. Taxable values dropped from 2009 to 2012. Due to Proposal A, each property has a capped value to increase at the lesser of inflation or 5%, whichever is less. The taxable values will not go up as quickly as they fell. 2023 is the current projection as to when the taxable values will get back to where they were in 2009. New growth will be the only thing that will allow the Township to increase by the lesser of 5% or inflation.

There are two sections included in the end of audit letter. One thing not included within the letter is that we did not have any internal control related findings which means that you can rely on the financial data you receive internally. Section one outlines the plan for the audit and we did not need to deviate from our plan. There is also some legislative information. The Township will be adopting a new accounting standard next year regarding retiree health care

and liabilities. There are two new public acts related to pension and retiree health care which will mean more reports. White Lake does not have any long term legacy costs related to pension and you have already started to pre-fund your OPEB liability. Thank you.

Pete Piccinato, 8771 Townsend Drive. Why isn't there a slide for the Sewer Fund? He was informed it was included on Slide 5. The financial statements for any community within the entire State of Michigan can be looked up at Michigan.gov/treasury.

Thomas Johnson, 9136 Buckingham. Even though our property tax levels will be back up by 2023 our buying power will be down because prices are going up.

## **RESOLUTIONS**

### **A. RESOLUTION #18-007, MDOT CONTRACT 2018-0269-MEDC GRANT**

Supervisor Kowall stated Resolution #18-007, MDOT Contract will be just considered as an FYI item at this time. He was able to procure some money from the State towards road repairs for the Township. It was then discussed with Oakland County Road Commission regarding some areas we would like to work cooperatively with them to do some joint repair work.

### **B. RESOLUTION #18-013, 2018 OAKLAND COUNTY N.E.T. OVERTIME AGREEMENTS**

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Smith to approve the grant funds for Resolution #18-013, 2018 Oakland County N.E.T. Overtime Agreements. The **MOTION PASSED** by a voice vote (6 yes votes).

## **NEW BUSINESS**

### **A. 2018 OPEB EMPLOYER CONTRIBUTIONS**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell to approve the 2018 OPEB Employer Contributions, authorizing the Treasurer to transfer the funds to the OPEB Investment Fund in the amount of \$777,500. The **MOTION PASSED** by a voice vote (6 yes votes).

### **B. PROCLAMATION DECLARING NATIONAL GUN VIOLENCE AWARENESS DAY**

Trustee Smith proposed creating or own local resolution rather than adopt this exact one. She would suggest changing the language to more particularly conform it to the Township. Gun safety is so important she would prefer it to be a true resolution for just gun safety and not driven by lobbyists. This particular resolution is driven nationwide by the lobbyist group, Every Town for Gun Safety which does not actually provide gun safety training.

Carolyn Kolleth, 548 Union Lake Road. She is a member of Moms Demand Action. We are a branch of Every Town for Gun Safety. We do have a very healthy Be Smart Program where we go out into the communities and teach people how to model responsible behavior around guns. This is absolutely a non-political issue. It is about raising awareness that gun violence is an increasing problem in our communities and to honor the victims of gun violence. We do have a lot of responsible gun owners in White Lake and part of that is respecting the power of a gun and modeling safe and responsible behavior. This is a step that White Lake can take to show their commitment to and being a leader for responsible gun ownership and reduction of gun violence.

It should be noted, the board indicated this was more a personal matter with White Lake Township Board to recognize those citizens that have been victims of gun violence. It is a local acknowledgement of gun safety, not support of any particular organization.

Thomas Johnson. He is a member of the Oakland County Sportsmen's Club. They offer programs regarding gun safety. The important thing gun clubs are teaching is not just how to shoot, but how to handle guns safely and how to lock them up and secure them. Federal and local governments are working hard right now to enforce the gun laws we already have.

**It was MOVED by Trustee Smith, SUPPORTED by Trustee Voorheis to approve the Proclamation Declaring the first Friday in June as National Gun Violence Awareness Day. The MOTION PASSED by a voice vote (6 yes votes).**

**C. ROOFING REPLACEMENT REQUEST FOR FIRE STATION #3**

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve the Roofing Replacement Request for Fire Station #3 by City Roofing in the amount of \$7600.00; they be required to obtain a permit for inspection purposes and also the Building Official pay particular attention to the required amount of roof venting. The MOTION PASSED by a voice vote (6 yes votes).

**D. FIREWORKS INSPECTION PERMIT - WHITE LAKE**

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve the Fireworks Inspection Permit for the White Lake Citizens League to be scheduled for June 30, 2018. The MOTION PASSED by a voice vote (6 yes votes).

**E. FIREWORKS INSPECTION PERMIT - CEDAR ISLAND LAKE**

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Smith to approve the Fireworks Inspection Permit for Cedar Island Homeowner's Association scheduled for June 29, 2018.

**The MOTION PASSED by a voice vote (6 yes votes).**

**F. PLANNING DEPARTMENT REQUEST TO PURCHASE LAPTOP COMPUTERS**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve the Planning Department request to purchase ten (10) HP 250 G6 laptop computers with wireless mouse for each and boardroom data drops for 11 locations, amount not to exceed \$7,400. The MOTION PASSED by a voice vote (6 yes votes).**

**G. FIRST READING, OAKLAND COUNTY PARKS REZONING REQUEST - WHITE LAKE OAKS, FILE NO. 18-004**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to Move to Second Reading, Oakland County Parks Rezoning Request - White Lake Oaks, File No. 18-004. The MOTION PASSED by a voice vote (6 yes votes).**

**H. DPS REQUEST FOR 2018 WEST NILE VIRUS PREVENTION PROGRAM**

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the DPS Request for 2018 West Nile Virus Prevention Program, amount not to exceed \$10,050 with reimbursement from Oakland County in the amount of \$5526.80. The MOTION PASSED by a voice vote (6 yes votes).**

**I. DANGEROUS BUILDINGS BIDS FOR GALE ISLAND**

**It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Dangerous Buildings Bid by American Recycling in the amount of \$148,720 to demolish the five properties on Gale Island; the Building Official to update the Title Commitments prior to issuing the permit, and subject to Attorney review. The MOTION PASSED by a voice vote (6 yes votes).**

Mr. Johnson. He lives on Pontiac Lake and knows the Island. Two things out there attract children. There is a camp out there in the summer time. The island is not that big so they're going to come in contact with these homes. The faster we can get this done it will be a lot safer for the children.

**J. AMENDMENT TO THE IVY GLEN P.D.**

Sean O'Neil, Planning Director. Regarding the Ivy Glen Development, there is a sidewalk running through a common area between Lots 16 and 17. The developer is asking to remove the sidewalk because of a conflict with the side entry garage driveway on Lot 17. That sidewalk would be about 15 ft. from the garage door at its closest point. The Board needs to decide whether to allow or remove the sidewalk. If it is left, what will be the configuration. If

it is removed, a deposit equal to the value of the sidewalk which is estimated at roughly \$4500 should be taken from the developer and placed in escrow until the homeowner's take over the association and then deposited into their account so they can re-coop that investment.

Scott Smith, 8062 Ivy Glen Park Lane. He presented a PowerPoint to outline the rationale, reasoning and comments regarding this sidewalk issue. There are basically five main concerns, the intent of the sidewalk, public safety and ergonomics, resident privacy, privacy of the neighbors at Bocavina, and site layout issues. The conclusions reached are, the sidewalk is not necessary, it is not esthetically appealing, it is not ergonomically safe as it creates driver blind spots and engineering difficulty, the site plan violations give cause for additional unwanted site plan violations, it's less headache for the Township, more privacy for Ivy Glen and Bocavina and is ultimately less liability for us as association members.

Ralph Woznick, 8112 Ivy Glen Park Lane. He referred to a letter previously sent in to the Board of Trustees regarding this topic. The residents of Ivy Glen Park are not in agreement with the statements made by Craig Piasecki, developer of Ivy Glen, that the homeowners do not want the sidewalk. We very much want the sidewalk installed as it was originally planned. All homeowners were not properly contacted about this issue which has created ill will, misinformation and confusion. Referring to Article 9, Pg. 21 of the Master Deed for Ivy Glen Park, amendments can take place with the consent of not less than 66 2/3% of the co-owners. If the removal of the sidewalk occurs, the area will look like an extension of Lots 16 and 17 and create the sense we are walking across a neighbor's yard. The common area will lose its walkability. All other residents will lose the potential value of the originally planned common area.

Craig Piasecki, BPH Communities. We are not eliminating access to this easement. Just because there is not a sidewalk there doesn't mean that they can't have access. Possibly a woodchip path would work as an alternative. The sidewalk is not connecting to anything but dead ending into a guard rail.

Jane George, 8072 Ivy Glen Park. The sidewalk was in the Master Plan so it was there when we were all bidding on our contracts. Ivy Glen Park Lane is basically cut off from other accesses with Williams Lake Road not having a sidewalk. You really can't safely walk out of the neighborhood any other way or go for a bike ride except to try to cut through to get over to the neighboring subdivision. To her, that is the safety issue more so than somebody not looking when they are backing out of a garage. A mulch path as a substitute wouldn't hold up during winter months.

Trustee Powell. He is personally strongly in favor of walkable communities. If we remove the sidewalk we are creating an isolationist concept. He would never be in favor of a woodchip

pathway. Taking into consideration current and future developments, the people of Ivy Glen will eventually be able to ride their bikes all the way to the Senior Center. Concerning resident privacy, it was on the original Master Plan and everyone knew it was going to be there. Either this Board needs to stand by the walkable community we developed as recommended by the Planning Commission or we leave it up to the association to be done per the requirements of their Master Deed and bylaws. If we allow removal of this sidewalk to happen there will be two yards expanded into that area and it will not be identified as commons area.

Supervisor Kowall agreed that it is the direction of this Township to create walkable communities. It was initially on the site plan. It was to be expected. A compromise needs to be reached where it will be installed and yet remain in the commons area.

Clerk Lilley noted the builder, Mr. Piasecki, has an excellent reputation. It is hard to believe this house got built with an end opening garage. For the aggravation it has caused, it would be much easier if the end opening garage were made it into a front opening. If the sidewalk is eliminated, it will end up turning into two neighbor's yards. This is an issue that the homeowner's and the developer need to decide. He feels more for the residents on this issue rather than the builder who made the mistake and then is begging forgiveness. He would like to hear more from the residents on what they would be happy with.

Denise Woznick, 8112 Ivy Glen. They were the first to purchase. At that time we saw there was a sidewalk on the Master Deed. She likes to ride her bicycle so that was one of the reasons they thought this is a great place. The idea that we would be compensated \$4500 in lieu of building the sidewalk does not compensate her for losing the sidewalk. Her purchase was based on the fact that there was going to be a sidewalk.

Trustee Voorheis. We do absolutely preach walkability in White Lake. We have used some of our Parks and Rec budget to put in 50 ft. of pathways from Dublin Senior Center to the subdivision next door. It needs to go in.

Trustee Smith. It is a good and workable option to move it closer to Lot 16. We hear from residents all the time the importance of walkability.

Treasurer Roman. Whether you have a sidewalk in the common area or not, the association is still going to have liability for that area and will have to maintain it. For those who don't want the sidewalk, putting it in doesn't hurt them in any way. He supports putting the sidewalk in but not in the area it was originally intended, possibly moving it closer to Lot 16.

**It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve the Board upholding the Planning Commission's initial requirements of a sidewalk being placed between Glen Ivy Drive and Bocavina Subdivision, running along the westerly side of the existing drive**



**and north in the location agreed upon by our Staff Planner and DPW Director with consideration of the Developer's location. The MOTION PASSED by a voice vote (6 yes votes).**

## **OLD BUSINESS**

### **A. SECOND READING, FEE ORDINANCE AMENDMENTS, ORDINANCE 129**

**It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to adopt the Fee Ordinance Amendments, Ordinance 129. The MOTION PASSED by a voice vote (6 yes votes).**

## **TRUSTEE COMMENTS**

Trustee Voorheis. June 2 is Hazardous Waste Day at Kohl's from 9 to 1. June 10 is the Police Open House. June 16 & 30 are community trunk sales at the Fisk Farm. No reservations are needed. You pull in, park with your goods, and it is \$10 to be there from 9-4. June 6 and 20 are wedding displays at the Fisk Farm. There is also a theme taking place there in July and August. Thanks to Chief Keller for the vacation house watch. Her family has utilized it three times this year. They do check things out.

Trustee Powell. Thanks to the Supervisor for trying to find monies to help improve gravel roadways in the Township. The safer we can make our gravel roads the better.

He questioned Chief Keller whether there was a program where gun locks are available if residents were to stop in and get one from our Police Dept. and was told there was.

Trustee Smith. Today is her wedding anniversary. She thanked her husband for his patience and support for waiting on her while she does what she loves which is serve this community.

This is National Police Week and she called for everyone present to please stand to acknowledge the Police.

June 10 is the Police Open House from noon to 3 p.m. It is lots of fun with many activities.

The library had their ground breaking ceremony on May 2. It was very exciting. The residents will start seeing activity taking place on the property. The next Library Board meeting is Wednesday, May 23 at 6:45 p.m.

It was wonderful being with all her colleagues at the MTA Conference this year. We learned a lot having a chance to compare what is happening in other townships. The last few years she has participated in the yard clean up and flower planting at the VFW Post. If anyone is interested in helping out this weekend, please email her.

Also, Happy Birthday to Supervisor Kowall and Happy Anniversary to him and his wife Nancy. Congratulations and best of luck to all the White Lake Township High School graduates. Happy summer to everybody and be safe on the lakes.

Clerk Lilley. Happy Birthday to Supervisor Kowall.

Treasurer Roman. Thanks to all the residents who attended tonight's Board meeting.

Supervisor Kowall. Sidewalks have been a great debate in this Township for a number of reasons. We've been preaching we're going to build parks and walkways. Then to say we're going to eliminate a sidewalk from a subdivision is tough. We'll find a way to make it work.

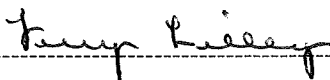
MTA was great. We learned a lot. We are on the right track. The financial report solidifies the fact that we are moving in the right direction. It is a tribute to the Township Board and in-house officials. It takes a complete team to drive this Township. Things that impact and are important to the residents are important to this Board.

#### **ADJOURNMENT**

**It was MOVED by Trustee Voorheis, SUPPORTED by Trustee Smith to approve adjournment of the meeting. The MOTION PASSED by a voice vote (6 yes votes).**

The meeting was adjourned at 9:38 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 May 15, 2018 regular board meeting minutes.

  
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Terry Lilley, Clerk  
White Lake Township  
Oakland County, Michigan