

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

April 17, 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
Liz Smith, Trustee
Andrea Voorheis, Trustee

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

It was MOVED by Trustee Powell, SUPPORTED by Trustee Smith to remove Consent Agenda Item 6A, List of Bills, for discussion and reconsideration. The MOTION PASSED by a voice vote (7 yes votes).

Clerk Lilley amended the Agenda as follows: Add Item 6A, New List of Bills dated 4-17-18; E4, Treasurer's Report; 9F, Professional Fee for Appraisal, two bid items; 9H, Ivy Glen PD, additional material; 9J, Remake of Motion for purposes of re-advertisement from Pg. 7 of the White Lake Township Regular Meeting dated 10/17/17. Removal of Item 9G, Civic Center Planning Proposal.

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

PUBLIC COMMENTS

Peter Piccinato, 8771 Townsend. He had a comment directed to Trustee Smith. His understanding is Pam Collins left a vacancy on the Library Board in January 2017. The position was filled by an appointment made by the Board. The position needs to be reelected this year. He would have assumed a Trustee and representative to the Library who also represents the voters of the Township during Trustee Comments would have advised there was an open position on the Library Board available to any interested Township resident. The deadline is April 24th at 4:00. He will make it known on YouTube if there are any qualified candidates that

want to be on the Library Board get your information in.

Doug Hanks, 10115 Joanna K. He missed last month's meeting. He would like more information regarding Brendel Lake Campground. Did the Township buy it? Was there a purchase agreement? How much was the cost and how will the Township pay for it?

Susan Diehl, 9170 Twin Lakes Drive. She extended appreciation from her subdivision, Twin Lakes Village, to Trustee Powell and Supervisor Kowall for attending their association meeting. Thank you for your time.

Ejanphilippe Loew, 247 Rosario Lane. Regarding the project at Cooley Lake Road and Union Lake Road. He would like to suggest extending the sidewalk to connect the subdivision just north of this project. While the machines are there maybe we could get a better quote or deal to install a sidewalk at the same time to integrate it into the landscape.

Jim Liker, 4589 Pasture Lane. He would like the Board to consider staffing within the Fire Dept. to get the fire stations open. The residents voted a millage back in '14 to maintain services but we still don't have our stations open. He would hope it would be a very strong priority of this Board to get Station 3 open.

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 REPORT**

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

Trustee Powell had a question regarding an item on the List of Bills. There was a \$15,600 payment to IT Right for IT services. Then later down in the Agenda, Item 8E, is a Resolution to work with Oakland County on IT Services. Can anyone advise as to what the difference is between those two contracts?

Supervisor Kowall stated the one with Oakland County doesn't have a cost. It is an operations agreement. Whatever services go through Oakland County we have to operate under their agreement. The contract with IT Right is for dealing with all our in-house IT issues.

Trustee Smith. Have we explored other options besides IT Right such as other companies, our own in-house IT or possibly sharing services with Commerce Twp.? One of her concerns is compared to neighboring communities we are behind in technology.

Supervisor Kowall responded the amount is less than half of what we paid when we worked with Waterford Township. Hiring a full-time in-house individual would be very expensive. It is a very competitive price and the staff has been very satisfied with their services.

It was MOVED by Trustee Powell, SUPPORTED by Trustee Ruggles to approve Consent Agenda Item 6A, List of Bills as presented. The MOTION PASSED by a voice vote (7 yes votes).

MINUTES

A. APPROVAL OF MINUTES - REGULAR BOARD MEETING, MARCH 13, 2018

Trustee Smith made an amendment to the March 13, 2018 Minutes. On Pg. 10 immediately following the Motion to approve Resolution #18-003 add a comment by her, "To the HOA members present tonight, she would encourage them to stay involved and will pledge to make part of the deal moving forward asking for a resident committee."

It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Powell to approve the Minutes dated March 13, 2018 as amended. The MOTION PASSED by a voice vote (7 yes votes).

RESOLUTIONS

A. RESOLUTION #18-004, WEST NILE VIRUS EXPENSE REIMBURSEMENT

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve Resolution #18-004, West Nile Virus Expense Reimbursement. The MOTION PASSED by a voice vote (7 yes votes).

B. RESOLUTION #18-005, DESIGNATING PRECINCT 5 TEMPORARY POLLING PLACE LOCATION

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve Resolution #18-005, Designating Precinct 5 Temporary Polling Place Location. The MOTION PASSED by a voice vote (7 yes votes).

C. RESOLUTION #18-006, FOLEY LAKE GOOSE NEST/EGG DESTRUCTION 2018-2022 PERMIT APPLICATION

It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Voorheis to approve Resolution #18-006, Foley Lake Goose Nest/Egg Destruction 2018-2022 Permit Application. The MOTION PASSED by a voice vote (7 yes votes).

D. RESOLUTION #18-008, AMENDMENT OF LIBRARY BOND RESOLUTION #17-042

Trustee Powell. It was the intention of the Board when we passed the resolution for selling the bonds to make sure this Board was satisfied that we would know as close as possible the cost to build the library. The purpose for waiting until the permits were obtained was to make sure those agencies that have control over the design of the site and utilities wouldn't have changes that might add costs to the project. If we were to hold to the original bond resolution, it would put off starting construction another couple months. It would be his recommendation to the Board that we modify the original Board resolution and remove the impediment of obtaining the permits versus having them applied for.

It was MOVED by Trustee Powell, SUPPORTED by Trustee Smith to approve Resolution #18-008, Amendment of Library Bond Resolution #17-042, modifying the original Bond Resolution by deleting Section 21 which specifically dealt with the requirement to obtain all permits prior to the selling of the bonds. The MOTION PASSED by a voice vote (7 yes votes).

Clerk Lilley had an opportunity to meet with the Library to go over a number of items. The latest updated estimate of costs that were given today over the \$8.6 million is \$281,023. He is satisfied with the format of the billing that will be given to the Township for approval. He would like to see the contracts and the insurance policies be made available no later than the pre-construction meeting. The additional insurance costs for the builder's risk have been included in the new sheet. The permits have been addressed.

Two items of major concern are that he expected the cost estimate for the library would come back at \$8.6 million. It would be his recommendation the Library post with the Treasurer the \$281,032 at the time of receipt of the bonds. Next, he is not convinced about the insurance policy that has been supposedly addressed to take care of additional cost overruns. Normally, we would include at least a 5% contingency in the project costs. He is somewhat satisfied in that the issue of additional costs have been addressed in our prior agreement that basically says that the library is responsible for all additional costs incurred.

Mr. Piccinato. We voters approved \$8.6 million dollars for a new library. We also have these millages which pay for existing operations. We gave you \$8.6 million. Live within those means. Why are we going over budget?

E. RESOLUTION #18-009, IT SERVICES AGREEMENT WITH OAKLAND COUNTY

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to approve Resolution

#18-009, IT Services Agreement with Oakland County, authorizing public officials as needed to sign the documents. The MOTION PASSED by a voice vote (7 yes votes).

NEW BUSINESS

A. REQUEST APPROVAL OF MDEQ PERMIT APPLICATION TO DEMO SUBURBAN KNOLLS WELL HOUSE

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve the MDEQ Permit Application to Demo Suburban Knolls Well House and to abandon the two existing wells on that site. The MOTION PASSED by a voice vote (7 yes votes).

B. REQUEST APPROVAL OF DUBLIN SENIOR CENTER PAINTING QUOTE

Trustee Powell doesn't feel that Ms. Gordinear followed the Township's procurement process which would be to advertise, solicit bids, have a closed bid operation and then open those and select from the lowest bidder. He is not particularly convinced it is legitimate to spend \$500 more on a contract because you know and like the contractor. You should show that you are rejecting the lowest bidder because they are not qualified.

Clerk Lilley shared in Mr. Powell's stated concerns regarding the paint bids

Treasurer Roman would like to go on record as sharing the same concerns and will not support the higher bid.

It was MOVED by Trustee Voorheis, SUPPORTED by Trustee Ruggles to approve the Dublin Senior Center Painting Quote by Jeff Schimp Painting, amount not to exceed \$5,700. The MOTION PASSED by a voice vote (5 yes votes/ 2 no votes - Roman & Lilley).

C. REQUEST APPROVAL OF LEGAL SERVICES BILLING RATE INCREASE

It was MOVED by Supervisor Kowall, SUPPORTED by Clerk Lilley to approve the Legal Services Billing Rate Increase for a period of two (2) years in the amount of \$140 per hour on affected general township services only. The MOTION PASSED by a voice vote (7 yes votes).

D. FIRST READING, FEE ORDINANCE AMENDMENTS, ORDINANCE 129

Treasurer Roman noted a correction to the Fee Ordinance. In Section 30 G, page 15, dog license fees, A, B, C, D, and F need to be increased \$3.00 each. It was Oakland County Animal Control who increased those fees.

Trustee Smith noted it was actually page 16, not 15.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to move to Second Reading, Fee Ordinance Amendments, Ordinance 129 as corrected. The MOTION PASSED by a voice vote (7 yes votes).

E. REQUEST APPROVAL FOR FIRE/RECRUITMENT OFFICER EMPLOYMENT CONTRACT

Chief Gurka, Fire Department. The Fire Dept. is reapplying for the grant they got originally that paid for four years for a recruitment and training coordinator. He is trying to be proactive to ensure the position continues forward should the grant not go through. He won't know for a few months whether the grant has been accepted or not but he wanted to make sure that he could continue on with this position and with this employee. Even before he came to be employed here, many different employees were trying to wear different hats. With us approaching having 40 paid on-call employees and 18 career employees, our recruiting and training coordinator has taken on a lot of duties. There are three pages full of things that he's responsible for in addition to the recruiting, training and retention aspect. We have a host of training requirements we have to meet including some upcoming requirements that are being discussed for the future. We are trying to be proactive with this position and making sure that we'll be able to meet all the requirements for training our employees.

Our recruiter is a state certified fire instructor. He is also degreed and was a former battalion chief for Pontiac and has a lot of connections with the State and Oakland Co. medical control which also helps us in making sure that we follow all the protocols and quality assurance programs we're participating in. We have used him as our liaison between the administration and the career division and between the career and the paid on-call division. He arranges testing, the training programs, brings in outside instructors and has taken on the task of ordering our basic equipment. He attends many community and school events where he can recruit at local job and career fairs. If we get the grant his position will be paid for four years into the future.

Trustee Ruggles questioned when the grant funds expire.

Treasurer Roman responded that the performance period ends May 3, 2018 which means that any expenses after May are not reimbursable.

Trustee Ruggles. When will you hear if you are awarded the grant?

Chief Gurka responded they are hoping to hear within a few months. These grant applications come from all around the country, they are looked at and vetted out and move to different levels. We will find out quickly if we get bumped out of the system. The longer you don't hear anything is good news.

Trustee Powell. What hours are worked in this position? Does the grant allow him to have

included fringe benefits? Is the recommended salary part of the budgeted funds in their line item budget?

Chief Gurka. He is working 48 hours over five days a week as well as evenings or weekends for various drills or special events. Included within his position was a fringe benefit package. The salary is part of their budgeted funds.

Treasurer Roman. If for any reason this Board does not approve him staying on, what is your Plan B? How will you delegate all the duties he's taken on?

Chief Gurka. He would need time to implement pushing all those duties back out to existing personnel. In the past, different duties were accomplished by existing staff but it would be very difficult to go back and put this all back on our personnel. They are primarily there to service the public and give emergency aid or fight fires. There is a challenge to maintain consistency between three different shifts.

Trustee Powell. How will this position assist in manning the Station 3?

Chief Gurka. As a recruiter, he has been tasked with recruiting more Fire Engine Operators. Right now there are budgeted funds that aren't being utilized because of participation. The recruiter is being used to try to get more individuals and motivate them to get the training so they can enter our system of working part-time shifts. To recruit he gets out in the community, does a lot of networking, goes to job and career fairs and we put contact information on our web site here at the Township.

Trustee Smith. She will state publicly that Chief Gurka has 100% of her support when he says he needs something to keep our residents safe. The safety of our residents and our firemen are ultimate. Thank you for budgeting for this ahead of time if the grant does not come through. Harvey Holland is an asset to our department and is a mentor to many firemen in the department. She is forever grateful for our firemen and the job they do to serve our residents.

Clerk Lilley. This gentleman was hired based on a grant. What really tells the story is to go back to the original application of what the success of this program was going to bring about in the period of four years. This is the first time in four years that we've even had a discussion about the position. If we're talking about hiring additional full-time firefighters, that is one thing. But this particular program was set up to accomplish certain milestones that needed to be reached. We need to evaluate this program on more of a factual basis. If the grant has expired, then we need to move forward to have the grant renewed. But if we are talking about taking on additional people, the Board needs to seriously consider the type of personnel.

Supervisor Kowall. There were certain criteria or objectives of the grant that this individual was to provide us. In that four year period, what was accomplished with this program? As

the Supervisor, he has not seen any written documentation brought forth with an update on this particular program. If we have money out there, Station 3 needs to be opened. This grant position is important and there are many nuances to running a fire department but he would much rather see the money in the budget go towards another firefighter. He would be in favor of extending the grant position for a period of time.

Trustee Ruggles. If we are going to hire somebody full-time he would rather have a fireman. All the responsibilities and duties existed prior to Mr. Holland being hired and will go on without him.

Bob Lessa, 350 Farnsworth. When do they make the decision of when they issue the grant?

Susan Diehl, 9170 Twin Lakes Dr. If this grant ends on May 3rd when is the start date of this new grant for reimbursement?

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to authorize the Supervisor to enter into a contract to extend the employment of our recruitment officer consistent with the terms of the proposed contract for a period to end on July 31, 2018 unless the grant is obtained. The MOTION PASSED by a voice vote (7 yes votes).

**F. REQUEST APPROVAL OF PROFESSIONAL FEE FOR APPRAISAL - (KROGER)
10951 HIGHLAND ROAD**

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the request of Professional Fee for Appraisal - 10951 Highland Road (Kroger), amount not to exceed \$8,000. The MOTION PASSED by a voice vote (7 yes votes).

H. IVY GLEN P.D.

Sean O'Neil, Planning Director. The Board was supplied with a plot plan and memo with attached email from Mr. Bonnivier to advise of the situation at Ivy Glen, Lot 17. It is a very odd situation which the only way to address and fix it is to grant an amendment to the development agreement. It is our recommendation that you authorize us to work with the Township Attorney, Supervisor and Clerk to finalize the necessary documentation with the developer. Also, the Master Deed must be amended to address this situation.

Clerk Lilley. It's hard to believe that both the Building Dept. and the builders of the subdivision didn't know better. He hates to be put in the position to say the Board can fix a problem that has been going on for years around here. We've made an attempt to combine the Planning and Building before building permits are issued and other aspects of review have been made. He will be voting no on this.

It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve an amendment

to the Ivy Glen development agreement, allowing for a 13.4 ft. side yard setback to the common area to allow for a side entry garage to exist on Lot 17, subject to the sidewalk being constructed along the west side of the common area tied and extended into the west right of way of Suchava; Spruce or Pine trees be planted to prevent headlights from shining north into the Boca Vina Subdivision; authorizing the Supervisor, Planning Dept., Township Attorney and Clerk to negotiate and finalize the terms consistent with the aforementioned recommendations. The MOTION PASSED by a voice vote (6 yes votes/1 no vote-Lilley).

I. REQUEST APPROVAL OF 2018 DUST CONTROL PROGRAM WITH RCOC

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the 2018 Dust Control Program with RCOC in the amount of \$62,790.53, authorizing the Supervisor to sign to the necessary documents. The MOTION PASSED by a voice vote (7 yes votes).

J. RESTATEMENT OF MOTION FROM THE REGULAR TOWNSHIP BOARD MEETING OF 10/17/17 TO ALLOW FOR RE-ADVERTISEMENT

It was MOVED by Trustee Powell, SUPPORTED by Clerk Lilley to approve the rezoning request from AG to SF for parcel 12-21-201-004 as presented. The MOTION PASSED by a voice vote (7 yes votes).

TRUSTEE COMMENTS

Trustee Voorheis. The White Lake Historical Society is offering an Open House Series throughout the summer. The dates are June 6 and 20, July 11 and 18 and August 1 and 15. The White Lake Historical is also accepting information for the Veteran's Book. If you know any White Lake Twp. Veterans, contact the Historical Society.

The Parks and Rec meeting last month was canceled. Since her night was freed up she was able to attend a meeting in Commerce Twp. regarding vapor intrusion. It was a very informative and interesting meeting.

Trustee Ruggles. The Planning Commission approved Walmart's Seasonal Outdoor display area. We started to look at changing some ordinances. We'll have a meeting on Thursday and will be going through ordinance changes again.

Trustee Smith. The next Library Board meeting will be Wed. April 26th at 6:45. Instead of the Mini Golf Fundraiser this year, there will be a silent auction from April 21st to May 2nd. There is an open spot on the Library Board. She cannot speak for that Board. It is up to them how they want to address or advertise that. It will be a special election. If there are Library Board questions, those need to go to that Board. She only mentions and communicates what they would like between both Boards.

The Great Rake was last weekend. This event has been around for a long time but they had no volunteers from White Lake so we quickly gathered a few folks and raked some disabled and elderly resident's homes and yards in the snow but it got done. Next year if anyone is interested or are a resident who needs help, it is put on by Faith in Action. You can sign up through your township or OLHSA.

She also attended the DEQ meeting which was hosted in Commerce Twp. It was very informative. Mr. Potter was there and he is more than competent and willing to answer any questions. She has a brochure handout available if anyone is interested to view it.

There will be a Special Board meeting held here at the Township Hall at 7 p.m. on May 1st to address all the upcoming millages.

Lastly, she is wearing blue this evening which is for Awareness for Child Abuse Month. One form of child abuse is bullying. She would encourage everyone to be a strong advocate for those who are being bullied. She for one will continue to stand up for children in our community.

Treasurer Roman. Regarding the Fire Department, whatever happens with the grant renewal, he'd like to publicly thank Harvey Holland for all the great work he has provided our community over the past four years.

Clerk Lilley. Every year he's had the responsibility of giving out tributes to both police and fire. Part of his tribute is the police and fire services are the most important services we can provide our residents. He wouldn't want anybody to think that he is opposed to making those services as great as possible. He has raised a number of firefighters in his family. We as a Township Board have a responsibility to monitor and make sure those services are what we expect them to be. We haven't had an opportunity to review the services Harvey has provided. It is important that those be looked at and for us as a Board to recognize is it accomplishing what we want or do we need to change direction a little bit. Certainly, manning Station 3 has been a priority for a long time.

Trustee Powell. It was just made known that Barbara Bush passed away tonight.

He wanted to thank Elaine who has nothing but patience with those of us who want to try to understand accounting.

He'd also point out that every time he is visiting his mother in Independence Village the Fire Dept. is there taking care of someone. He absolutely admires and thanks them. He questioned whether the Township has a policy or way to recognize any Centenarians in the Township. There should be a certificate or something to recognize those who have survived to be 100 years.

Trustee Smith. Regarding Barbara Bush, she was a great American. She was the second woman to be both a mother and wife of a president.

Also, she would suggest having quarterly study session meetings. We might not need them every month but we are growing community, there are a lot of things happening with important decisions to make. Maybe we can put it on as an Agenda item for next month to more formally discuss it.

Supervisor Kowall. He had an opportunity to meet Julie Oaks from the Wildlife Division of the DNR. Regarding the Goose Relocation Program, residents are overwhelmingly in support of it. But it has been proven with tracking devices the geese are rounded up and moved and the same geese beat the truck back to where they started. Mute Swans are an invasive species. They are extremely aggressive and are a danger to other game birds. We also are seeing a high rate of growth of coyotes. They will attack small pets. If you have coyotes near your house, don't feed them or leave things out.

The MTA meeting is coming up in Traverse City. It is a think tank of all the different townships throughout the state. It is a great time to network and learn about common elements we have with other townships.

The issue of the Brownfield and contamination is an ongoing problem for all communities. There are many new technologies being developed to eliminate the toxins.

The grant was submitted for the Brendel Lake Campground and we'll hear back in December as to whether or not we were successful with the request.

There will be a special meeting on Tuesday, May 1st dealing with the upcoming millages. Good night. God Bless America and God Bless the Bush Family in their hour of grief.

EXECUTIVE SESSION

A. APPROVAL TO RECESS INTO CLOSED SESSION TO CONSIDER ATTORNEY/CLIENT PRIVILEGED COMMUNICATION IN ACCORDANCE WITH MCL 15.268 (h).

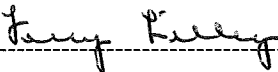
It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Smith to approve adjourning into Closed Session to Consider Attorney/Client Privileged Communication in Accordance with MCL 15.268 (h). The **MOTION PASSED** by a roll call vote (Smith-yes/Voorheis- yes/Powell-yes/Ruggles-yes/Roman-yes/Lilley-yes/Kowall-yes).

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

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

The meeting was adjourned at 10:40 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
17, 2018 regular board meeting minutes.



Terry Lilley, Clerk

White Lake Township

Oakland County, Michigan