

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Board of Trustees Special Meeting

September 29, 2016

Supervisor Baroni called the meeting to order at 5:00 p.m. He led the Pledge of Allegiance.

Clerk Lilley called the roll:

Present: Gregory Baroni, Supervisor
Terry Lilley, Clerk
Mike Roman, Treasurer
Rik Kowall, Trustee
Mike Powell, Trustee
Andrea Voorheis, Trustee

Absent: Scott Ruggles, Trustee

Also Present: Lisa Hamameh, Attorney
Jeanine Smith, Assessor
Jason Iacoangeli, Staff Planner
Amy Bertin, Recording Secretary

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

PUBLIC COMMENTS:

Mark DeGroff, 9776 Bonnie Briar, White Lake. He is here to talk about Quake on the Lake. There are a couple other lakes that are vying for that event. He would hate to see White Lake and the surrounding area lose this event. It could be something we could utilize to really promote our area, bringing more stature and money to the community. There have been issues with getting the necessary permit paperwork done in a timely manner as well as costs involved in hosting the event. Hopefully, something can be done to facilitate those things, making it easier for the event to stay in that it can help benefit our community and the children involved.

Clerk Lilley commented the issue of Quake on the Lake has been the subject of several meetings in the past. There is no question if they would have complied with the permit requirements and brought that before the Board, the fees would have been waived. They have been disruptive in every way, shape and form for the past several years.

Mr. DeGroff responded it is an organization made up of strictly volunteers. Every year those volunteers change and the information may not be passed on clearly. It is such a good event for our community and the kids, it seems we can give a bit of concessions.

NEW BUSINESS

A. APPROVAL OF RESOLUTION #16-033, TRUTH IN TAXATION

It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve Resolution #16-033, Truth in Taxation. The MOTION PASSED by a voice vote (6 yes votes).

B. 4 CORNERS SQUARE, LLC REQUEST FOR CREATION OF A PA 210 DISTRICT

Jason Iacoangeli, Staff Planner. He prepared for the Board members a power point presentation briefly explaining what Public Act 210 of 2005 is. It is the Commercial Rehabilitation Act the State of MI offers as an economic development tool for local communities. What Public Act 210 does is encourages rehabilitation of commercial property that is at least 15 yrs. old, allows for the abatement of taxes on new investment, and is a district created by resolution by the Twp. Board of Trustees. It allows people to submit certificates of abatement for at least one year but not more than 10.

A commercial rehabilitation district has to be an area not less than three acres in size. A public hearing must take place prior to the Board taking a vote with notices given to the public. The resolution sets forth a finding and determination that the district meets the requirements for the creation of the district per the act. A copy of the resolution must be sent to Oakland County. The county executive is the only one that can chose to accept or reject the establishment of the district. Once a district is established it allows for people who have ownership within that district to come to the Township with an exemption certificate.

An aerial view was supplied by 4 Corners, LLC outlining four pieces of property. They already have submitted notice to the clerk's office that they would like to have the Board review their application for a cert. of exemption. The outcome of a rehabilitation is the district freezes the taxable value of the building and exempts the new investment from local taxes. The school operating tax and state education tax are still levied on the new investment. Land and personal property cannot be abated under this act.

Clerk Lilley has no objections to the Public Act 210. However, he doesn't want to see it opened up for every type of rehabilitation people can conceive of. For 4 Corners Square, LLC there is proven contamination on the property and he would like to see something written into our resolution that the contamination consideration is a criteria which must be met.

Trustee Powell questioned whether the restriction of contamination would apply to the overall boundary of the district? What happens to the parcels that are not contaminated? He was informed simply contamination within the district was sufficient.

Trustee Kowall suggested that although the contamination restriction is a good one, the Board

should maintain the ability to amend it if necessary. He commended Jason on his presentation and clarifying what PA 210 involves. It is a great tool for the Township to have.

Treasurer Roman suggested within the resolution to leave the number of years as a blank. The Act does allow for an extension of time as long as the reasons were stated. The resolution could state if the project isn't completed by a certain date as a reason to extend. Regarding 4 Corners, if part of the real estate was torn down prior to the end of this year, would that reduce the taxable value of what is on the rolls now? He was informed the value of the property is determined as of the date of application.

Trustee Powell added language might be included in the resolution stating there is an ability to extend if the applicant has proceeded properly and fulfilled their requirements.

Trustee Voorheis noted this was a groundbreaking issue. It might prevent opening the door to all others if the contamination wording is included.

Mr. Iacoangeli clarified once a district is created all the parcels inside of it are now eligible to come before the Board requesting an exemption and file a certificate application. The number of years for abatement would be determined based on the merits of each individual project.

Jeanine Smith, Assessor. If this item isn't approved at the next scheduled Township Board meeting, the applicant must wait another year before resubmitting the application.

This item was presented as an FYI item only.

C. REQUEST TO INCREASE RECORDING SECRETARY WAGES

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve the Request to Increase Recording Secretary Wages as follows: Zoning Board of Appeals, \$125 per meeting; Planning Commission, \$175 per meeting; Township Board, \$175 per meeting, plus an additional \$25 per hour for meetings exceeding two hours. The MOTION PASSED by a voice vote (6 yes votes).

D. RENEWED VIDEO SERVICE LOCAL FRANCHISE AGREEMENT FOR AT&T MICHIGAN

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve Resolution #16-034, Renewed Video Service Local Franchise Agreement for AT&T Michigan. The MOTION PASSED by a voice vote (6 yes votes).

EXECUTIVE SESSION

**1. RECESS INTO EXECUTIVE SESSION TO CONSIDER ATTORNEY CLIENT
PRIVILEGED COMMUNICATION IN ACCORDANCE WITH MCL 15.268 (h)**

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

It was MOVED by Trustee Kowall, SUPPORTED by Treasurer Roman to return to open session. The MOTION PASSED by a roll call vote (Voorheis-yes/Powell-yes/Kowall-yes/Roman-yes/Lilley-yes/Baroni-yes).

It was MOVED by Trustee Voorheis, SUPPORTED by Trustee Kowall to adjourn the meeting. The MOTION PASSED by a voice vote (6 yes votes).

Adjournment of meeting into Executive Session at 7:02 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 September 29, 2016 special board meeting minutes.

Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan