

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

December 15, 2015

Supervisor Baroni called the meeting to order at 7:00 p.m.

Supervisor Baroni called the meeting to order. He then led the Pledge of Allegiance.

Clerk Lilley called the roll:

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

Also Present: Lisa Hamameh, Attorney
 Amy Bertin, Recording Secretary

Clerk Lilley amended the Agenda as follows: Add Items 10E, RD Advisor Report; 7B, Meeting Minutes of 12-9-15; 5A, List of Bills dated 12-15-15; 5C, Treasurer's Report dated 11-30-15; 5E, List of named appointees to Boards & Commissions; 9B, Updated Exhibit A, Garbage Assessment Roll; 12, MCL 268 c.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Kowall to approve the following Amendments to the Agenda: Add Items 5A, List of Bills dated 12-15-15; 5C, Treasurer's Report dated 11-30-15; 5E, List of named appointees to Boards & Commissions; 9B, Updated Exhibit A, Garbage Assessment Roll; 10E, RD Advisor's Report; 12, MCL 268 c. The MOTION PASSED by a voice vote (7 yes votes).

PUBLIC COMMENTS

George McCloud, 875 Ennest. He thanked the First Responders as they saved his life last night.

CONSENT AGENDA

- A. LIST OF BILLS**
- B. REVENUE AND EXPENSES**
- C. DEPARTMENT REPORTS**
 - 1. FIRE**
 - 2. POLICE**
 - 3. COMMUNITY DEVELOPMENT**
 - 4. TREASURER'S REPORT**
 - 5. OVERTIME REPORT**
- D. BUDGET AMENDMENTS**

E. VARIOUS APPOINTMENTS TO BOARDS AND COMMISSIONS

F. PLANNING COMMISSION AND ZBA STIPENDS

Supervisor Baroni announced the names of the appointees to the ZBA: Dave Walz, alternate, Nik Schillack. Planning Commission members: Gail Novak-Phelps, Deborah DeHart, Steve Anderson, and Merrie Carlock.

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

PRESENTATION

Chief Gurka introduced Firefighter Mark Page who was sworn in as a member of the White Lake Fire Department by Clerk Lilley. He is a White Lake resident, attended Lakeland High School and joined the Fire Department as a paid on-call firefighter approximately six years ago. He worked from that time toward the goal of becoming a career firefighter by first becoming certified on all apparatus, working 12 hr. shifts, and over time proving himself to be someone with leadership qualities. His personal motto is 'Never Give Up'.

MINUTES

A. NOVEMBER 17, 2015

It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Powell to approve the Minutes dated November 17, 2015 with correction on page 4 of 13, 3rd paragraph from the bottom, the first word should read "AFTER". The MOTION PASSED by a voice vote (7 yes votes).

B. DECEMBER 9, 2015

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the Minutes dated December 9, 2015. The MOTION PASSED by a voice vote (7 yes votes).

PUBLIC HEARING

A. CASTLEWOOD SANITARY SEWER MAIN SAD (OPEN & CLOSE PUBLIC HEARING)

1. RESOLUTION #15-050, RESOLUTION DETERMINING NECESSITY OF IMPROVEMENTS AND DESIGNATING SPECIAL ASSESSMENT DISTRICT

It was MOVED by Trustee Kowall, SUPPORTED by Treasurer Roman to Open Public Hearing on Castlewood Sanitary Sewer Main SAD. The MOTION PASSED by a voice vote (7 yes votes).

Tom Sawyer, 1189 Castlewood. The initial assessment estimate was \$5000 per house and now the amount was raised to \$7000. What is the reason for the increase?

One of the reasons for the increase in expenses for the Castlewood project is the fact that the project needs to be bonded. Additional factors are administration, attorney and notification fees. Some options being considered to reduce costs are eliminating a section of pipe north of Estola Road and lowering the administration fees. Also, the costs might be reduced once the actual bids are received for the construction of the project.

Clerk Lilley noted for the record the following residents who submitted written objections to the SAD. Mr. Salas, Parcel #12-34-327-015; Mr. Bigott, Parcel #12-34-331-002; Mr. Warren, Parcel #12-34-327-017; Ms. Williams, Parcel #12-34-327-007; Mr. Fatu, Parcel #12-34-327-013; Mr. Brown, Parcel #12-34-326-002; Ms. Sterling, Parcels #12-34-330-001 & 12-34-331-015.

Resident. He questioned what the amortization period was for the bond and was informed it was ten years.

Resident. How many bids are obtained?

Brad Connell, 1244 Castlewood. Exactly what fees are included in the most recent amount for the project? Is the amount of the increase typical for this type project?

Dennis Fitzpatrick, 1178 Castlewood. What is included in the 15% administration fee? What is the actual digging cost?

Resident. The original proposal omitted properties that were deemed not buildable from the SAD. Is that still the case?

Tom Zielinski, 1416 Bayview. Assuming the project goes through and there is a failure on the main line, whose financial burden is that?

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to Close Public Hearing on Castlewood Sanitary Sewer Main SAD. The MOTION PASSED by a voice vote (7 yes votes).

Clerk Lilley would like the Board to address three issues before moving on to Resolution #15-050. The first is the decision on whether to combine Parcel #s 12-34-331-002 & 003. Second is whether to eliminate installing the line north of Estola Road. Last, direction by the Board on how to address the administration fee for SADs.

Jeanine Smith, Assessor. She has no problem with combining Parcel #s 12-34-331-002 & 003 as the resident's house sits on one parcel and his garage on another. It would be an issue but for the fact there is a garage on one parcel rather than it being vacant and so would be unbuildable.

It was MOVED by Trustee Kowall, SUPPORTED by Trustee Powell to approve combining Parcel #s 12-34-331-002 & 12-34-331-003, to be designated new Parcel #12-34-331-038. The

MOTION PASSED by a voice vote (7 yes votes).

It was MOVED by Trustee Kowall, SUPPORTED by Trustee Powell to approve the removal of the portion of the Castlewood Sanitary Sewer Main north of Estola Road, excluding Parcel #12-34-401-001 from the SAD. The MOTION PASSED by a voice vote (7 yes votes).

John Campbell, 1218 Castlewood. He felt the biggest opposition to the project were the costs involved. As long as there is transparency and a willingness on behalf of the Board to do what it can to lower the costs, there is generally good support.

Trustee Powell questioned what the timing might be on modifying the ordinance regarding administration fees for SADs. He was told it was the hope to have an amendment for the ordinance within the next one to two months.

Alan Kovacic, 1329 Castlewood. The previous meeting had an SAD for the hook-up. Is that going to be addressed tonight?

Ejanphilippe Loew, 247 Rosario Lane. When the projects happen and trenches are dug, is there a way in the repair process to install sidewalks and make improvements rather than just filling in the ditch?

Marianne Oosthoek, 1247 Castlewood. Is there some idea on when we might have a final decision on when the project will go ahead?

Dorothy Threlkel, 1162 Castlewood. We have an extensive underground river system around Sugden Lake. Because of the fact the underground river shifts back and forth, how is this going to affect the manholes? Is it going to be a problem in the future for repairs?

Treasurer Roman recommended to anyone interested in a full explanation of what an SAD is, the best guide available is on the Independent Township website.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve Resolution #15-050, Resolution Determining Necessity of Improvements and Designating Special Assessment District as modified by previous motions of the Township Board. The MOTION PASSED by a voice vote (7 yes votes).

B. COOLEY LAKE IMPROVEMENT (OPEN & CLOSE PUBLIC HEARING)

1. RESOLUTION #15-049, CONFIRMING SPECIAL ASSESSMENT ROLL FOR COOLEY LAKE IMPROVEMENT SAD

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to Open Public Hearing on Cooley Lake Improvement SAD. The MOTION PASSED by a voice vote (7 yes votes).

Clerk Lilley indicated the parcels on the island that had an objection to the SAD have been reduced in costs.

John Dunn. He has property on the canal side. He also would like consideration for reduction on the assessment amount as his parcels are not buildable.

After discussion it was determined that, although his lot is not buildable, he has riparian rights. He will still be receiving benefits, enhancing his use of the lake from the weed harvesting SAD.

Jennifer Jermalowicz-Jones with Restorative Lake Sciences. I'm working with the Lake Association. One of the determining factors for classification is looking at the parcel number and whether they are designated as taxpaying waterfront or not. We are talking about improving the lake as a whole, not just what is in front of individual lots.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to Close Public Hearing on Cooley Lake Improvement SAD. The MOTION PASSED by a voice vote (7 yes votes).

It was MOVED by Trustee Ruggles, SUPPORTED by Treasurer Roman to approve Resolution #15-049, Confirming Special Assessment Roll for Cooley Lake Improvement SAD. The MOTION PASSED by a voice vote (7 yes votes).

C. NORDIC DRIVE SANITARY SEWER SAD (OPEN & CLOSE PUBLIC HEARING)

1. RESOLUTION #15-052, RESOLUTION DETERMINING NECESSITY OF IMPROVEMENTS AND DESIGNATING SPECIAL ASSESSMENT DISTRICT

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Kowall to Open Public Hearing on Nordic Drive Sanitary Sewer SAD. The MOTION PASSED with a voice vote (7 yes votes).

There were no comments by the Public at this time.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to Close Public Hearing on Nordic Drive Sanitary Sewer SAD. The MOTION PASSED with a voice vote (7 yes votes).

Clerk Lilley recommended moving forward with this project. There was a previous master deed for the owners of the property on Nordic Drive. They are required to be participants with improvements in water and sewer. We currently have a pending building permit which is dependent on the Board's decision to get water and sewer up to their building.

It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve Resolution #15-052, Resolution Determining Necessity of Improvements and Designating Special Assessment District. The MOTION PASSED by a voice vote (7 yes votes).

D. NORDIC DRIVE WATER MAIN SAD (OPEN & CLOSE PUBLIC HEARING)

1. RESOLUTION #15-051, RESOLUTION DETERMINING NECESSITY OF IMPROVEMENT AND DESIGNATING SPECIAL ASSESSMENT DISTRICT

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to Open Public Hearing on Nordic Drive Water Main SAD. The MOTION PASSED by a voice vote (7 yes votes).

There were no comments by the Public at this time.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to Close Public Hearing on Nordic Drive Water Main SAD. The MOTION PASSED by a voice vote (7 yes votes).

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve Resolution #15-051, Resolution Determining Necessity of Improvement and Designating Special Assessment District. The MOTION PASSED by a voice vote (7 yes votes).

RESOLUTIONS

A. RESOLUTION #15-048, POVERTY GUIDELINES FOR 2015 BOARD OF REVIEW

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to approve Resolution #15-048, Poverty Guidelines for 2015 Board of Review. The MOTION PASSED by a voice vote (7 yes votes).

B. RESOLUTION #15-047, CONFIRMING SPECIAL RE-ASSESSMENT ROLL FOR 2016-2020 RESIDENTIAL REFUSE COLLECTION PROJECT

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Voorheis to approve Resolution #15-047, Confirming Special Re-Assessment Roll for 2016-2020 Residential Refuse Collection Project as amended. The MOTION PASSED by a voice vote (7 yes votes).

NEW BUSINESS

A. REQUEST TO PURCHASE RADAR UNITS FOR PATROL VEHICLES

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to approve the Purchase of Radar Units for Patrol Vehicles in the amount of \$12,812. The MOTION PASSED by a voice vote (7 yes votes).

B. FIRST READING, AN ORDINANCE TO AMEND CHAPTER 38, ARTICLE II, WATER SYSTEMS OF THE WHITE LAKE TOWNSHIP CODE OF ORDINANCES

Trustee Powell is not in agreement with the wording of the Ordinance. The language is very

subjective as to who determines the necessity for a well. Currently it reads 'All' developments shall install a fire protection system meeting the Township requirements. There is no exemption listed. Installing such a system would be very costly, especially for a small development.

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to move to Second Reading, An Ordinance to Amend Chapter 38, Article II, Water Systems of The White Lake Township Code of Ordinances. The MOTION PASSED by a voice vote (6 yes votes/1 no vote-Powell).

C. FLOOR COATING AT STATION #2

It was MOVED by Supervisor Baroni, SUPPORTED by Treasurer Roman to Postpone the Floor Coating at Station #2. The MOTION PASSED by a voice vote (7 yes votes).

D. LAKEVIEW EMERGENCY SEWER CONNECTION

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Kowall to approve moving forward with the process for the Lakeview Emergency Sewer Connections, including costs for installation of the sewer main. The MOTION PASSED by a voice vote (7 yes votes).

E. RD ADVISOR'S EVALUATION

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the recommendations of the December 2015 Report from RD Advisor's and authorize the Supervisor to take the steps necessary to implement those recommendations, with exception of the wages.

Trustee Powell felt adopting and endorsing the entire contents of the RD Advisor's Evaluation was too broad. He would feel comfortable limiting the motion to approve the immediate hiring of two positions.

The Motion was amended as follows:

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to approve the recommendations of the December 2015 Report by RD Advisor's, with the exception of the wage recommendations, and authorizing the Supervisor to hire only two new positions. The MOTION PASSED by a voice vote (7 yes votes).

TRUSTEE COMMENTS

Clerk Lilley wished everyone a Merry Christmas and Happy New Year.

Trustee Powell wished everyone a safe and Merry Christmas as well. He requested Supervisor

Baroni to call Merge Live to advise them that they were awarded the contract to videotape the Board meetings.

Treasurer Roman wished everyone Happy Holidays and thanked everyone for taking the time to attend the Board meetings.

EXECUTIVE SESSION

**1. APPROVAL TO RECESS INTO CLOSED SESSION FOR DISCUSSION OF
ATTORNEY/CLIENT PRIVILEGE IN ACCORDANCE WITH MCL 15.268 (h) and MCL 15.268 (c).**

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to approve adjourning into Executive Closed Session for discussion of attorney/client privilege in accordance with MCL 15.268 (h). The **MOTION PASSED** by a roll call vote. (Voorheis-yes, Ruggles-yes, Powell-yes, Kowall-yes, Roman-yes, Baroni-yes, Lilley-yes.)

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to approve adjourning into Executive Closed Session for discussion of attorney/client privilege in accordance with MCL 15.268 (c). The **MOTION PASSED** by a roll call vote. (Voorheis-yes, Ruggles-yes, Powell-yes, Kowall-yes, Roman-yes, Baroni-yes, Lilley-yes.)


It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to return to regular session. The **MOTION PASSED** by a voice vote.

It was **MOVED** by Clerk Lilley Supported by Treasurer Roman to proceed with the township attorneys recommendations. The **MOTION PASSED** by a voice vote (7 yes votes).

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

The meeting was adjourned at 11:12 p.m.

I, Terry Lilley, the duly elected and qualified Clerk of the Charter Township of White Lake, County of Oakland, State of Michigan, hereby certify that the foregoing is a true copy of the December 15, 2015 regular board meeting minutes.



Terry Lilley, Clerk
White Lake Township