

CHARTER TOWNSHIP OF WHITE LAKE
Approved Minutes of the Regular Board of Trustees Meeting
August 16, 2022

Supervisor Kowall called the meeting to order at 7:00 p.m. He then led the Pledge of Allegiance.

Clerk Noble called the roll:

Present: Rik Kowall, Supervisor
 Anthony I. Noble, Clerk
 Mike Roman, Treasurer
 Scott Ruggles, Trustee
 Liz Smith, Trustee
 Andrea Voorheis, Trustee
 Michael Powell, Trustee

Also Present:

 Lisa Hamameh, Township Attorney
 John Holland, Fire Chief
 Aaron Potter, Director DPS
 Jennifer Edens, Recording Secretary

AGENDA

Supervisor Kowall amended the agenda, removing item 10B and 6E. He further modified that items 10A and 10D in the agenda are to be switched in order.

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to approve the agenda, as amended. The motion PASSED by voice vote (7 yes votes).

PUBLIC COMMENT

No public comment given.

CONSENT AGENDA

- A. REVENUE AND EXPENSES**
- B. CHECK DISBURSEMENTS**
- C. BUDGET AMENDMENTS**
- D. LIST OF BILLS**
- E. ~~UPDATE CONTACT INFORMATION ON FOIA SUMMARY AND FOIA PROCEDURES AND GUIDELINES (REMOVED)~~**
- F. DEPARTMENT REPORT – POLICE**
- G. DEPARTMENT REPORT – FIRE**
- H. DEPARTMENT REPORT – COMMUNITY DEVELOPMENT**

I. DEPARTMENT REPORT – TREASURER

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

MINUTES

- A. APPROVAL OF MINUTES – SPECIAL BOARD MEETING, JUNE 14, 2022**
- B. APPROVAL OF MINUTES – REGULAR BOARD MEETING, JUNE 21, 2022**
- C. APPROVAL OF MINUTES – SPECIAL BOARD MEETING, JULY 21, 2022**

It was MOVED by Trustee Powell, SUPPORTED by Clerk Noble, to approve the Minutes – Special Board Meeting, June 14, 2022, the Regular Board Meeting, June 21, 2022, and the Special Board Meeting, July 21, 2022. The motion PASSED by voice vote (7 yes votes).

PRESENTATION

A. WELCOME NEW LIBRARY DIRECTOR

Supervisor Kowall welcomed April Stevenson, the new Director of the White Lake Township Library.

Director Stevenson shared that since taking the role of Director she has felt three things: humility, thankfulness, and excitement. Humility for the kindness shown to her, thankfulness to community members, and excitement to continue the forward momentum of the library and to provide exemplary library services and connections.

She encouraged the community to visit the library and enjoy and utilize the available services and clubs. She highlighted that:

- The summer reading club had over 800 readers who read over 17,000 books.
- That there was a 57% increase in circulation in the month of June.
- That the seed garden continues to grow.
- That there was a hugely successful book sale.

She is looking forward to the numerous fall events/programs and encouraged the community to visit the library.

PUBLIC HEARING WITH RESOLUTION

A. PUBLIC HEARING – TO HEAR COMMENT ON EMERGENCY SEWER CONNECTIONS 2022-02 SPECIAL ASSESSMENT DISTRICT

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Powell to open the public hearing to hear comments on the Emergency Sewer Connections 2022-02 Special Assessment District. The motion **PASSED** by roll call vote (Kowall/yes, Noble/yes, Roman/yes, Ruggles/yes, Smith/yes, Powell/yes, Voorheis/yes).

No public comment.

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Powell to close public hearing. The motion **PASSED** by voice vote (7 yes votes).

B. RESOLUTION #22-026; TO ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT DISTRICT TO PAY COST ASSOCIATED THEREWITH AND TO APPROVE THE PLANS AND ESTIMATES OF COSTS THEREFOR TO BE KNOWN AS: EMERGENCY SEWER CONNECTIONS 2022-02

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Ruggles, to adopt the Special Assessment for the Emergency Sewer Connection 2022-02, Resolution #22-026. The motion **PASSED** by voice vote (7 yes votes).

C. PUBLIC HEARING – TO HEAR COMMENT ON REQUEST BY RIPARIAN HOMEOWNERS TO HAVE THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES CONDUCT AN INVESTIGATION ON BOGIE LAKE REGARDING ESTABLISHING A NO WAKE RULE ON THE ENTIRE LAKE INCLUDING THE CANAL ON BERYL AVENUE; AND TO LIMIT ELECTRIC VESSELS HP TO NOT MORE THAN 2HP PER FOOT

Supervisor Kowall reminded the Board that it entertained this earlier in the year, but there was information that the Board did not have at that time. It is being revisited to reaffirm the Resolution that was approved on January 18, 2022.

Treasurer Roman clarified that 2HP per foot is the length of the boat.

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Smith, to open the public hearing to hear comment on request by riparian homeowners to have the Michigan Department of Natural Resources conduct an investigation on Bogie Lake regarding establishing a No Wake Rule on the entire lake, including the canal on Beryl Avenue; and to limit electric vessels HP to not more than 2HP per foot. The motion **PASSED** by roll call vote (Kowall/yes, Noble/yes, Roman/yes, Smith/yes, Ruggles/yes, Voorheis/yes, Powell/yes).

Public hearing opened at 7:13 p.m.

Rick Dery, Pinecrest Shores Homeowners Association. He shared that the Association brought this to the Board. He noted that in 1974 the DNR limited the lake to electric motors only to preserve the lake. In 2016, a Canadian company developed electric jet skis that run anywhere from 67 mph to 119 mph with a 3.5-hour runtime. He is, and the neighborhood is asking for a maximum of 2 hp per foot of vessel and 746 watts in electric horsepower. He noted that a 40 HP electric motor is the equivalent to a 65 HP gas motor. He indicated that there are currently 52 electric pontoon boats, and this would not affect any of the existing boats.

Mr. Dery furthered that they are also asking to establish a no wake rule. He shared that it is a 76-acre lake that is 38 feet in depth and has 101 homes on it. He further shared that of the 52 electric boats on the lake currently, that 40 of them came in the last 3 years. He opined that it is a huge expansion. He advised the Board that the Association has obtain 76 signatures from the 101 homes on the lake that agree. He met with the DNR on Memorial weekend to discuss the lake and the desire to maintain what the forefathers established. He noted that it is a quiet lake and a feeder to Sugden Lake. He opined that Bogie Lake is a gem for Oakland County. He indicated that the Association only covers the north and west side of the lake, but that all but one person agreed with the no wake rule and that they have 100% approval.

He continued that the decision here will have big implications as the Michigan Boaters Association is following it, the DNR is interested in it for the west side of the state, and Kent County has some issues in which they are following also. He declared that they don't want to limit anyone's access to the lake, but that they do not want to have the problems that Union Lake has. He shared that the Oakland County Marine Division support this and thought that it was about time someone stopped it before it happened. He thanked the Board for their time.

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to close public hearing. The motion PASSED by voice vote (7 yes votes).

Public hearing closed at 7:20 p.m.

D. RESOLUTION #22-001; REQUEST THE DNR CONDUCT AN INVESTIGATION ESTABLISHING CERTAIN REQUESTED REGULATIONS ON BOGIE LAKE

Supervisor Kowall reminded that if approved, the State of Michigan is the ultimate authority in the process.

Trustee Powell asked for the definition of no wake. To which, Supervisor Kowall responded that it is leaving no more than a minimal ripple on the water and that it is subjective.

Trustee Smith is interested to see what the DNR recommends.

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Powell to reaffirm Resolution 22-001 that the Board approved on January 18, 2022. The motion PASSED by voice vote (7 yes votes).

NEW BUSINESS

A. REQUEST TO PURCHASE HIGH SPEED ABSENTEE BALLOT SCANNER

Jillian London, Senior Election Specialist. She shared with the Board that the scanner could count over 100 ballots per minute. She continued that the current system used is by Hart and that each ballot must be hand fed one at a time. She indicated that there were 4,600 ballots this election and that they used four scanners, which took them to 12:30 a.m. The new scanner would allow the results to be reported earlier. She further stated that election security would eliminate the number of people touching the ballots.

She clarified that there are only two voting systems in Michigan: Hart and Dominion. The county has chosen to use Hart, and in fact they have approximately fifty of them and will most likely continue to invest in those.

Supervisor Kowall clarified that the county makes the selection of the equipment that is used by the Township.

Jillian London explained that none of the Township's equipment is ever on the internet and that the transmission is done via cellular. In response to Clerk Noble, she clarified that he along with a police officer drive and deliver the sealed results to the county.

In response to Trustee Powell, she explained that while the county doesn't hold elections, they are responsible for them. She further shared that a lot of municipalities have given their absentee ballots over to the county, which is something White Lake does not want to do. She reminded that when COVID hit, a lot of residents went to absentee voting and some city/townships didn't have the funds to purchase the machines, which in turn kept the county there all night because they cannot leave until all the counting is in. The county in turn started purchasing the machines and took over from the city/townships that were not doing it in a timely fashion.

In response to Treasurer Roman, she shared that Orion outsourced their absentee counting because they didn't have the resource to run it, which costs them \$30,000 for August and \$30,000 for November, a total of \$60,000.

In response to Trustee Voorheis, she indicated that they believe one scanner would be sufficient for now and that regardless, there will be a savings in the future if there is a need for another. She indicated that the tabulation machine is the expensive part, but the Township would only need to purchase additional scanners. It also will cut down on the staff and time needed.

She further indicated there is a 2022 Security Grant and the Township could receive up to \$1,500 per precinct, and with thirteen precincts, the Township could receive \$19,500 towards this purchase.

In response to Trustee Smith, she indicated that maintenance is would be at the 6 to 10-year mark and paid for then.

Clerk Noble, in response to Smith, indicated that it would be paid for out of the ARPA Fund with a line item out of Elections.

In response to Treasurer Roman, Jillian London indicated that the Township, if it did not buy the high-speed scanner would likely need to buy 13 more machines, which also doubles the number of workers.

Clerk Noble shared that it took 17 to 25 seconds per ballot with the current machine and the time of the poll workers.

Pete Piccinato, 8771 Townsend Drive. He questioned how it can be said that it doesn't go over the internet, if it goes over the cellular lines, it can be hacked. He worked in the auto industry and had to download from the cloud. He had to work very carefully and still got hacked. He declared that it can still get hacked and not to say you can't because it is over cellular data, as it can get hacked.

Diana Shea, 9669 Steephollow Drive. She shared that her mother worked the elections for 30 years with West Bloomfield. She is aware of the process as well as the chain of command issues. She addressed several of her concerns to the Board.

Supervisor Kowall and Clerk Noble invited her to visit the Clerk's Office to further answer her questions.

Diana Shea indicated she is a precinct delegate, which is why she is here tonight. She noted there are a lot of concerns with the internet, and they are valid concerns.

Trustee Powell asked if the cellular reads the thumb drive or the hardware in the tower.

Jillian London indicated that it transmits the results as soon as you select close the polls. It then transmitted and the flash drive is sealed and returned to Elections, where Clerk Noble then delivers it to the County. She reminded that this has been used since 2018 and does not change with the high-speed scanner. The unofficial results are tendered to the County.

Theresa Johnson expressed her concerns of how the information is turned over to the County.

Clerk Noble explained the process of how he delivers the results to the County Officials
Jillian London clarified that there is also a printout from the ballot sheets. It does not identify who voted for who but tallies it.

Diana Shae declared that everyone is concerned after the 2020 election.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve \$98,660.00 to purchase the Hart High Speed Scanner with the money to be applied to the Elections Equipment and Acquisition line item and the money to come from the American Rescue Plan. The motion PASSED by roll call vote (Noble/yes, Kowall/yes, Roman/yes, Voorheis/yes, Powell/yes, Smith/yes, Ruggles/yes).

B. DISCUSSION REGARDING PURCHASE OF POLICE DEPARTMENT ADMINISTRATION VEHICLES

Removed.

C. FIRST READING; AMENDMENT TO THE CODE OF ORDINANCES – CHAPTER 18, ARTICLE II, SECTION 18-25 – FIRE PREVENTION AND PROTECTION ORDINANCE

Chief Holland noted that before the Board are two Fire Code amendments, rental property smoke alarms and attempt to streamline requirements. He is proposing that as they must be replaced that they be replaced with a ten-year sealed battery. The second amendment is the type of alarms. Most of them are ionization alarms which are recommended for fast flaming fires. The other is photoelectric which senses smoke. The recommendation is to have dual sensor smoke alarms.

Trustee Powell asked if carbon monoxide detectors were considered by the fire department. To which Chief Holland indicated they are already required and that he does not like the all-inclusive devices.

Trustee Smith clarified from conversations she had with Chief Holland that the landlords will be given notice of this amendment and requirement upon the rental inspection.

In response to Trustee Powell, Chief Holland indicated that smoke detectors are required to be tested and replaced if faulty. It was also noted that chirping will exist if the power level drops too low.

Chief Holland indicated that he received a call from the Oakland County Sheriff's Department regarding the fire works show on White Lake and somebody on the lake using a flamethrower. He noted there is a video of it, showing a man on a jet ski shooting flames at the water. He declared there is no practical use for a flamethrower. He indicated that he did not charge the man as he didn't set anything on fire, and the body of water is shared with Highland Township and his location was undetermined. It has been turned over to the Fire Marshall.

The YouTube video was shown for the Board's view.

Trustee Voorheis is embarrassed as a white laker to see this video.

Chief Holland indicated he was identified and is not a resident of White Lake.

Trustee Powell questioned how the ordinance is enforced, ticketed, or fined.

Chief Holland indicated that everything will be municipal civil infraction. If something is set fire, it would become criminal.

It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Powell to approve the amendment to Chapter 18, Article II, Fire Code as presented. The motion PASSED by voice vote (7 yes votes).

D. AMENDED STORM WATER MAINTENANCE AGREEMENT AND EASEMENT – PRESERVE AT HIDDEN LAKE

Director Potter reminded that in February the Board reviewed a site plan amendment for the Preserve at Hidden Lake. He recalled that it was specifically as to Phase IV, single family homes in lieu of townhouses. There were several decks that were inside the adjacent stormwater easement. It was addressed in the administrative site plan review, but it was decided that the easement that was previously recorded should also contain indemnification language, the same as the amended master deed. To aid the association in understanding what their responsibilities are should the Township need to come in a do maintenance/repairs on the stormwater system.

Lisa Hamameh noted the subsequent changes are in paragraph one and six with additional clarifications in three and five.

Trustee Smith thanked everyone for getting out and voting. She also thanked Clerk Noble and his staff for all they did to make it successful. She wished all the students a successful year as they go back to school. She indicated that the Township warmly welcomes April to the White Lake Library. She reminded that White Lake Township has been split into three county commission districts, which will be on the November ballot. She is hopeful that the new county commissioner will listen to the needs of the Township. She noted that the fire department is having a truck pull on September 11, 2022. She shared that it will be held in the Hobby Lobby parking lot and that donations are accepted. She will keep Trustee Powell in her prayers. She thanked the residents for joining tonight.

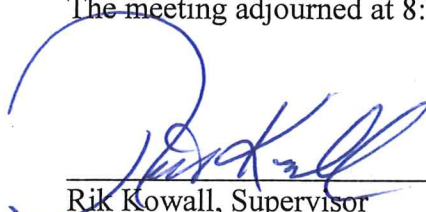
Clerk Noble thanked the residents and his staff for tirelessly working through the election. He encouraged anyone listening to come in and get an application. He believes this Board is fiscally conservative and thanks everyone who participated. He reminded that it is a privilege to vote.

Supervisor Kowall congratulated Clerk Noble on a job well done. The watermain is going in and the sewer line on Porter Road is completed, which takes the Township one step closer to iron filtration at Aspen Meadows and moving in the right direction. He thanked everyone for coming out and voting and for approving all the millages that passed with 71%. It will allow the Township to maintain the level of services and to provide the best possible services. He shared a statement made to him from a foreign gentleman who declared that in America, White Lake is the best place to be. The ballot initiative taken on by the Oakland County Board of Commissioners that will be on the November ballot for countywide transportation, which is a .95 millage across the board. It passed 15 to 7, and he opined it will be interesting to see what happens. He has had conversations with Commissioner Woodward regarding it. This millage would open transportation to anyone in need of a ride, which he opined would be a daunting task. He indicated there are a lot of unanswered questions. He thanked everyone for attending and wished everyone a good night and God bless.


ADJOURNMENT

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to adjourn. The motion PASSED by voice vote (7 yes votes).

The meeting adjourned at 8:23 p.m.



Rik Kowall, Supervisor
Charter Township of White Lake



Anthony L. Noble, Clerk
Charter Township of White Lake

Trustee Powell suggests that the developer and builder extend the decks out further than the columns. He notes that repairs could involve removal of a deck that would cause more damage/work and he assumes that someone would come in to deal with the deck before emergency maintenance on the storm sewer is done.

Supervisor Kowall would discourage as a matter of practice to have easements this close.

Director Potter clarified that the Township would only be involved in the maintenance if the Association failed to remedy the problem.

It was MOVED by Trustee Powell, SUPPORTED by Trustee Ruggles to approve the first amendment to the Storm Water Management Facilities Easement Maintenance Agreement and lien as presented. The motion PASSED by voice vote (7 yes votes).

OLD BUSINESS

A. SECOND READING; FEE ORDINANCE AMENDMENT – ORD #129

It was MOVED by Supervisor Kowall, SUPPORTED by Clerk Noble to adopt the Fee Ordinance Amendment ORD #129. The motion PASSED by voice vote (7 yes votes).

TRUSTEE COMMENTS

Trustee Ruggles shared that there is a Planning Commission meeting this Thursday to address the CIP and submitted plans for the property on Elizabeth Lake Road.

Trustee Voorheis thanked April Stevenson for coming in tonight. She had the privilege to meet her at the library and noted that she is a great addition. As to Parks and Rec, she noted there is a survey on the Township website and welcomed everyone's input. She noted in twenty-four hours there have already been 217 participants. She reminded everyone about the Fisk Farm Fall Festival and encouraged her fellow Board members to attend and volunteer. She declared that it is a fun weekend.

Trustee Powell wish his fellow residents a safe and happy Labor Day coming up. He shared that he will miss the special meeting in September due to his participation in a mission trip in Romania. He welcomed good thoughts and prayers.

Treasurer Roman congratulated Clerk Noble on a job well done on the election. He opined that he has a great team. He is glad to see the Bogie Lake watermain has started. He thanked Mr. and Mrs. Early and the other residents for attending tonight.