

CHARTER TOWNSHIP OF WHITE LAKE
Minutes of the Regular Board of Trustees Meeting
March 21, 2023

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 L. Noble, Clerk
 Mike Roman, Treasurer
 Liz Smith, Trustee
 Andrea Voorheis, Trustee
 Michael Powell, Trustee

Absent: Scott Ruggles, Trustee

Also Present: Sean O’Neil, Director Community Development
 Aaron Potter, Director DPS
 Nick Spencer, Building Official
 Dave Hieber, Assessor
 Daniel T. Keller, Chief of Police
 Lisa Hamameh, Township Attorney
 Michael Leuffgen, DLZ
 Jennifer Edens, Recording Secretary

AGENDA

Supervisor Kowall amended the agenda as follows:

- Struck item 8C – CITIZEN COMMENDATION, FOUND PROPERTY, JANUARY 21, 2023 (CR 23-1365)
- Add item 10L - REQUEST TO PURCHASE VEHICLE FOR ASSESSING DEPARTMENT

It was MOVED by Supervisor Kowall, SUPPORTED by Clerk Noble to approve the agenda, as amended. The motion PASSED by voice vote (6 yes votes).

PUBLIC COMMENT

No public comment made.

CONSENT AGENDA

- A. REVENUE AND EXPENSES**
- B. CHECK DISBURSEMENTS**
- C. DEPARTMENT REPORT – POLICE**
- D. DEPARTMENT REPORT – FIRE**
- E. DEPARTMENT REPORT – COMMUNITY DEVELOPMENT**
- F. DEPARTMENT REPORT – TREASURER**
- G. SENIOR ADVISORY COUNCIL APPOINTMENTS – JUNE 2023 TO JUNE 2025**

It was **MOVED** by Clerk Noble, **SUPPORTED** by Trustee Powell to approve the consent agenda. The motion **PASSED** by voice vote (6 yes votes).

MINUTES

- A. APPROVAL OF MINUTES – SPECIAL BOARD MEETING, FEBRUARY 13, 2023**
- B. APPROVAL OF MINUTES – REGULAR BOARD MEETING, FEBRUARY 21, 2023**

Trustee Smith requested that her trustee comments in the February 21, 2023, Minutes be amended to state that she is Spartan of Michigan State University.

It was **MOVED** by Trustee Smith, **SUPPORTED** by Treasurer Roman to approve the Minutes of the Special Board Meeting, February 13, 2023, as written and the Minutes of the Regular Board Meeting, February 21, 2023, as amended. The motion **PASSED** by voice vote (6 yes votes).

PRESENTATIONS

- A. DEPARTMENT COMMENDATION, HOMICIDE, JULY 13, 2020 (CR 20-11813)**

Chief Keller indicated that through hard work and dedication, the bad guys, who do bad things, get brought to justice. He brought up retired Lieutenant Hill, Sergeant Sarasin, Detective Moore, and identified Officer Hartner, who could not be present tonight. He shared that on July 13, 2020, the White Lake Police Department responded to the trail area located in Pontiac Lake Recreation Area after the discovery of a burned body. After the victim was identified, officers continued the investigation until an arrest was made. The suspect was subsequently convicted of the crime and sentenced to life in prison.

Chief Keller presented the officers with the Department Commendation.

B. DEPARTMENT COMMENDATION, DOUBLE HOMICIDE, MAY 2020, 2022 (CR 22-9474)

Chief Keller brought forward Sergeant Gondek, Sergeant Sarasin, Detective Snow, Detective/ Lieutenant Silverthorn, Detective Moore, Officer Mesaros, and Officer Hinman.

He shared that on May 21, 2022, the White Lake Police Department responded to what turned out to be a double homicide near a pond in the Cedar Brook Estates mobile home park. The officers secured the evidence that could have been lost due to severe rain and the investigation led to searching for evidence in Detroit, which ultimately led to the arrest of three suspects. Two are currently awaiting sentencing and a third is awaiting trial after being charged with providing the murder weapon.

Chief Keller indicated that over the course of nineteen hours, the crime was investigated, witnesses were interviewed, necessary evidence was obtained, and the suspects were arrested. He opined that due to the thoroughness of the investigation both Morrow and Wright had no option, but to admit guilt.

Chief Keller presented the officers with the Department Commendation. He shared that he could not be prouder of the hard work and dedication of the men and women of the White Lake Police Department.

C. CITIZEN COMMENDATION, FOUND PROPERTY, JANUARY 21, 2023 (CR 23-1365)

Removed from the agenda.

PUBLIC HEARING

A. TO HEAR COMMENT ON THE ESTABLISHMENT OF EMERGENCY SEWER CONNECTION 2023-01 SPECIAL ASSESSMENT DISTRICT

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Treasurer Roman to open public hearing on the establishment of emergency sewer connection 2023-01 Special Assessment District. The motion **PASSED** by roll call vote (Kowall/yes, Roman/yes, Powell/yes, Voorheis/yes, Noble/yes, Smith/yes).

No public comment given.

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Smith to close public comment. The motion PASSED by voice vote (6 yes votes).

Assessor Hieber indicated that parcel 12-34-351-014, 10924 Hillway Drive is in the process of connecting to the sewers and it will go on the next round later in the year.

Attorney Hamameh interjected that it is in the notice of public hearing, but not in the resolution.

NEW BUSINESS

A. RESOLUTION #23-008; 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 2023-01

It was MOVED by Trustee Powell, SUPPORTED by Clerk Noble to approve Resolution #23-008; 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 2023-01. The motion PASSED by voice vote (6 yes votes).

Supervisor Kowall commended the Board for recognizing the importance of this program and its continued efforts, especially due to the water shed area the Township resides in and Wildlife Protection Program.

B. REQUEST FOR APPROVAL OF COMFORT CARE, PLANNED DEVELOPMENT AGREEMENT

Director O'Neil shared that before the Board tonight is the planned development agreement for the Comfort Care on Union Lake Road. The Planning Commission has approved the final site plan with a few conditions and recommends the approval of the development agreement before the Board tonight. He noted that this is the last step in the process. He requests that in addition to taking action to approve, that the appropriate motion include allow the Township Supervisor to sign the agreement.

Trustee Smith reminded that sometime ago, while on Zoom, there was discussion regarding the development process and the expressed interest of a widening the road for safety regarding turning in. She recalled that the developer at that time did not want to do so and that the conversations were left with the knowledge of a new development coming in across the street. She declared that there is a need in the area for improvement for safety.

Director O'Neil indicated it was not part of the plan that the road commission identified as a requirement.

Trustee Smith indicated that the development on the Bocovina side was unwilling, and that the Township knew a development was coming in across the street and hoped to ask them to make the road safer to be able to turn in.

Director O'Neil indicated that it has to do with driveway location and indicated that they were not making road improvements. He believes the area of concern was the West Valley area.

Trustee Smith interjected that her point is that nobody is willing to make the improvements in the area. That three new developments are being created in the area which will produce additional traffic on Union Lake Road that is already congested. She reminded that a few years ago there was hope that something could be done to this area of road to make it safer for the residents. She fears that the Board's comments were forgotten.

Discussion ensued regarding the location.

Michael Lueffgen indicated that West Valley plans include south of Carpathian, a 150-foot drive lane and a 175-foot taper lane to northbound Union Lake Road. He shared that West Valley is doing some of that on the east side of the road. He also indicated that Lakepoint may be moving its driveway.

Trustee Powell pointed out that this is a senior health care facility and will not have the traffic that other locations could. He supports the Planning Commission but notes that just because the road commission cannot propose something does not mean the Township should not force the issue.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell, to approve the Planned Development Agreement Comfort Care White Lake, subject to the Planning Committee minutes, attorney comments, engineering comments, staff planning report, and to approve all signatures that are required once everything else is met. The motion PASSED by voice vote (6 yes votes).

C. RESOLUTION #23-007; TO APPROVE LAND & WATER CONSERVATION FUND PROJECT AGREEMENT – STANLEY PARK IMPROVEMENTS

Director Potter referenced the memo in the Board packet. He indicated this is the last document needed prior to funding and that it is a boiler plate resolution. He noted that the Township must pass the resolution, accept the terms, and commit to the \$500,000 match.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve Resolution #23-007, acceptance of the Stanley Park Improvements project agreement and commit to \$500,000.00 match. The motion PASSED by voice vote (6 yes votes).

D. REQUEST TO PURCHASE NEW VEHICLE – DEPARTMENT OF PUBLIC SERVICES

Director Potter shared that his department is fully staffed and short a vehicle. He is asking for the purchase of a 2500 pick-up truck. He continued that the Transit Connect minivan that was used by the last utilities maintenance worker is currently being used by the part time custodian and will be used by the paint crew during the summer. The minivan is too small to carry water valve keys, safety equipment, and tools that are used by industry personnel.

This vehicle would be used for hydrant and valve maintenance and repair. He shared that currently his department does not have a truck for this use. He continued that much of what they do is outsourced and the jobs they do in house are heavy work that are pushing the limits of safety. Bowman Chevrolet has a truck in this class in stock without the crane, but the crane could be added within the next few years when the budget allows moving closer to the goal. They have offered an estimated \$8000 for the trade and government discount in of the 2017 PD interceptor that he is currently driving. He indicated that the cost of the truck is \$48,021.74 and that after the trade-in, township graphic, and undercoating, he is asking the Board to approve a not to exceed \$55,000 and authorize the Township Supervisor to execute all necessary documents.

Trustee Voorheis questioned what Director Potter O'Neil would drive if he were trading in the vehicle he currently drives.

Director Potter O'Neil replied that he will be taking another PD interceptor scheduled for auction. He noted that his current vehicle has been deadlined for some time due to necessary repairs. He and Supervisor Kowall are negotiating a price with Chief Keller for under \$10,000 for a 2019 interceptor. He is willing to drive the PD interceptor, as his highest concern is that his guys have the tools to do the job they were hired to do.

Supervisor Kowall questioned the approximate cost of the crane. To which Director Potter indicated he is aware of a model for \$6,000 but would like to research another model.

Supervisor Kowall noted that the head of a fire hydrant is heavy, and he has concerns about health, safety, and welfare of the workers. He would like to see the crane consideration in the near future.

Director O'Neil indicated that the top portion of the hydrant weighs approximately 300 lbs. DPS repairs or disassembles ten to twenty hydrants a year. Currently the only way to do that is to disassemble them into the smallest possible components. He further indicated that the Township has older hydrants that are only one piece and cannot be disassembled.

Trustee Powell shared that a manhole cover is 150-200 lbs. He believes that the necessary tools could be carried in a PD interceptor. To which, Director Potter disagreed that the water key would fit in that vehicle.

Trustee Powell conceded that it is not optimal but could work and if it saves the Township \$30,000 to \$40,000, he would appreciate him doing it.

Director Potter reminded that a former employee stated when he left that the Township did not provide him with the correct tools to do his job. He opined, in response to Trustee Powell, that it can be done to make it work, but the Township will not keep the best people under those conditions.

Trustee Smith believes vehicle #44 on the log list might be appropriate for rotation into the DPS department. She furthered question if there is a truck that the crane could go on later. To which, Director Potter indicated there is not a truck capable of mounting a crane onto.

Director Potter indicated that the ~~2007~~ ~~2008~~¹ Assessing vehicle is not road worthy and should be taken out of rotation immediately.

Supervisor Kowall agreed that it is not road worthy.

Director Potter would not mind meeting with members of the Board and going over some of the vehicles so that they can see the condition of them. He further shared that regardless of how well you maintain a vehicle, they will get rusted out. He shared a personal story of the issues he has had with the same vehicle, and it is rusting out.

Trustee Smith indicate that the message from most of the Board a couple months ago was that they are not comfortable purchasing a large fleet for the DPS Department. She asked if he is now coming to the Board piecemeal in hopes that they will buy here and there. She

¹ Board approved Trustee's Voorheis' request to change the vehicle year to a 2007. Actual statement by Director Potter identifying the vehicle as a 2008 was the correct.

declared that if this were the case, she would have to say no. She continued that there are so many moving parts and expenses and that it is taxpayer dollars that could be used elsewhere to better serve the residents.

Director Potter declared that his motivation is to make sure that the people that have been hired for the Department of Public Services have the tools that they need to do that work. He reminded that he has an employee contract that was ratified last year that provides him with a vehicle, which he has not had access to and in fact has been using his personal vehicle for five months now, because the PD interceptor was no longer road worthy. He believes he has proven that he not trying to build up a massive fleet, but again to provide the tools needed to do the work. He further declared that DPS vehicles are not paid for by tax dollars, but by water funds and it would be an enterprise fund expenditure. He continued that as the Township grows more staff will be needed. He noted that the dump truck, which was the single most expensive purchase that the Township had ever made, short of a fire truck, but it has been used and will continue to be used. He noted that the Township is getting value out of it by being able to do the work with it.

Treasurer Roman asked if hydrants ever have to be disposed of and if so, what is done with them. To which, Director Potter indicated they are scrapped at the hydrant boneyard located at the Twin Lake property. He indicated there is value in having the old hydrants for parts to some of the older hydrants. He reminded how difficult and heavy the hydrants are.

Treasurer Roman believes that his department needs the crane and this truck to put the crane into service, in order to keep Director Potter and his staff in good health. He is in support of it.

Clerk Noble noted that the crane could have been used to lift a fallen headstone just recently. He confirmed that 10 years is the life of a vehicle in DPW.

Director Potter indicated that the user/operator for this requested truck would be Nicholas Brown and that he will keep his hand tools, water test equipment, and safety equipment locked in the truck.

Trustee Powell questioned if the purchase would come from budgeted funds.

Director Potter indicated that it was budgeted for last year, but never used. It was not budgeted for this year, but the funds remain in his accounts and that no budget amendment would be needed for enterprise funds. He reminded that it is not tax funds and therefore no budget amendment is necessary. He shared that he goes through the revenue and expense report every Monday morning and no bill is paid without his personal review. He clarified

that the funds for this purchase would come out of the operating fund balance and that there is a sufficient balance there.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the purchase of the Silverado 2500 not to exceed \$55,000.00 and to trade-in the 2017 PD interceptor for \$8,000.00. The motion PASSED by voice vote (6 yes votes).

E. RESOLUTION #23-006; APPROVING THE WEST NILE VIRUS EXPENSE REIMBURSEMENT REQUEST

Supervisor Kowall indicated for the public that this is for prevention of the Zika virus.

Director Potter added that it is the same grant as last year which is a 50% matching grant. He did indicate that the cost increased but he was able to negotiate for the same quantity.

Trustee Voorheis loves this program and loves sharing it with neighbors.

It was MOVED by Trustee Voorheis, SUPPORTED by Trustee Powell to approve Resolution 23-006; the West Nile Virus Expense Reimbursement Request. The motion PASSED by voice vote (6 yes votes).

F. REQUEST TO APPROVE TEMPLATE FOR INDEPENDENT CONTRACTOR AGREEMENT – BUILDING INSPECTOR

Clerk Noble stated that he spoke with in-house counsel, and they were able to identify some things that would open the Township up to liability.

Attorney Hamameh interjected that the agreement was rewritten. She clarified that it contains language regarding payment to a contractor within 30 days.

Building Official Spencer indicated that the payment and wage scale needed to be updated.

Attorney Hamameh indicated that it is brought to the Board for approval of the template rather than bring a new contract every time.

It was MOVED by Clerk Noble, SUPPORTED by Trustee Powell to approve the template for independent contractor agreement building inspector. The motion PASSED by voice vote (6 yes votes).

G. REQUEST TO APPROVE PROPOSAL FOR PROFESSIONAL SURVEYING SERVICES FOR MAPPING AND PARCEL REVISIONS FOR GAIL ISLAND PARCELS: 12-13-128-001, 12-13-202-009, 12-13-128-012, 12-13-128-016, AND 12-13-128-020

Supervisor Kowall reminded that through the dangerous building process, liens were placed on Gail Island parcels. This resulted in an Oakland County forfeiture. The Township was offered first opportunity and we retrieved the property in order to protect our interests. A meeting was held to apply practical application of property lines to make it more desirable. The proposal before the Board takes all that work into consideration and breaks it down. He stated that if approved it can move on to marketing.

Trustee Powell questioned the need for a topographic survey. He believes the other costs are appropriate.

Supervisor Kowall has concerns if there is a flood plain issue that it would need to be disclosed.

Trustee Powell indicated that Oakland County has all that on their website. He does not believe that is \$5,000 the Township needs to spend.

Michael Leuffgen indicated that it was included because they were asked for it. He further stated that it would cut down the work necessary to perform. He has no issue with removing it.

Trustee Powell believes any buyer will use the Oakland County information.

Treasurer Roman confirmed that this will define the property lines as approved by the Assessor.

Discussion ensued regarding a blue line on a document in the Board's possession.

It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve the contract with DLZ, the Township Engineers for the survey creating new parcel descriptions and exhibits for P.A. 132, and create an easement description for existing utilities ingress egress on site and set in corners as presented in their proposal and have authorization for the Supervisor to sign the agreement in the amount of \$13,750.00. The motion PASSED by voice vote (6 yes votes).

H. REQUEST TO APPROVE MASTER PURCHASE AGREEMENT WITH DTE FOR STREET LIGHT INSTALLATIONS – ELIZABETH LAKE ROAD ROUNDABOUTS AT TEGGERDINE AND OXBOW LAKE ROAD

Supervisor Kowall indicated this is part of the Master Agreement with a payment of \$38,820.70 to the Road Commission of Oakland County. He declared that it is another step in the roundabout process.

Trustee Powell asked if any of this contract improves their existing electrical system. He inquires because the Public Service Commission requires the utility to pay for any improvement necessary due to a public project. If it requires them to upgrade their system, then they would have to pay for it.

Supervisor Kowall indicated that is not the case in this project.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve the DTE contracts and allow Township personnel to sign whatever is needed. The motion PASSED by voice vote (6 yes votes).

I. REQUEST TO APPROVE THE 2023 DUST CONTROL PROGRAM WITH THE ROAD COMMISSION OF OAKLAND COUNTY

Supervisor Kowall noted that this is for a five-application process as was opted into several years ago.

Trustee Voorheis declared that it is much needed as someone who drives on the back roads.

It was MOVED by Trustee Voorheis, SUPPORTED by Treasurer Roman to approve \$66,871.00 for the dust control for White Lake Township, Resolution #23-010. The motion PASSED by voice vote (6 yes votes).

J. CONSIDERATION OF CONSTRUCTION MANAGER AT RISK PROPOSALS FOR CIVIC CENTER BUILDING

Supervisor Kowall thanked the Board and committees for all of the efforts that have been put together to bring the Township to this point. He opined that it is a historic moment.

Director O'Neil shared that Tuesday of last week, the Board held a special meeting to hear proposals from three firms: Auch, Brivar, and McCarthy & Smith.

Supervisor Kowall indicated that he may make a motion for each individual firm and if the motion is not seconded, the motion will die. Then he will move on to the next.

Director O'Neil added that this is similar to when the Board approved the proposals from the architects, it decided to authorize the proposal and decided that the committee would negotiate the P.A. 133 with the architects. In this case AIA agreement in an A133 Agreement, which would instruct staff, attorneys, and consultants to negotiate with CMR, as well as an A201 Agreement, which is the documents and list out general conditions associated with the construction project. He presumes the same group would get together. He sees the contract being back before the Board in April/May.

Trustee Smith believes that by Supervisor Kowall choosing the order, it may dictate the outcome. She does not think it should be handled this way.

Attorney Hamameh does not see anything wrong with doing it this way.

Supervisor Kowall is not insisting that it be done this way.

Treasurer Roman suggests the Board have an opportunity to bring their thoughts out.

Trustee Powell thought all three companies did an excellent job in presenting their qualifications and how they would proceed with the project. He would feel very comfortable with any of the three. His observation was that Auch, being the largest company, has pros and cons to using such a large company. They have staff, contractors, experience, and scope of services would be much larger and maybe even more detailed. The downside is the larger the corporation, the larger the need for cash and profit. He would expect that their fees would be higher than a smaller company. He would be very comfortable if Auch was selected as they are very qualified, and he was very impressed with the staff they presented.

As for Brivar, he believes if they were hired and the Board stated it wanted a 20,000 square foot building for \$20 million, he believes they would deliver any size building for the price the Township wanted. He reminded that as part of their representation they indicated "whatever the Board wants, we can give the Board, whatever they want we can give them." He is concerned that the Board will be looking for a project that has more impressive fixtures or nicer conditions. He compared the difference between a pole barn and a heated riding arena. He opined that the Board may not like the feel of the building.

McCarthy & Smith has more than enough capability to do the project. He believes they are a much more lean corporation and there is a history of them with the Township. He believes personally that they would be the best choice for the Township.

He declared his choices in the following order:

1. McCarthy & Smith
2. Auch
3. Brivar

Trustee Smith thinks the Board was fortunate to have the three presentations received and that all three are more than qualified. Her comments are not to say that one is not capable. Her top two choices are McCarthy & Smith and Auch. Her personal experience in building a building with McCarthy & Smith provides her with firsthand knowledge of how available they were, their character, and their integrity, which is how she wants these buildings to be built. She shared that they presented human acts of kindness in regard to the library, that she appreciated. She enjoyed their enthusiasm and they have a great working relationship with the Township. She continued that they are familiar with the land. She further stated that she would be more than happy to welcome Auch, if that is the choice of the Board, but she believes McCarthy & Smith is her choice.

Trustee Voorheis indicated for her it is down to Auch and McCarthy & Smith. She liked the diversity of Auch and the two superintendents of Auch and that they had the most public building experience. She loved the energy of McCarthy & Smith but had concern that they have little public building experience. Her choice would be Auch.

Clerk Noble scored them on price, flexibility, customer service, speed, reputation, interests and penalties, and length of relationship required. He thought all three companies did an excellent job during their presentation, but his choice is McCarthy & Smith. They have a proven track record with the library. His choice would be McCarthy & Smith, but if it is the Board's desire to go with Auch, he would be fine with that as well.

Treasurer Roman indicated that it was his hope going into the interviews that one would jump out, but that did not happen. He thought all three did an excellent job presenting. He would be comfortable with any of them. He went back to the littler things, passion, who does he know is going to service the Township, who does he know the Township will work well with. For him, it came down to McCarthy & Smith. He does think that Brivar would be a great fit for some other future projects.

Supervisor Kowall thanked the Board for their input.

Trustee Powell pointed out that on an objective scale, Brivar was at an 8.32% of construction cost, Auch was at 7.26%, and McCarthy & Smith was at 7.04%.

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Smith for a construction manager at risk contract be awarded to McCarthy & Smith to work with staff, committee, attorneys, to negotiate all final agreements that are required of this arrangement. The motion PASSED by roll call vote (Smith/yes, Noble/yes, Kowall/yes, Roman/yes, Powell/yes, Voorhies with comment that she still believes in Auch but to be a team player and have the Board on the same page/yes).

K. RESOLUTION #23-009; APPROVING OPTING-IN TO THE NATIONAL OPIOID LITIGATION SETTLEMENTS WITH CVS, WALMART, TEVA, AND ALLERGAN

Supervisor Kowall indicated this is required to qualify for funding. He indicated that the Michigan Attorney General's Office has estimated that the Township will receive approximately \$16,980.53 over 13 years from the Teva settlement, \$10,116.19 over 7 years from the Allergan settlement, \$22,461.31 over 10 years from the CVS settlement and \$12,219.49 over 1 to 6 years from the Walmart settlement. The total estimated amount from the four settlements is \$62,277.52.

It was MOVED by Trustee Voorheis, SUPPORTED by Treasurer Roman to approve Resolution #23-009 opting-in to the National Opioid Litigation Settlements with CVS, Walmart, TEVA, and Allergan. The motion PASSED by voice vote (6 yes votes).

L. REQUEST TO PURCHASE VEHICLE FOR ASSESSING DEPARTMENT

Supervisor Kowall indicated that there are three vehicles in the Assessing Department, all 2008 Ford Escapes that were purchased at the same time. One previously went to auction and was not replaced even though staff was increased. There is now one in need of excessive repairs.

Assessor Hieber shared that last week the vehicle in discussion was taken to Suburban Ford of Waterford and needs \$3,600 to \$3,700 in repairs. He noted the question is do we want to put money into that vehicle or just replace it. He thinks a replacement plan of this fifteen-year vehicle makes the most sense. He continued that the Supervisor's Office came across a vehicle with a tight timeline. He understands there is a price with a \$5,000 rebate that expires in a couple of days.

Clerk Noble confirmed that the vehicle is fifteen years old, rusted out, and unsafe or in need of major work. He is in favor of this.

Trustee Powell questioned car #43 in the fleet log that is a 2008 Ford Escape as well, and whether Assessor Hieber be back next month asking for another one. He suggests that the Township plan and make the motion for two instead of one.

Supervisor Kowall indicated he has an opportunity with an additional \$5,000 off plus government discount that expires on Friday. He shared that they are roughly \$33,408.00 each and there are a few available. He would like to see the Board approve both of the vehicles.

Trustee Powell questioned why the Township did not plan to replace one of these vehicles when there was a newer one available.

Supervisor Kowal indicated that it was not brought to his attention at that time and no imminent problem at that time.

Trustee Powell questioned if there are other vehicles that are falling off the fleet log that could be used. He further questioned who is making the decision that PD interceptors are not road worthy for other uses. He understands that the criteria needed for a police vehicle is different than that of an assessors/staff needs. He suggests that the Supervisor should be evaluating these vehicles.

Supervisor Kowall trusts the opinion of Chief Keller and his staff who drove the vehicles. He understands Trustee Powell's point, but he is not one to spend money frivolously, but recognizes that some of these vehicles are coming to the end of its life.

Clerk Noble interjected that a typical police car will go through four sets of brakes, three sets of tires in 80,000 miles and because of the roads you will need front end work. He said you also must take into account different driving styles. He reminded that the truck that was purchased for Official Spencer took a year to get and went up \$39,000 in price.

Supervisor Kowall indicated there has been much more attention to detail in the vehicles than there has been historically. He believes purchasing two will suffice the department for a considerable amount of time.

Trustee Smith agrees with Trustee Powell that the log needs work. She is not criticizing it but notes that it could be better and there is room for improvement to help all departments. She asked if Suburban Ford is offering a trade in.

Clerk Noble would suggest auctioning it off.

Trustee Smith sees it as two options: 1) buy one now and work on the log; or 2) work on the log to see if there is one that could be moved around. She declared that without the work on the log she is going in blind.

Supervisor Kowall indicated there is not another vehicle right fight now. He recommends buying two vehicles and saving \$10,000.

Clerk Noble likes Trustee Powell's suggestion to purchase two at the locked in rate.

Trustee Voorheis agrees that buying two now makes the most sense. She finds it embarrassing to see a Township vehicle broken down on the side of the road.

It was MOVED by Clerk Noble, SUPPORTED by Treasurer Roman to approve two 2022 Jeep Compasses in the amount of \$66,816.00 from Szott Automotive Group in White Lake Township and for the Supervisor to execute the documents and/or auction off two 2008 Ford Escape vehicles. The motion PASSED by voice vote (6 yes votes).

DISCUSSION

A. 9885 CEDAR ISLAND ROAD UPDATE

Attorney Hamameh indicated that the defendant in this suit hired an attorney who reached out to her. They have requested a meeting to establish a timeline of progress dates to take care of the property. It was indicated that he has vacated the trailer. She further shared that there is simultaneous enforcement action for the property on Sarah Street. He has the same attorney for both properties. The district court case for the property on Sarah Street has a court date in 30 days. She does not believe this will be contentious litigation.

B. CIVIC CENTER COMMITTEE UPDATE

Treasurer Roman shared they met with Beckett Raeder, the civil engineering company, and Stewart Pettitt, the architect for the new township hall. They want the Board to discuss the location of the new township hall. It was presented that the choice is to have the building back off Elizabeth Lake Road.

Trustee Powell interjected that they are looking at it with fresh eyes and feel that it would be an immediate presence of the Township offices. He suggests that them not having the history, they do not have the pros and cons of why it is the choice to have it set back.

Supervisor Kowall admittedly came to the meeting late but shared that there would be a lower level with the senior center being on the lower level and a rental option and a woodland area to look out at. It would create a community place, which would not be available if placed on the road. He further stated that it was explained to them that the Township wishes to maximize its financial return. He opined that the township offices are a destination for people to come to for business related purposes and they will find the offices. He believes the front properties would bring a better yield as taxable property that would generate revenue.

Trustee Powell indicated that this is at a crucial time and the Board needs to concur as to where the building is or will be and that other than a spatial study regarding parking needs, nothing else can be done until the building is located.

Director O'Neil indicated that it is known that the township building wants to be on the south end near the public safety building and that there will be some shared space. He thinks it makes the building more accessible to the public with the double entryways. He also indicated that by tucking it in the back, it will hide eyesores such as utility garage and/or dumpster.

Trustee Smith has similar thoughts that the envision was for the building to be in the back and to be a multipurpose building. She agreed that the Township is a specific destination to conduct business. She believes it will be a better use of land and better service to the residents to use the Elizabeth Lake front land for things like ice cream shops. She likes the idea of being in the back.

Treasurer Roman asked for an informal raise of hands from the Board as to who wishes for the building to be back off the road. All six board members present raised their hands.

Treasurer Roman then passed out a handout from the new township hall building architect. He asked that all board members turn this back in with a list of their goals for the new township hall. He shared that the architect wants everyone to state the obvious and whatever their goals are. He asked that everyone turn them back in with their names on it.

Director O'Neil suggests turning them in by Monday to Hannah.

CLOSED SESSION

RECESS TO ENTER INTO CLOSED SESSION TO CONSULT WITH LEGAL COUNSEL REGARDING TRIAL OR SETTLEMENT STRATEGY IN CONNECTION WITH THE SPECIFIC PENDING LITIGATION OF SQUIRES V. WHITE LAKE, OAKLAND COUNTY, CIRCUIT COURT CASE NO. 2022-195041-AA, IN ACCORDANCE WITH MCL 15.268(1e).

At 9:16 p.m.

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to recess into closed session to consult with legal counsel regarding trial or settlement strategy in connection with the specific pending litigation of Squires v. White Lake, Oakland County Circuit Court case number 22-195041-AA, in accordance with MCL 15.268(1e). The motion PASSED by roll call vote (Kowall/yes, Roman/yes, Voorheis/yes, Powell/yes, Noble/yes, Smith/yes)

At 9:36 p.m. Supervisor Kowall returned the meeting to the open session

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Powell to approve the draft consent judgment with modifications to paragraph seven, second sentence. The motion PASSED by roll call vote (Kowall/yes, Smith/yes, Voorheis/yes, Powell/yes, Roman/yes, Noble/yes).

TRUSTEE COMMENTS

Trustee Smith answered a question from last month regarding citizens taking the Master Plan Survey on the public library. She noted that would it be able to clear and allow another citizen to use the same computer. She attended the library board meeting last month and shared that they are developing a strategic plan and the Friends of the Library have a tea planned as a fundraiser. Information is on the website. She further shared that there are plans to erect a memorial for the former library director. She mentioned how proud and honored she is to have such heroic police officers in the White Lake Police Department and congratulated those who received commendations tonight. Lastly, she noted that Oxbow Lake Baptist Church is open during the construction on Elizabeth Lake Road.

Trustee Voorheis shared that the work at Stanley Park has started with the trees being taken down. She shared that the historical society is off their winter hiatus and invited those who are interested in participating to join in on a meeting. The next is the second Thursday of April at 7:00 p.m.

Treasurer Roman thanked the Board for their efforts for the new township hall/civic center. He gave special thanks to Trustee Powell who has dedicated so much time to the process.

Trustee Powell noted there are two road commission projects, one at Teggerdine and Elizabeth Lake Road and one at Oxbow and Elizabeth Lake Road. He got caught between the two of them due to a major accident on Bogie Lake Road. He asked if Supervisor Kowall could contact the road commission in an attempt to stall the culvert culver replacement on Cooley Lake Road to avoid halting east/west traffic like it is now halted for north/south.

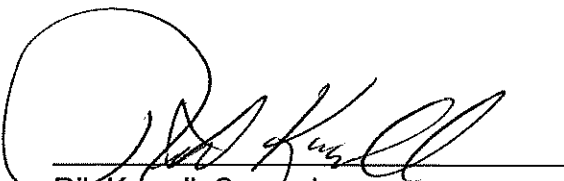
Clerk Noble thanked the officers for their heroic accomplishments as mentioned tonight. He thanked Trustee Powell and Treasurer Roman for their hard work on the township building.

Supervisor Kowall thanked everyone for their cooperation. He indicated there will be a lot of time spent in the future and a lot of decisions that will need to be made. He is happy to see the thought process of the CCDC coming to fruition and he thanked that group for their commitment to the Township. He wished everyone good night and God bless.

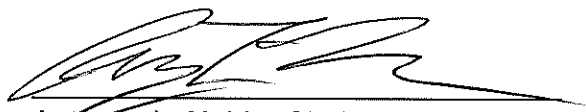
ADJOURNMENT

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Smith to adjourn. The motion **PASSED** by voice vote (6 yes votes).

The meeting adjourned at 9:43 p.m.



Rik Kowall, Supervisor
Charter Township of White Lake



Anthony L. Noble, Clerk
Charter Township of White Lake

