

CHARTER TOWNSHIP OF WHITE LAKE
Minutes of the Regular Board of Trustees Meeting
March 19, 2024

CALL TO ORDER

Supervisor Kowall called the meeting to order at 6:30 P.M. He then led the Pledge of Allegiance.

ROLL CALL

Clerk Noble called the Roll:

Present:

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

Also Present:

Trish Pergament, Deputy Supervisor
Sean O'Neil, Community Development Director
Daniel T. Keller, Chief of Police
John Holland, Fire Chief
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

Treasurer Roman requested the addition of an action item regarding the add alternate situation for the gun range.

It was MOVED by Treasurer Roman, seconded by Trustee Powell to approve the agenda as presented. The motion carried with a voice vote: (7 yes votes).

PUBLIC COMMENT

Christine Long, County Commissioner, was present and offered her services to the community.

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. APPOINTMENTS - SENIOR ADVISORY COUNCIL 2024-2026

It was **MOVED** by Clerk Noble, seconded by Trustee Voorheis to approve the consent agenda as presented. The motion carried with a voice vote: (7 yes votes).

MINUTES

- A. APPROVAL OF MINUTES - REGULAR BOARD MEETING, FEBRUARY 20, 2024

It was **MOVED** by Trustee Powell, seconded by Trustee Ruggles, to approve the regular board meeting minutes of February 20, 2024. The motion carried with a voice vote: (7 yes votes).

PRESENTATION

- A. SWEARING IN OF FIREFIGHTER - PHIL LANDRY

Chief Holland congratulated Firefighter Landry on the completion of his probationary period. Clerk Noble swore Firefighter Landry in.

PUBLIC HEARING

- A. TO HEAR PUBLIC COMMENTS REGARDING THE ESTABLISHMENT OF A SPECIAL ASSESSMENT DISTRICT FOR EMERGENCY SEWER CONNECTIONS 2024-01

It was **MOVED** by Supervisor Kowall, seconded by Trustee Smith to open the public hearing regarding the Establishment of a Special Assessment District for Emergency Sewer Connections 2024-01. The motion carried with a roll call vote: (7 yes votes)
(Kowall/yes, Ruggles/yes, Smith/yes, Voorheis/yes, Powell/yes Noble/yes, Roman/yes).

It was **MOVED** by Supervisor Kowall, seconded by Trustee Smith to close the public hearing at 6:37 P.M. The motion carried with a voice vote: (7 yes votes).

NEW BUSINESS

- A. RESOLUTION #24-011; TO ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT DISTRICT TO PAY COSTS ASSOCIATED THEREWITH AND TO APPROVE THE PLANS AND ESTIMATES OF COSTS THEREFORE TO BE KNOWN AS; EMERGENCY SEWER CONNECTIONS 2024-01

Trustee Powell said the program was desperately needed and to continue the program was essential.

It was **MOVED** by Trustee Powell, seconded by Trustee Voorheis, to approve Resolution #24-011; To Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith and To Approve the plans and estimate of costs, therefore to be known as; Emergency Sewer Connections 2024-01. The motion carried with a voice vote: (7 yes votes).

- B. REQUEST TO APPROVE SENIOR ADVISORY COUNCIL BY-LAW AMENDMENTS

The amendments were of a housekeeping nature, Director Gordinier was not present that evening. Trustee Powell noted that the categories were not renumbered correctly.

It was MOVED by Clerk Noble, seconded by Trustee Ruggles, to approve the Senior Advisory Council By-Law Amendments. The motion carried with a voice vote: (7 yes votes).

C. REQUEST TO APPROVE SENIOR CENTER POLICIES AND PROCEDURES AMENDMENTS

It was MOVED by Clerk Noble, seconded by Trustee Ruggles, to approve Senior Center policies and procedures amendments. The motion carried with a voice vote: (7 yes votes).

D. RESOLUTION #24-008; APPROVING WEST NILE VIRUS EXPENSE REIMBURSEMENT REQUEST

Debra Nigohosian, DPS Executive Secretary, was present on behalf of the DPS Department. This would mark the 7th year of participation in the program; and the amount received this year was the same as last: \$5429.34. The amount received from the County was based on the census and had not changed since 2020. Sprays and wipes were requested this year. The wipes were well received last year. The Township's share of the program would be \$2,747.70 for the program not to exceed a total cost of \$8,300.00.

Supervisor Kowall added that the program was beneficial and in addition to the spray and wipes, the Township received briquettes that would go in some of the still water throughout the Township.

Trustee Voorheis thanked Debra Nigohosian and shared that she enjoyed giving out the bug spray to fellow residents and educating them about the program.

It was MOVED by Trustee Ruggles, seconded by Trustee Smith to approve Resolution #24-008; West Nile Virus Expense Reimbursement Request. The motion carried with a voice vote: (7 yes votes).

E. REQUEST TO APPROVE PURCHASE OF 2024 PATROL VEHICLES FOR POLICE DEPARTMENT FLEET

Chief Keller stated this is his annual request for three new patrol vehicles, and research was always done to get the best pricing. There was around a \$3,000.00 an increase in price of the vehicles from this year compared to last year. Chief Keller said many of the surrounding communities had Chevy Tahoe's as fleet vehicles, but they were very expensive, with a cost of \$52,000.00 per vehicle. The proposed vehicles for purchase were Dodge Durango at \$41,250.00 a piece It was easier to maintain the fleet on a three-year plan.

Trustee Powell thanked Chief Keller for the comparable pricing presented this evening. He suggested allowing other departments to borrow the "retired" vehicles for future departmental transportation needs.

Trustee Voorheis voiced her concerns about the older fleet vehicles that remained in the Hawley Park parking lot. Chief Keller stated the new vehicles were ready, and there would not be a long waiting period with for parts to be outfitted on vehicles in the park. He was hoping by the end of the year that the new

cars would be here and by the summer, the older fleet vehicles would be outfitted properly. A few of the vehicles that would be phased out completely would be sent to auction.

Trustee Smith asked Chief Keller if he believed he would have another vehicle request this year. Chief Keller said he requested three new vehicles every year to maintain the fleet, but this would be the one request for 2024.

It was MOVED by Supervisor Kowall, seconded by Clerk Noble, to approve the purchase of three fleet vehicles from Szott Automotive in the amount of \$123,750.00. The motion carried with a roll call vote: (7 yes votes) (Kowall/yes, Noble/yes, Roman/yes, Smith/yes, Ruggles/yes, Powell/yes, Voorheis/yes).

E. RESOLUTION #24-012; TO APPROVE GOOSE NEST-EGG DESTRUCTION - MARINERS COVE HOA AND FOLEY LAKE

Supervisor Kowall advised this permit is regulated by the Michigan Department of Natural Resources.

Trustee Voorhies questioned if this HOA had previously applied and Supervisor Kowall answered no.

It was MOVED by Clerk Noble, seconded by Trustee Ruggles, to approve Resolution #24-012; Goose Nest-Egg Destruction - Mariners Cove HOA and Foley Lake. The motion carried with a voice vote: (7 yes votes).

F. REQUEST TO APPROVE 2024 CHLORIDE (DUST CONTROL) PROGRAM WITH OAKLAND COUNTY

Supervisor Kowall said there would be five chloride applications this year. The cost for the program this year would be \$71,337.20. The funding had been set aside in the budget.

Trustee Ruggles asked Supervisor Kowall if the roads would be treated without the Township's approval of the program. Supervisor Kowall said no.

Trustee Powell called the Oakland County Road Commission regarding the reduction of chloride applications and a reduction of potency of the chloride formula. The Road Commission confirmed with Trustee Powell the application rate and formula were unchanged.

It was MOVED by Trustee Voorheis, seconded by Trustee Smith, to approve the 2024 Chloride Program with Oakland County. The motion carried with a voice vote: (7 yes votes).

John Rossi, 10964 Hillway, said whenever the roads were treated, there was rain. He wanted to know if the Road Commission could consider the weather forecast during application days in the Township.

OLD BUSINESS

A. SECOND READING; SIX LAKES/FILLING STATION REZONING

Director O'Neil briefly went over the applicant's request.

Trustee Powell asked staff how the lot's deficient road frontage played into usability of the parcels. Director O'Neil said the zoning ordinance did not prohibit rezoning properties if they did not meet the minimum requirements. These parcels were existing, and if the zoning ordinance prohibited the rezoning of substandard parcels, a majority of the parcels in the Township would not be able to be rezoned since so many were substandard. Director O'Neil confirmed that in the event of a natural disaster, the three parcels would be able to rebuild under the General Business zoning. The buildings would have to be rebuilt to the current zoning standards.

It was MOVED by Trustee Ruggles, seconded Trustee Powell by to approve the adoption of the second reading of:

- 1. Parcel number 12-35-476-004, commonly known as 9266 Cooley Lake Road from LB (Local Business) to GB (General Business).**
- 2. Parcel number 12-35-476-021, commonly known as 9260 Cooley Lake Road from LB (Local Business) to GB (General Business).**
- 3. Parcel number 12-35-476-050, no common address (vacant) from NB-O (Neighborhood Business Office to GB (General Business).**

The motion carried with a voice vote: (7 yes votes).

B. REQUEST TO APPROVE VC3 MANAGED IT SERVICES CONTRACT RENEWAL

Supervisor Kowall called on Deputy Supervisor Trish Pergament to address the Board.

Deputy Pergament said VC3 did make changes to the contract based on the comments heard at the last meeting. They presented two options: a contract without labor included, which was what the Township had now; and a contract with the labor included. The Township was currently paying more for labor than what the Township would be paying in the proposed contract with labor included, according to VC3.

Deputy Pergament said she asked VC3 to get more creative with their contract terms. VC3 dropped the year three price by \$10,000.00 in both proposed contracts. VC3 still wanted the Township to get to the "mid-range" pricing which was standard for Michigan. To do that, the contract without labor was proposed as a four-year contract. That would then get the Township to the "mid-range" pricing VC3 was looking for by the fourth year of the contract. An additional fifth year was offered at the same price as year four. If the Township chose to remain with VC3 after the fifth year, the annual increase would be based off the Consumer Price Index, or 4%, whichever was higher. VC3 also added 25 laptop and/or PC installations for free within this contract. A 90-day window was added to each year to allow the Township to opt out of VC3 for any reason. At the anniversary date of the first year, the Township could part ways

with VC3 without cause. There was the usual 30-day clause for cause as well, if VC3 was not performing as expected.

The contract incorporating labor included would also include the labor costs when it was time to transition to the new buildings, and new desktops would need to be installed as well, which would also be included. Due to the commitment needed from the Township, VC3 was not including the 90-day opt out window in this contract. The 30-day clause for cause would be included. VC3 was comfortable with the language they reviewed from the Township attorneys, and anything approved this evening would be pending final legal review of the master service agreement.

Deputy Pergament added that the grass wasn't always greener, and to date, VC3 had kept the Township safe from threats. She acknowledged that the merger between IT Right and VC3 was a painful process, but the majority of the issues had been resolved in respect to their department organization and poor ticket turnaround. The backlog of unresolved tickets had been cleaned up. Technical issues weren't always simple and straightforward, and the way VC3 handled service tickets was no different than any other IT company. VC3 used a tiered technician system to handle service tickets, and the tickets would be escalated through the tiers, dependent on the difficulty of the issue. It wasn't always VC3's fault that some of the more difficult issues weren't solved within one or two days. She also added that she had reviewed comparable data that VC3 was in the right range in regards to price point. The Township had been getting a good price from IT Right for years, but VC3 could not operate within the same costs with the addition of new resources.

There were several options to consider: month to month, the contract without labor, and the contract including labor.

Treasurer Roman asked Deputy Pergament her recommendation. Deputy Pergament said it depended on how the Board felt. If the Board was unhappy with VC3, they would want to consider the option without the included labor. The contract that included labor would save the Township money. VC3 said the labor could be removed at the end of the five-year contract, if the Township wanted to continue with VC3 but not include the labor costs. She did not know what was involved with changing IT companies, and did not know if it would be a good idea to change companies before or during the move to the new buildings.

Trustee Powell asked Deputy Pergament what the Township spent on labor yearly. Deputy Pergament said she did not have the information on hand, but she could get the information. She believed the Township was paying over \$12,000.00 annually based on the invoices received.

Trustee Powell asked Deputy Pergament why the cost for non-labor was so high. Deputy Pergament said service calls and tech support were not considered labor. Reconfiguration projects or a hacking event would be considered labor, so was new computer installations. A mass changeover of equipment would require labor time.

Trustee Powell asked Deputy Pergament if the contract including labor was approved, what would not be included. Deputy Pergament said there would not be many things that are not covered, but if an employee were to get hardware or software outside of the normal programs VC3 serviced, then that would not be included. Deputy Pergament gave an example of purchasing a MacBook, as VC3 did not service Apple computers. The Township didn't usually go outside of the Microsoft product suite. The contract with labor should include 99.9% of the labor costs, and wouldn't include the price of equipment or software. The contract included the Police and Fire Department, as well as the Dublin Senior Center.

Chief Keller said there was multiple difficulties with VC3, and the improvements were not enough. He acknowledged that IT was difficult, and the 90-day clause would help the Township look elsewhere in the future.

Trustee Smith said she had wished the Township went out to bid for another IT company. She was concerned as the experience with VC3 had not been great. She suggested moving forward to VC3 on a month-to-month basis while looking for other IT companies.

Deputy Pergament reiterated the merger with IT Right and VC3 went through a transition period. She said there was a two year of backlogged tickets that had now been cleaned up. She was not convinced that another company would be better. VC3 had several technical experts that could assist with specific issues.

In response to Trustee Smith's suggestion that consideration should be given to the idea of hiring an in-house IT employee, Deputy Pergament said one employee would not be able to handle the transition and move; that would have to be contracted out. The IT employee would have to be top notch in regards to IT security.

Chief Keller said he trusted Deputy Pergament's knowledge with the matter and recognized that she had put a lot of effort and research into the contract. He was comfortable with her recommendation, but added that the Township should also look into other companies for the future.

Supervisor Kowall stated that VC3 had gotten much better at remedying their issues. His concern was cyber security. An organization with staff who could support the Township's security needs was important.

Deputy Pergament confirmed the contract that included labor would support the Township's IT needs during its move and transition.

Trustee Ruggles suggested a rebuttal to the contract that would include a 90-day period before leaving if the Township's needs were not met from VC3.

Trustee Ruggles asked what the process would look like if the Board wanted to explore options for another IT company. Deputy Pergament said she had an example bid packet she could use. She stated

that every IT company she talked to wanted to charge around \$30,00.00 to analyze the Township's IT needs prior to bidding for the contract.

It was MOVED by Treasurer Roman, seconded by Supervisor Kowall, to approve the 5-year contract from VC3 with labor included, subject to Township attorney review. The Township was willing to pay for the first month at the pro rata first year price while the Township attorney worked on terms and conditions, in particular, time and reason for cause to opt out. The motion carried with a roll call vote: (7 yes votes) (Kowall/yes, Smith/yes, Ruggles/yes, Voorheis/yes, Powell/yes, Roman/yes, Noble/yes).

Trustee Powell said he would like the Township attorney to modify the terms of the notice of cause on the Township's behalf. Deputy Pergament said there could be more discussion on defining what cause meant.

Trustee Ruggles said the Board should start looking at alternative IT companies. Deputy Pergament had no issue looking into the matter and getting benchmark pricing.

Trustee Smith said it was fair to ask for either a 90-day opt out or the 30-day cause to opt out being for Township reasons.

Deputy Pergament suggested asking for either the 90 day or the 30-day clause for cause loosened up.

The Board thanked Deputy Pergament for her work in this matter.

FYI - CIVIC CENTER UPDATE

A. Add Alternate Bid- Gun Range

Director O'Neil said the cost of designing the range out of the plan was \$35,600.00. The Design Committee needed direction on keeping the gun range within the plan, or to pay the extra \$35,600.00 to remove the range from the plan and to bid it out as an ad alternate.

Supervisor Kowall felt the plan should be left as it was.

Trustee Powell advised to leave the plans as they were and to go out for bids.

It was MOVED by Supervisor Kowall, seconded by Clerk Noble to leave the gun range in the original plan. The motion carried with a voice vote: (7 yes votes).

Value Engineering was completed, and the Township was waiting on final drawings. The drawings were due on May 15th, 2024. There would be a visual mockup of the new buildings installed on the exterior west wall of the current Township Hall. The drawings for the site work would be completed within the next couple weeks.

Trustee Smith requested that the wood color be included in the mock ups. Director O'Neil said he would confirm if the wood would be included in the mockups.

TRUSTEE COMMENTS

Trustee Voorheis gave some historical information regarding the Township's past. In 1968, the Township was a common law Township, and had a Supervisor, Clerk Treasurer and two trustees. Meetings were held on the third Tuesday of the month at 8:00 P.M. There was no trash pickup, garbage was taken to the dump. Fire protection had 174 runs and drills, and were paid \$30 per run. The phone number was EM 3-3551. The Fire Chief was Del Chilsom, there was four command and 22 firefighters. The police chief was LH Marsh, and there was one full time and nine part time officers; they were paid \$2.25 hourly. The estimated population of White Lake Township was 14,000.

Trustee Powell said he would be running again as a Trustee next fall. He thanked the Board for their work while he was on vacation in Florida. He wanted to point out that DLZ came in as the lowest bidder on the Round Lake sewer project, and was pleased that they did. He also warned DLZ that the Board would continue to watch their fees.

Trustee Smith said the Friends of the Library had a very successful Book Sale last week; the sale included a bake sale. She said all the projects coming up were exciting and the Board was working great together.

Treasurer Roman thanked the residents and County Commissioner Long for attending tonight's meeting. Triangle Trail construction had begun.


Trustee Ruggles said the Planning Commission met March 7, 2024. There was a rezoning request at The Calvary Lutheran Church. The request was to rezone the property from R1-C Single Family Residential to General Business. The request was denied by the Planning Commission.

Clerk Noble said the next election was May 7, which was a school board election. absentee voting began March 28, and early voting began April 28 through May 5. He thanked Elaine and Dawn for their work on the audit.


Supervisor Kowall said another trail project was in the works near the ITC Corridor. The Elizabeth Lake Road project had their contracts signed; the construction would start in April and the road would be shut down around May. Saturday May 18th was the Annual Hazardous Waste Drop Off Day, and this year, the location will be moved to Alpine Valley. He thanked everyone in attendance. He thanked Deputy Pergament for her work on the IT contract. The Boat Shrink Wrap Program was in full force, bags were \$7.00 each.

ADJOURNMENT

It was MOVED by Supervisor Kowall, seconded by Treasurer Roman, to adjourn at 8:08 P.M. The motion carried with a voice vote: (7 yes votes).



Rik Kowall, Supervisor
Charter Township of White Lake



Anthony L. Noble, Clerk
Charter Township of White Lake