

CHARTER TOWNSHIP OF WHITE LAKE
Approved Minutes of the Regular Board of Trustees Meeting
May 19, 2020

Supervisor Kowall called the meeting to order at 7:01 p.m. The meeting was held via video conferencing. He then led the Pledge of Allegiance.

Clerk Lilley called the roll:

Present: Rik Kowall, Supervisor
 Terry Lilley, Clerk
 Mike Roman, Treasurer
 Michael Powell, Trustee
 Andrea C. Voorheis, Trustee
 Scott Ruggles, Trustee
 Liz Smith, Trustee

Also Present: Lisa Hamameh, Attorney
 Sean O'Neil, Planning Director
 Jennifer Edens, Recording Secretary

AGENDA

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell to approve the Agenda. The motion **PASSED** by roll call vote (Kowall/yes, Lilley/yes, Roman/yes, Smith/yes, Powell/yes, Voorheis/yes, Ruggles/yes).

PUBLIC COMMENT

No public comment.

CONSENT AGENDA

- A. LIST OF BILLS**
- B. REVENUE AND EXPENSE**
- C. CHECK DISBURSEMENT**
- D. DEPARTMENT REPORTS**
 - 1. POLICE**
 - 2. FIRE**
 - 3. COMMUNITY DEVELOPMENT**
 - 4. TREASURER**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Voorheis to approve the Consent Agenda. The motion **PASSED** by roll call vote (Lilley/yes, Roman/yes, Smith/yes, Powell/yes, Voorheis/yes, Ruggles/yes, Kowall/yes).

MINUTES

A. APPROVAL OF MINUTES – REGULAR BOARD MEETING, APRIL 21, 2020

Mr. Powell noted a correction on Page 12, near the bottom, that reads: Trustee Powell supports all of what has been said so far. He wants to assure all the residents that we as adults evaluate the risk of everything we do. He furthered that out of 30,00 residents...

The correction should indicate 30,000 residents.

It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve the Minutes of the Regular Board Meeting, April 21, 2020, as corrected. The motion PASSED by roll call vote (Roman/yes, Powell/yes, Smith/yes, Voorheis/yes, Ruggles/yes, Kowall/yes, Lilley/yes).

A. 2019 FINANCIAL STATEMENT PRESENTATION – PLANTE MORAN

Pamela Hill and Chris Gilbert of Plante Moran presented the Charter Township of White Lake Audit. Ms. Hill noted this year the audit was conducted remotely with approximately 300 hours. She thanked all those involved with special thanks to Elaine for her hard work and prioritizing what was needed. She furthered that in addition to the audit, the Township also implemented a new standard this year, GASB 84. The final pdf copy of the financial statement and audit letter will be sent to the Board in the next few days and printed bound copies will also be made available.

Mr. Gilbert presented an overview of the slides presented to the Board. He highlighted that the Townships two highest revenues were from state revenue and property taxes.

In summary, the Township had a good year. It has continued to position itself very well as it has continued to grow. It is responsible budgeting practices and great decisions by management, in terms of focus and cost cutting measures. A great job has been done in terms of long-term liabilities, which has positioned the Township well to looking into the future. There is some challenge with the legacy costs, but not nearly what a lot of the state is facing. As the Township continues to grow it will allow flexibility to grow with and help the community grow. The Township is also able to handle any revenue cuts that may come in. Overall, the Board should feel really good about where it is with the decisions, they have made to represent the Township. When asked Ms. Hill graded the township with an A+ rating.

Treasurer Roman thanked both Pamela and Chris. He is super impressed with the job they did facilitating the entire audit offline.

Trustee Powell questioned if there would be an artificial bump in revenue regarding the park purchase and receiving the funds in 2020. To which Supervisor Kowall informed that the Township did not actually receive the funds as they went directly to a third-party.

The remainder of the Board members thanked Ms. Hill and Mr. Gilbert for their hard work, time, and kind words. Collectively the Board opined that a good job was done.

Supervisor Kowall noted that we always learn a little something and this year showed many challenges. He thanked the Township staff for the great job they do.

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Powell to receive and file. The motion PASSED by roll call vote (Smith/yes, Powell/yes, Voorheis/yes, Ruggles/yes, Kowall/yes, Lilley/yes, Roman/yes).

RESOLUTIONS

A. RESOLUTION #20-013; COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – OAKLAND COUNTY- URBAN COUNTY QUALIFICATION FOR 2021-2023

It was MOVED by Trustee Ruggles, SUPPORTED by Trustee Smith to approve Resolution #20-013, which is the Charter Township of White Lake's interest in participating in a CDB Program. The motion PASSED by roll call vote (Powell/yes, Voorheis/yes, Ruggles/yes, Kowall/yes, Lilley/yes, Roman/yes, Smith/yes).

B. RESOLUTION #20-014; 2020 AMENDED APPROPRIATIONS ACT

Clerk Lilley reminded the board that the amendment was specifically in Section 12; Second Paragraph.

It was MOVED by Clerk Lilley, SUPPORTED by Treasurer Roman to support the amendment. The motion PASSED by roll call vote (Powell/yes, Voorheis/yes, Ruggles/yes, Kowall/yes, Lilley/yes, Roman/yes, Smith/yes).

C. RESOLUTION #20-015; TO TENTATIVELY DECLARE ITS INTENTION TO ESTABLISH A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS MANDON LAKE IMPROVEMENT

This a five-year renewal of the S.A.D. to administer the costs of maintaining their augmentation well along with weed control. They are requesting a five-year assessment for \$160 per parcel, per year, including the required administration fee. They have acquired the necessary 51% signatures; in fact, they have 65% currently.

Treasurer Roman questioned if they have a lake board. To which Jeanine responded that they do not, and they do not want one.

Trustee Powell reminded that this is tentatively declaring the intent and that there will be two more public hearings regarding this. He further questioned the language regarding the location of the public hearings with current situations and wondered if the definition applies to wherever the Board holds the meeting.

Attorney Hamameh indicated that the Governor extended the ability until the end of June and that it gives the Board some discretion. She suggests changing the language in Paragraph 2, to give options.

Supervisor Kowall would like to see language that says alternative location and/or Zoom.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to approve the Intent Resolution for Mandon Lake Improvement, Resolution 20-015 with additional language in Paragraph 2, to read 7525 Highland Road or alternative location and/or with Zoom, as discussed at the Board Meeting. The motion PASSED by roll call vote (Smith/yes, Powell/yes, Voorheis/yes, Ruggles/yes, Kowall/yes, Lilley/yes, Roman/yes).

NEW BUSINESS

A. REQUEST TO APPROVE PRELIMINARY SITE PLAN – NEW HOPE WHITE LAKE

Sean O'Neil, AICP, indicated this is the New Hope White Lake request for preliminary site plan approval and this will be the first reading for the rezoning as well. The project is located on the west side of Williams Lake Road and South of Elizabeth Lake Road, consisting of approximately 13.32 acres. The property is currently zoned Single Family Residential (R1-B) and the applicant is seeking to rezone the property to Planned Development (PD). Identified as parcel number 12-25-400-29.

The request is now ready for the Township Board's consideration. The matter was considered by the Planning Commission at their regular meeting on May 7, 2020 at which time the Planning Commission recommended approval of the rezoning and proposed preliminary site plan.

He further noted that conditions found in the review letters have been addressed fully.

Clerk Lilley noted this is a difficult piece of property for the Township because of the existing grades located on the property. He thanked the Planning Commissioners for their input on this property. He noted that the applicants have been more than cooperative to meet the needs of the Township and he thanked them also.

Mr. O'Neil interjected that the impact of the property is something that needed to be considered. There were concerned neighbors and the applicant sought out those neighbors, invited them to his other facilities and within that made them allies of the project. The applicant understands the sensitivity of this parcel and has been very considerate.

Trustee Powell questioned if there were any variances that were being looked at.

Andy Andre noted that it is a single-story building with pitch roof and more residential in character.

Mr. O'Neil noted that they are good on parking and have a landscape buffer. He noted that it is a narrow parcel. He furthered that nothing stands out at this point and reminded that to get to final it will come back before the Board to have the development agreement approved.

Trustee Powell further noted that he cannot imagine a better use for this property. He reminded that a PD is specifically written to not be one-sided for the owner, but to receive a public benefit to allow for this zoning and questioned what they are offering the Township. He also noted the building elevations are very plain and he would appreciate the Planning Commission look further into that. There are two items he notes are shorted when he visits a facility of this type; 1) sidewalks for the public and residents, and 2) parking,

especially during special events where many guests will be present. He also sees an issue with traffic while people are waiting to make a left hand turn out of the facility, it will cause back up for those trying to make a right-hand turn. He discussed the possibility of widening the drive. He gave kudos regarding the 10-foot-wide parking spaces.

Clerk Lilley would support a boulevard being part of this project. He confirmed that in the documents it notes that most residents will not be driving residents and that there will be no other buildings built on the property.

Mr. O'Neil noted that there is a small building on the property that will be used for training and as an office. The plan as told to him, is that none of these residents will be driving.

Trustee Smith echoed many of Mr. Powell's thoughts regarding sidewalks and walkability. She would like to see something a little more, especially for residents that aren't able to leave. She noted that we need to be able to service our residents who are aging and thanked the applicants.

The applicant noted that their communities are designed with an ecosystem that meets the social, emotional, physical, spiritual, and intellectual wellbeing of the residents. The residents are mostly between the median of 88 and 89 years of age. None of them, on the assisted living and memory care side, which is what they are proposing to build here drive. They try to create opportunities around the building to benefit the residents. They are trying to preserve more than 80% of the trees on this site. He addressed the walkability questions by stating that inside the community there are three courtyards including walking paths. The outside of the building will have a gazebo with walkways connected to it and this will be included in the final plan.

Andy Andre noted this use is as good of use as you can expect to have here. We worked diligently with the neighbor HOA. We made sure that we heard their concerns. Regarding the public benefit to this project in conjunctions with the rezoning, he noted this is a very mature piece of property with a lot of mature trees. They looked at where the building would be positioned, its elevation – how to maximize and develop the area with minimum impact. Additionally, the houses to the northern border of the property they will stub out utilities to them. As for the walkability they have made adjustments and are continuing to work on that. They are also looking at options for the entryway. Their goal is to minimize the impact, work diligently with the Planning Commission and the neighbors.

John Czarnecki noted that they use cultured stone on the fronts of the buildings. He noted that pictures can be found on their website, www.newhopevalley.org. He continued that they are committed to building partnerships and that some of the other locations have family members of the city/township boards residing in their facilities.

The applicant noted that they looked at townships/cities within Washtenaw, Livingston, and Oakland County for this project, but it was the professionalism, effort, and welcome that led them to choosing White Lake. He noted the relationship they have built with the neighbors and that that they are working to limit the impact on the vegetation and to keep the surrounding as pure as possible.

Trustee Smith thanked the applicant for being considerate to the neighbors and thanked them for listening to the Board's suggestions.

Treasurer Roman thanked them for bringing the project to White Lake. He applauds any senior living facility and he knows that this type of project requires significant effort. He asked for assurance that this project is not seeking any nonprofit or other exempt status that would seek waiver of property taxes in White Lake. To which the applicant confirmed.

Supervisor Kowall noted when the applicant endeared himself that he wanted to be in White Lake they began to look for property. This project solves problems with traffic on Williams Lake Road, it preserves woodland area and it will minimize the impact to the neighbors. He believes this is a win, win, win.

It was MOVED by Trustee Powell, SUPPORTED by Treasurer Roman to approve the Preliminary Site Plan as submitted except as suggested changed by administrative staff, the consultants, and the input from this Board tonight. The motion PASSED by roll call vote (Ruggles/yes, Voorheis/yes, Powell/yes, Smith/yes, Roman/yes, Lilley/yes, Kowall/yes).

B. FIRST READING; RE-ZONING REQUEST – NEW HOPE WHITE LAKE

It was MOVED by Trustee Powell, SUPPORTED by Trustee Ruggles to move the first reading of the rezoning from R1-B to PD. The motion PASSED by roll call vote (Smith/yes, Powell/yes, Voorheis/yes, Ruggles/yes, Roman/yes, Lilley/yes, Kowall/yes).

C. 2020 OPEB EMPLOYER CONTRIBUTIONS

Supervisor Kowall indicated that the Township has positioned itself to be in a better financial position. In 2016 Treasurer Roman brought to his attention that the Township only had 3.5% of this liability covered and now in 2019, the Township now has 37.6% covered. He gave kudos to Treasurer Roman and Clerk Lilley.

Treasurer Roman thanked the Board for helping the Township take care of the legacy costs. He noted that at year end there was just over \$4 million put away and in 2019 the Board budgeted for \$790,000 to be put away toward this cost in 2020. He recommends that the Board authorize himself to transfer the funds to the OPEB Investment Fund. He also reminded that this is closed off to new employees due to previous legislation.

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Voorheis that the transfer take place in the amount of \$790,000.00 to be deposited to the 2020 OPEB Employer Contribution Fund. The motion PASSED by roll call vote (Voorheis/yes, Powell/yes, Smith/yes, Ruggles/yes, Roman/yes, Lilley/yes, Kowall/yes).

D. DISCUSSION REGARDING EXTENDING THE SOLID WASTE CONTRACT WITH GREEN FOR LIFE ENVIRONMENTAL

Supervisor Kowall noted that the Township is nearing the end of the contract and are entertaining extension options available. Extension recommendations included a one-year, three-year, five-year, and seven-year. Supervisor Kowall believes entertaining a five-year extension would be in the best interest of the Township. The current 2020 pricing is \$14.18 per unit pickup. He reminded when GFL previously requested an increase, which the Board declined and noted that they held to their contract after that denial. It is proposed that a five-year contract will start at \$15.21 for the first year with an escalating cost of 2.75%.

Don Barretta, GFL. He noted that over the past two years GFL has acquired a compost site and in the last six months have acquired an MRF in the area (N. Huron and I-275). They are positioned to dispose of solid waste, collection of recyclable and yard waste.

Supervisor Kowall noted that other communities have opted to do a five-year plan or some even longer. He named several communities, a few of were Highland, Keego, and West Bloomfield, and some that opted into a longer plan.

Treasurer Roman likes the five-year plan. He indicated that we do not know what kind of board will be elected four years from now and that it would benefit them to have a full year of a contract when they come in. He would support the pricing without the 65-gallon cart. He indicated that there are a lot of 1-2 person residents in the Township and he does not believe we need more than what we have now. He agrees that a five-year plan would be a benefit and that the prices are competitive.

Supervisor Kowall noted that in high density areas some containers have minimal and some are overstuffed which causes debris to get blown around. Individually those larger carts would be available at a direct cost to GFL and that GFL will deal directly with those residents.

Clerk Lilley thought we were good when we had Republic and that GFL has been excellent. They have done an excellent job for us and he supports the recommendation of Supervisor Kowall for a 5-year plan.

Trustee Powell confirmed that the Township will still be recycling weekly with the five-year plan option three without a recycling cart. He also noted that in the contract it has a fuel surcharge option that if fuel goes up then there is a fuel surcharge. He also wondered what language/bond is in there to prevent them from renegeing on the contract. To which Supervisor Kowall noted nothing exist to prevent them from walking away from the contract, but he believes it would have to be something catastrophic for that to happen.

Attorney Hamameh interjected that is how the Township got GFL. The contract was with Allied and they assigned GFL.

Mr. Barretta noted that the Township does have a performance bond that is annual and renewed each year.

Trustee Voorheis confirmed that additional services now go through April 1st to the first full week in December. She inquired of the household hazard waste date and if it was still being held due to current situations and will it continue in 2021. To which Mr. Barretta indicated the new household hazard waste day is scheduled for September 26, 2020.

Clerk Lilley would like to make sure that other conditions in the current contract are transferred to the new contract.

Trustee Smith noted that there has been great conversation regarding garbage and recycling. She thinks it is a good option to include a larger recycling container for residents that which to do so. She noted they are similar to the current wheeled carts. The residents would purchase them and own them for life. She complimented GFL as they are doing a great job. She would like to hear from residents before giving supervisor Kowall authority to engage in a contract.

Treasurer Roman questioned if the performance bond could be increased if the Township went with a five-year agreement. To which Mr. Barretta indicated they could look at it.

Attorney Hamameh pointed out you would have to make an option to waive the procurement policy that requires the Township to go out to bid. The current contract allows the Township to extend on current terms, but it is a one-year allowance. She furthered that Township residents pay by S.A.D., so the Township will have to establish a new S.A.D. It will need to be on the June agenda to get the ball rolling.

Trustee Ruggles asked what the cost would be without the 65-gallon cart. To which Supervisor Kowall indicated it is just an option. Trustee Ruggles further noted regarding the procurement policy that he was there for it five years ago and he went through it. He indicated that it was not fantastic, the bids came in high. He thinks that the residents have been happy with GFL. He would be willing to enter into a five-year extension.

Supervisor Kowall noted positive text messages regarding GFL that he received during the meeting. He asked for a show of hands to see how many of the Board members would be interested in moving forward (all Board members raised their hand).

Trustee Smith confirmed they can bind a future board. To which attorney Hamameh noted that it is a gray area and Supervisor Kowall indicated it happens with certain types of services.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Ruggles to allow the Supervisor to negotiate a contract and bring it back to the Board for approval. The motion PASSED by roll call vote (Voorheis/yes, Smith/yes, Powell/yes, Ruggles/yes, Roman/yes, Lilley/yes, Kowall/yes).

Supervisor Kowall noted as an FYI that attorney Hamameh is helping the Township draft a COVID Preparedness Plan which is directed by the Executive Order and will be brought up at the May special meeting.

TRUSTEE COMMENTS

Trustee Smith noted that it is so nice to see everyone, and she hopes are all healthy. The library remains closed through May 30th following the executive order. The library website has been updated and identifies the resources that are still available to residents. She congratulated Firefighter Andrew Sitler who was nominated Firefighter of the Year. She thanked all residents that showed appreciation and celebrated the police during National Police Officer Week. She advised that this Thursday you can pick up an oak tree

sapling from 12pm to 3pm behind the Township offices in honor of the bicentennial celebration. She congratulated all the high school seniors, 5th graders and 8th graders for a job well done. Lastly, she thanked all the first responders, essential workers, and critical infrastructure workers. She wished safety and well wishes for good health to all.

Trustee Voorheis, as parks and recreation liaison, thanked them for being open. She has never seen so many people at Bloomer Park. She thanked the Board members, police, and fire departments for their participation in her dad's 90th birthday parade and noted that he loved it. Be safe and be healthy.

Trustee Ruggles noted it is good to see everyone. He thinks the Governor is coming to her senses and that we are going to get back to normal. He did not open the flower stand on M-59 because he could not figure out a way to keep employees safe. He hopes everyone stays safe and we can have these meetings face to face soon.

Clerk Lilley thanked his staff, and particularly Shanna, who is doing a good job and he appreciates her. He also thanked Cathy and Ashley. He noted that nothing has changed regarding the elections. He understands that the Secretary of State will send out absentee ballot request to every voter in Michigan. He noted that they are planning for all alternatives. Lastly, he thanked Elaine and Dawn for their work on the audit.

Trustee Powell noted that he is receiving calls regarding four towns development in downtown Union Lake. The more he sees it the more he regrets voting for it. He noted shame on him for not realizing what an intrusion that would be for the right of way towards Union Lake Road. He furthered that it would have been great if the developers would have finished it off and not left it so unsightly. He regrets allowing it to be so close to the road and lake. He is sorry that he voted for it with the way it is right now.

Additionally, he noted that in looking at the police and fire reports this month, he was struck by the obvious lack of calls into the police department. He thought he could justify it because there is no traffic. He could not figure out why the fire department was down so much, nearly a 1/5 of what they normally receive. He spoke with Russell at Station II and they believe people did not want to call for medical runs because no one wanted to go to the hospital for fear of the virus. He opined that one could almost make a case that if people were to pay attention a bit more, we might keep the runs down to a minimum if we just try a bit.

Supervisor Kowall also finds it interesting and noted the elements that people do not want to go to jail or hospital. Interesting observation of humanity.

He noted the Census is still going on and that it is very important that every one of you do it as it means Federal money for the Township. It is extremely important and only contains nine, nonintrusive questions and can be found at www.census.org.

He noted that the 200th bicentennial of Oakland County is a cool thing. He tried to get an ambitious number of trees to share with residents. He will be passing out 18-24-inch saplings behind the Township offices from 12pm to 3pm. He noted that any extras will be planted at the new park.

Regarding the supervisor challenge he did last month, he indicated that we have a very generous community as are the communities around us. The call went out because Open Door could not hold their recent fundraiser and he has never been happier to be a loser. Gary Walls put the screws to people in Waterford and raised \$9,038. White Lake raised \$5,000 and he noted that it is what a community can do when we come together.

He noted that state revenue shortfalls equal allowances being reduced. The Township will have to look and see what it can do. The Township is financially very sound. He thanked Elaine, Dawn, Lisa, and the whole crowd as they are appreciated.

Lastly, he reminded not to forget seniors. Call 248-698-2394 with questions or issues. He declared hats off to Jason Hudson who assisted a resident who had a roof leak. He reminded to be mindful of fellow residents. Good night God bless.

Treasurer Roman personally thanked Elaine and Lisa for all their work to get the audit done. He wished a happy 90th birthday to former township treasurer Rom Voorheis and thanked him for everything he has done for this Township. He further thanked Diane Roman, his wife, for making masks for the entire township office. They look terrific, great job.

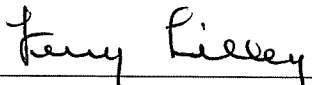
By way of a message to Governor Whitmer, he indicated it is time to open up our economy. Our business owners are smart enough to operate safely. It is time! He noted to his fellow Board members that it is a pleasure to work with all of you, you all bring so much common sense to the Board.

ADJOURNMENT

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to adjourn. The MOTION PASSED by roll call vote (Kowall/yes, Roman/yes, Smith/yes, Powell/yes, Voorheis/yes, Ruggles/yes, Lilley/yes).

The meeting was adjourned at 9:00 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 May 19, 2020 regular board meeting minutes.



Terry Lilley, CMC; MiPMC
White Lake Township Clerk
Oakland County, Michigan