

CHARTER TOWNSHIP OF WHITE LAKE
Approved Minutes of the Special Board of Trustees Meeting
September 24, 2019

Supervisor Kowall called the meeting to order at 5:36 p.m. He then led the Pledge of Allegiance.

Clerk Lilley called the roll:

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

Absent: Scott Ruggles, Trustee

Also Present: Jennifer Edens, Recording Secretary

A moment of silence was observed in honor of the late Terry Broemer.

AGENDA

Supervisor Kowall added an FYI under New Business:

C. Purchase Increase Command Vehicle – Fire Department

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Powell to approve the Agenda, as amended. The MOTION PASSED by voice vote (6 yes votes).

PUBLIC COMMENT

No comments made.

PUBLIC HEARING FOR TRUTH IN TAXATION

Supervisor Kowall read the Notice of Public Hearing on Increasing Property Taxes into the record.

It was MOVED by Supervisor Kowall, SUPPORTED by Clerk Lilley to Open Public Hearing. The MOTION PASSED by roll call vote (Kowall/yes, Lilley/yes, Roman/yes, Powell/yes, Voorheis/yes, Smith/yes).

No comments made.

It was MOVED by Clerk Lilley, SUPPORTED by Supervisor Kowall to Close Public Hearing. The MOTION PASSED by voice vote (6 yes votes).

RESOLUTIONS

A. RESOLUTION #19-038, TRUTH IN TAXATION

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell to Approve Resolution #19-038, Truth in Taxation. The **MOTION PASSED** by voice vote (6 yes votes).

B. RESOLUTION #19-039, TO APPROVE THE WEST OAKLAND TRANSPORTATION AUTHORITY

This Resolution partners White Lake Township with Highland Township and other neighboring communities to create a transportation authority known as West Oakland Transportation (WOTA). By developing the authority now, it puts the Townships in at the ground level and allows for input with the RTA. The RTA is merely a taxing and funding organization, they do not provide transportation (buses). The Township's contribution would be \$185,000, which is \$35,000 more than they currently budget for. As more Townships come on board with the authority, the more cost effective it will be (more townships equal more riders).

Currently the plan for Oakland County allows for 85% of funding back to the County, not necessarily back to the community as a donor. If the Townships set up as their own entity/authority, it will come back to them. It will bypass the County.

Highland Township has operated from the 5310 Grant Program, but only receives funding via SMART and only after they have taken their cut. When WOTA is initiated and becomes its own authority, it can receive funds directly from the 5310 Grant. Then WOTA can go directly to the RTA and indicate what their project needs are and receive support from the RTA. Any funds received would be eligible for use on any project(s), so long as it somehow coincides with transportation.

Treasurer Roman believes this is a win, win and he is in support of WOTA. He clarified that each township's contribution would be the same during the two-year pilot.

Trustee Powell clarified that the process of utilizing the transportation system will require riders to plan their day around the travel, not necessarily the appointment. He noted that it is not like a city bus system, but more like a concierge service. It was further noted that something as far from White Lake like attending a ballgame in Detroit would be an option with stops and transfers from multiple hubs.

Supervisor Kowall knows that the current system of White Lake doesn't work, and the money currently being spent is being spent poorly. He believes this is the most practical means of meeting the needs of the Township and in turn setting up the Township in a semi protected position of the authority in place, which will allow or potentially allow for direct funds from the RTA and other organizations that the Township would not otherwise qualify for as White Lake. He noted that one has to look at this as a system and not as individual communities. The pilot program will assist in determining equitable funding, but the 5310 funding

is where the advantages will come into play. He believes it would be tragic for this Township to simply become a donor to the RTA.

Mark Koerner, Foster Swift. He noted that the Urban Cooperation Act of 1967 states that you can create an authority separate from municipalities. It will be its own independent legal authority separate from the municipalities that created it. The creation of WOTA creates an authority or independent authority that can sue or be sued. If the Township is named individually in a suit, the argument would be that White Lake Township is not the entity that has any responsibility because WOTA is a separate legal entity. Lastly, he noted that there is a 45-day referendum period after the agreement has been signed.

Trustee Smith requested quarterly updates regarding WOTA.

It was MOVED by Trustee Smith, SUPPORTED by Trustee Voorheis to adopt Resolution #19-039, to authorize the Supervisor and Clerk to execute the Interlocal Agreement for transportation services, not to exceed an annual contribution for the next two years of \$185,000.00. The MOTION PASSED by voice vote (6 yes votes).

NEW BUSINESS

A. REQUEST FOR WAGE INCREASE FOR ELECTION INSPECTORS

This is a wage increase for White Lake Township Election Inspectors. Wages are for the entire election day from approximately 6am to 9pm, or longer. The election inspectors work approximately 15-hour days, or longer and attend the state mandated training every two years in order to remain certified. The proposed wages are competitive with current wages paid by surrounding communities.

Clerk Lilley noted that the Township has been very fortunate to have such dedicated people working the elections. The raise difference from the last election, would be approximately \$800. He also noted that he has the funds in the budget.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Voorheis to approve the Clerk's Election Inspector Wage Scale. The MOTION PASSED by voice vote (6 yes votes).

B. SANITARY SEWER CONVERSATION

Trustee Powell is presenting the ability to enhance the Township dramatically. He noted that there is a major problem in the Township where septic fields are failing, typically in older homes where older residents live and they don't have the means to repair those systems. The typical cost to repair with the requirements of the Health Department is between \$25,000 and \$50,000.

He is looking for the Board to be more proactive. Perhaps a fund that is established by the Township that is paid back by the people when they connect or as an S.A.D. is established. He clarified that there is a

need for sanitary sewers and also a need to help people connect to sanitary sewers. He finds the biggest problem to be coordinating this. He declared that this may be more urgent to him, because he deals with this every day. People come to his office and want him to design an engineered septic system at a cost of \$2,000, as the County doesn't have the expertise to design one. The installation of that system will cost the resident \$45,000 to repair their system. Once this is completed, they are not interested in sanitary sewers.

He believes the Board has been short sighted by allowing homeowners to deal with their problems on their own. He indicated that the Board is not recognizing that there is a problem. He furthered that the Board has a very bad reputation of turning their backs and not seeming like they care and that every time residents try to do something, there is block of progression.

His presentation referenced a specific area near Farnsworth and Hutchinson where approximately 17 homes sit. He noted that none of these homes are on a sanitary sewer system. He references this particular area because residents from here have approached him. This particular area has smaller lots and the new sanitary code requires that every lot that a new septic field will be built on must be one-acre in size and none of the lots in this area are. This is a real problem as these septic systems are virtually down in the groundwater, they're level with the lake, but this area is so small that the systems are failing. The intent here is to somehow get service to these homes so that they can tie into a sewer. If you have a small lot and have a septic field, you are not allowed to improve your property because there isn't enough room without removing the field. The Health Department will also shut down home improvements as they do not allow you to improve the property over 50% value without rebuilding the septic field.

The Township Board has stated that it would not extend sanitary sewers unless the people petition the Township to do it, which currently requires 51% of residents to sign a petition to obtain an S.A.D. He noted that is a safe political way to do it. He proposes an alternative, a Board initiated S.A.D. It will still require the same public hearing as if they were presented with petitions. He doesn't see a downside, because the Board will still hear the negatives, still hold public hearings, it can still be cancelled at intent to establish a resolution, it can still be cancelled at the establishment of the S.A.D., and before the assessment roll. He also noted that only 20% would be needed to legally stop the process.

Another alternative would be for the Township to front the project, spend \$800,000, divide it amongst each home in that area and the Township would know how much to charge when they must connect. In theory it would be paid back by the residents. He believes you are allowed to add interest to it. There is a tap fee that goes into the sewer fund, but there is also a lateral benefit charge. If you didn't assist financially in putting any main in, the Ordinance says you must be charged a lateral benefit fee that pays for your share of that sanitary sewer.

Supervisor Kowall pointed out that Trustee Powell's point is very well taken. He notes that the Township is in a well-head protected area which means the Township must protect the surface water. The more the Township can do eliminate septic fields, the greater improvement to the water quality. He noted that the Township has no other source of water for the community other than groundwater. He couldn't agree more with Trustee Powell. However, he suggests that a Supplemental Sewer Fund (SSF) may be the way to go

to make funds available and recoup the funds when the residents connect. He indicates that we have to look at this type of project as a long-haul project. He states that the Board needs to look at the PA188 and see where it stands and what kind of funds there are. If it can be written and do it within the realm of an ordinance, he suggests looking at designing to assist and funding extension of sewer systems to engineered specifications and within the Masterplan. He believes that further discussion is necessary and perhaps even a workshop to explore options.

Treasurer Roman indicated that the PA188 Fund is already in place and that is really what it is there for. It has been used to fund projects like this before when the Township chose not to bond out. He indicated that the Board previously approved putting \$300,000 in to the PA188 Fund, but hasn't because it already has money in it. He feels that if you are going to use Township funds, he would rather do the Township initiated S.A.D. to ensure that the Township will get the money back. He would support having the residents pay for the sewer main and then create a lateral benefit fee for reimbursements.

Trustee Powell concluded that if the Township doesn't extend the sewer, it will not be extended. The residents are not going to pay to do it.

C. FYI – PURCHASE INCREASE COMMAND VEHICLE – FIRE DEPARTMENT

Supervisor Kowall noted that the previous make and model that the Board approved to purchase a new command vehicle for the Fire Department is no longer available due to Chrysler no longer taking new orders for a 2019. The dealership has a 2019 model on the lot with more safety equipment on it, for approximately \$2,000 more. He plans to authorize the purchase of the available vehicle.

ADJOURNMENT

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to adjourn the meeting. The MOTION PASSED by voice vote (6 yes votes).

The meeting was adjourned at 7:50 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 September 24, 2019 Special Board Meeting Minutes.



Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan