

**CHARTER TOWNSHIP OF WHITE LAKE**

Approved Minutes of the Special Board Meeting  
May 1, 2018

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

Clerk Lilley called the roll:

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

Absent: Scott Ruggles

Also Present: Jennifer Edens, Recording Secretary

**It was MOVED by Clerk Lilley, Supported by Trustee Smith to approve the Agenda as presented. The MOTION PASSED by a voice vote (6 yes votes).**

**PUBLIC COMMENTS**

Pete Piccinato, 8771 Townsend Drive. He thanked the Board and Water Resources. He stated that it was a wonderful sight to see when they were flushing his hydrant and there was nothing but clear water. He complimented that the iron filtration system does wonders and that it was nice to not see a red creek in front of their cul-de-sac.

He further addressed comments made to him last week by Trustee Smith that he was not a friend of the library. He doesn't know where she gets the statement. He acknowledged that yes, he did not support the \$8.6 million-dollar bond and he's not sure why anybody would without enough information. He compared that one wouldn't go to the bank to buy a house without all the details. He stated that he did not appreciate the comment. He has voted on every millage since he moved here in January of 1990. He supported these activities. He stated that just because he did not support the bond or he did a recount because he thought it was the most prudent thing to do because they found errors. The bond won and he is okay with that, but he still thinks it was the right thing to do for the Township. He has always thought of the Township in the best light and he has always wanted to do the right thing. He has a problem with somebody (Trustee Smith) saying he is not a friend. He doesn't know where she got that

from. He recalled that the only time he ever met Trustee Smith was when he ran for trustee. He doesn't know how she came to this conclusion. He stated that her data was unfounded and has no merit.

Supervisor Kowall stated the reason for tonight's meeting is to discuss the resolutions that are before us; Police Millage Renewal, Fire Millage Renewal and Library Millage Renewal. He indicated that the process comes before us every few years and there are certain criteria that the millage language is required to have. The Board is here tonight to approve these millages as long as the language is proper. The millage rate to be authorized, an estimate amount of revenue that will be collected in the first year that millage is authorized to levy, the duration of the millage in years, a clear statement of the purpose of the millage and a clear statement indicating whether the proposed millage is a renewal or an authorization of a new additional millage. Those are the criteria set forth for these particular resolutions.

## **RESOLUTIONS**

### **A. RESOLUTION # 18-010, POLICE MILLAGE RENEWAL**

Chief Keller, White Lake Township Police Department

He indicated they are asking for the four-year millage approval of the Police Millage Renewal, 2018 to 2021. It would be at 4.0371 mills on each \$1,000 of taxable value. He discussed that the Police Department stays within its budget and has for years and in fact has added to its fund balance and that there is a healthy fund balance. This is why he is asking for a renewal and not an increase.

Trustee Voorheis asked if this millage would not be renewed, where would the cuts be, in personnel, or not hiring after retirement. To which Chief Keller responded that this is 86% of their budget. He furthered that it is pretty much all or nothing. They would lay-off 86% of their staff if not renewed.

Trustee Powell stated that he is in favor of the millage but has a couple of questions. He assumes that the language in all the renewals was approved by counsel. He asked if the language in Exhibit A, the language for the ballot, is precisely word for word, as to what was approved four years ago. To which Chief Keller responded that it is different only in the fact that they asked for an increase the last time and they took that language out, but the purpose of operating, equipping, providing personnel, constructing and purchasing for the police department or any other purpose authorized by law for police protection service, is all the same.

Next Trustee Powell questioned his opinion as to why they are being asked to place this on the August primary rather than the November election.

Chief Keller responded that this is a public safety – this is for both the safety and welfare of the community. We have a high level of safety in White Lake and he would not want to risk it by doing it in November in case they lose. Chief furthered that if it fails in August, they have another attempt. If it fails in November he doesn't know where the safety and welfare of the community will be at that time because there is no other way to get the money.

Trustee Powell stated to Chief Keller that they would have to ask for a special election.

Chief Keller stated that this is why they went with August so they wouldn't need a special election. He furthered that if for some reason it didn't pass in August, which he thinks it will, they would have a reboot and have it in November.

Trustee Powell stated with regards to all three resolutions that he has faith in the residents of White Lake Township, they are extremely wise and intelligent in their decisions at the polls. It is his personal opinion that he wants more people to vote for it than less. He thanked the Chief.

Treasurer Roman stated that he supports the resolution and the idea of going in August because there is such a critical need for the renewal. If this fails he thinks our police department would have to reboot and figure out how they would appeal to the voters in November. He continued that without this millage our police department would kind of be like Mayberry – there would be a chief and deputy. He is in total support.

Clerk Lilley stated that he had an opportunity to review the five items that Supervisor Kowall represented earlier and it is his opinion that the millage language meets that criteria. The amount of mills is consistent with last year and seems to be consistent. He has no problem with it.

Trustee Smith indicated she is in full support.

Supervisor Kowall stated that he too is in full support because we are very fortunate community to have the police department that we have. Safety comes at a cost. As our national security comes at a cost to our nation, our little nation of White Lake Township, so to speak, is important to each and every one of us here. It is very important that we maintain this level of government services. It also asks for an a la carte police department. He is not sure how many communities offer the home vacation security check or helping folks into the car when they are locked out. The level of services that we have and the involvement with our Citizens Academy, the Youth Academy and the entire number of programs that we have that benefit all of the citizens of this community every day. He furthered that looking at the last statistics, we ranked in 2017 as 25<sup>th</sup> safest city in the State of Michigan. That tells him a lot. He finished by stating that we receive this safety through our fire and police department through their services and safety.

Trustee Powell agrees with the other Trustees, but his problem is that we have to stand with a provision that is equal throughout the entire Township. He has all the faith in the world of our residents. He is in full favor of the police millage. He cannot even imagine that the electorate would deny this millage, but thinks we need to be consistent. In his opinion we learned a very poor lesson the last time we put something on the primary and he's not willing to vote for that now. As stated unless it is modified for the November election he will need to vote no on this.

Supervisor Kowall replied that it is his opinion.

Treasurer Roman questioned whether the Board was looking for a motion to approve the resolution or did they also need a motion to approve the language on the ballot (directed at Clerk Terry).

Clerk Lilley replied that he believed all that is needed is the approval of the resolution and that the language would be presented to the County.

Trustee Smith stated that she viewed the ballot language as part of the full proposal and that they are not separate.

Supervisor Kowall confirmed but suggested that for the sake of the public they should recite the joint leadership.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to approve #18-010, Police Millage Renewal as read into the record (below). The MOTION PASSED by a roll call vote (Powell-no/Voorheis-yes/Smith-yes/Lilley-yes/ Roman-yes/ Kowall-yes).**

Shall the previously authorized increase in tax limitation on all taxable property in White Lake Charter Township, Oakland County, that expired in 2017 be renewed and the Township be authorized to levy an amount not to exceed 4.0371 mills (\$4.0371 on each \$1,000 of taxable value) against all taxable property for a period of (4) years, 2018 to 2021, inclusive, for the purpose of operating, equipping, providing personnel, constructing an purchasing for the police department or any other purpose authorized by law for police protection service? The estimate of the revenue the Township will collect in the first year (2018) if the millage is approved and levied by the Township is approximately \$4,485,000.

#### **Public Comment**

Unidentified Attendee questioned why we are not voting on the millage. She supports the police and fire, but questions why we are separating it and putting a yes to the millage language and then putting it to a vote or having it on the November ballot as opposed to an August ballot. She further questioned

who is not understanding what happened last year and declared that the public is infuriated. She reminded that to do this all over again the Board is shooting themselves in the foot.

Supervisor Kowall stated that this may be the opinion that she holds.

She replied it is the opinion of a lot of people in White Lake and it will come down to a huge ramification on the millages.

Supervisor Kowall reminded that the request on the millages is made at the request of both chiefs and they are the ones making a specific request for these dates because they feel that they need to do that for the best interest of the community. He reiterated that this is what they want to do and the language is written as such. He sees no reason to deny it.

She asked about the people of White Lake in reference to what they want.

Supervisor Kowall replied that he has not had people contact him to indicate that this is at issue.

She further compared the situation with the past library vote and questioned when will the Board learn.

Mary Early, 5925 Pineridge Court. She stated that the August election, when the library proposal passed, was also the primary. She said it isn't like people didn't know or couldn't vote absentee. It is a moot issue.

#### **B. RESOLUTION # 18-011, FIRE MILLAGE RENEWAL**

Chief Andrew Gurka, White Lake Fire Department

He along with the almost 60 members, who would be standing behind him, say thank you to the residents for supporting them and allowing them to serve you. They are extremely honored and blessed to be able to that. They are very thankful every day. They do know who pays their salary and of course it's the Township, but it is the people behind the Township, the people, the citizens, our community that support us.

He indicated that he is here to talk about the Fire Millage, Exhibit A – Resolution #18-011. The Fire Department is asking for a renewal piece. He stated that this is not something that they are attempting to slide anything by or do anything behind anybody's back. That this is a renewal of the 1.8792 mills that passed four years ago. He reminded that back then the fire department had been stagnant. They weren't maintaining their facilities as much, there was no fire marshal to enforce codes and inspections. They took on new programs, they received a grant for a recruitment and training coordinator that they have utilized for the last four-years. They have been moving forward and would like to continue to do so.

Their request is a renewal for the 1.8792 mills. He stated that as things progress over the next four years with the Headlee Amendment that will take effect, will only allow them to collect revenue that would be a true renewal. They are not attempting to get new funds or new revenue, they are just attempting to collect what we were collect at the previous millage. They would like to continue with their current programs and administering.

Trustee Voorheis asked if this millage would not be renewed, what would happen.

Chief Gurka responded that the fund balance would get eaten up extremely quickly and once the fund balance is gone we would have no money to operate. He further stated that if we had no revenue to operate, we would be closing fire stations, not being able to run equipment, laying off personal, not recruiting anymore, basically the fire department would fall apart fairly quickly.

Trustee Powell asked what percent of the budget this is.

Chief Gurka responded that right now they have a fund balance with a balance of \$1,486,718.00. Without a renewal they would strictly rely on the fund balance until it is worked down to nothing and then they would have no revenue.

Trustee Powell then asked what is the total millage that the fire department operates on.

Chief Gurka replied that they also have a 04M Equipment Budget that was approved several years ago. Those funds remain separate and intact strictly for equipment and apparatuses. He further stated that the history there is that White Lake operated for years with substandard equipment and those funds are strictly for equipment and apparatuses (i.e. replace old tankers). He stated that four years ago he pledged to treat that budget very wisely.

Trustee Powell clarified that 1.7829 mills is the total operating budget, not using the fund balance. He further asked if this renewal request is it precisely the same language for operating, equipping, providing personnel, constructing and purchasing for the fire department and other purposes authorized.

Chief Gurka replied affirmatively.

Treasurer Roman stated that this millage represents approximately 65% of the total millage for the fire department.

Chief Gurka clarified that they are not collecting money on the 04M. He stated that those monies are fixed and in that account. The funds are there and available if something catastrophic happens. They put the fire department in a good position as far as equipment failures and things like that. He

furthered that as Board knows, with the weather, dirt roads and other situations we have a pretty good maintenance budget, but things happen.

Trustee Powell declared that the police chief stated it was 86% of their budget and that Chief Gurka represented that it was 65% of the budget for the fire department.

Treasurer Roman interrupted that it is of the total millage. He thinks you are pretty close in assuming that it is right around 65% of the budget.

Supervisor Kowall asked what the approximate balance was in the 04M.

Chief Gurka replied that right now there is \$3,830,080.00 in there. He advised the Board that for equipment purchases, they have all their self-contained breathing apparatuses that are up on (indiscernible) date and that it's time to look at a purchase there. He stated that they put in a grant for it, but they are looking at around \$300,000.00 to replace them. He was also informed that the fill station and compressor that cleans and puts it into the breathing apparatuses, is on its end state of life and that a piece like that could be a \$10,000 – \$15,000 purchase. He continued that there are things definitely on the horizon. There are a lot of unknowns with the apparatuses. When they look at that and think that seems significant, it is a good number, but there are foreseeable things in the next few years. He closed by stating that they need to have a fund like that.

Trustee Smith indicated she is in support of this millage as well.

Clerk Lilley commented that he has the same comments for the police department millage. That he believes the five items have met the criteria and that the millage rate is consistent with what happened last year.

Roger Harrington, resident. Stated he is curious how we keep this from happening every four years in terms of this being a temporary matter for renewals. He said it is a growing community and we wouldn't want to go back to 20 years ago. He questioned why we have to keep going back for these renewals.

Supervisor Kowall answered that it is a good question. His understanding and his entire life, it has always been that millages run in up to an eight year cycle. This is just part of the process, it is never a lifelong – this is what you're going to pay until the cows come home. He stated it gives the voters an opportunity to scrutinize what has been done and have a voice. He reminded that it is part of the democratic process.

Trustee Smith declared that is what we are doing here tonight is putting it on the ballot for the people to vote on.

Clerk Lilley thinks the big thing is changes with the Headlee Amendment. When Headlee came in it forced municipalities to not collect any more than the rate of inflation or 5%, whichever is less. He thinks it had a drastic turn on long-term millages. Even in four years these millages will be rolled back a little bit from what we are collecting. The longer the term the more it gets rolled back and the less when it comes to renewal. People got away from the long term. We were able to years ago, but not now.

Pete Piccinato, 8771 Townsend Drive. He understands the year limitation because if your property value changes you're going to get hit there – you're locked in. He thinks that it makes sense so you don't get trapped in that kind of cycle.

Trustee Voorheis stated that she is in support of all of these millages. She just sometimes needs to play devil's advocate and find out the worst-case scenario is.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to approve #18-011, Fire Millage Renewal as read into the record (below). The MOTION PASSED by a roll call vote (Powell-no/Voorheis-yes/Smith-yes/Lilley-yes/ Roman-yes/ Kowall-yes).**

Shall the previously authorized increase in tax limitation on all taxable property in White Lake Charter Township, Oakland County, that expired in 2017 be renewed and the Township be authorized to levy an amount not to exceed 1.8792 mills (\$1.8792 on each \$1,000 of taxable value) against all taxable property for a period of (4) years, 2018 to 2021, inclusive, for the purpose of operating, equipping, providing personnel, constructing and purchasing for the fire department or any other purpose authorized by law for fire protection service? The estimate of the revenue the Township will collect in the first year (2018) if the millage is approved and levied by the Township is approximately \$2,088,000.

#### **C. RESOLUTION #18-012, LIBRARY MILLAGE RENEWAL**

Clerk Lilley asked Denise Stefanick if the Library Board approved the resolution. To which she replied yes. She then provided sheets that the Board might find helpful.

Denise Stefanick, New Director of the White Lake Township Library. She is new to this role, but has been at the library for 10 years. There is a great crew of about 20 people, both part-time and full-time there. She is here asking that the Board to put their millage request on the ballot. She reminded that they are a PA164 Library with an elected board that has already approved the millage language. It mirrored exactly against the police and fire millages with two exceptions. One is that it is an eight year millage and they have slightly different wording for the type of things that are covered that they can buy with the funds. She indicates that there are basically two resolutions. The Library Board just approved one and the one that this Board has that needs to be authorized. She feels they are very similar. The



Library Board resolution has language that they can use the funds for purposes of operating, maintaining, and equipping the Library or any other purpose authorized by law for library services.

She stated that they have basically three millages that support the Library and she provided those to the Board. We have a perpetual millage that started at 0.3 that was the smallest millage that a library could be started at. It worked for a while, then there was a millage attempt for 0.5 which has been rolled back to 0.473. The one that she is asking for to be placed on the ballot this time is 0.3861 for a total of a little over a mill. That is the benchmark for essential library service.

She stated that many libraries in our area have much more than that. West Bloomfield has 4.5 and they have a very nice library, which they pay for. She stated that we have a nice library, she thinks it is well ran. They offer essential library services and more. In particular they are the first place that parents look to for help for their children learn to read – early reading, especially with the Michigan Literacy Rate. She believes it is important that we keep these resources available. She further stated that they are not going to be on their phone learning to read. She felt that she could go on and on.

She stated that there are a couple of different ways to become literate and the library offers early literacy programs, summer programs to prevent slide-back. People come for programs, entertainment, learning something new, socializing, and parents come with children. She believes it is a win-win. People come for reading pleasure knowing that a \$30 book can be rented and covered by their millage. They have a large programming and adult residents have benefited from it. She was looking at statistics from neighboring libraries and White Lake is twice as much as Highland, Waterford, and Milford and White Lake has a smaller budget.

With regards to the 2018 budget, she acknowledges that they know there will be more expenses with the new building. This is the way it is right now for the current library. She stated that salaries are more than half - 60%. They have a good materials budget (i.e. CD, Book, high-demand collection).

Generally they try to keep on budget and even a little lower, hence at the end of the year they keep a small fund balance that they can designate for an equipment purchases like computers. They have a lot of lower-income residents that come in and use the computers to apply for jobs. She stated that they help them as much as possible, but also teach them to use the computer and/or make a resume. She said they try to show them how to do it so that they can do it themselves. She furthered that some cannot and she thinks it might be a way to weed people out from getting a job if you can't get on the computer.

When there was downturn in the economy the library usage was off the charts. People were cutting back, they were smart and we marketed the library to let people know that what they already paid for was available for them. The library had different options for them to come to the library to learn skills. The library offered different tutorials. She furthered with all due respect that perhaps Rik and Mike

where in a mode at that time and not keeping up with what was happening at the library. She thinks and believes that Clerk Lilley might have seen it, but they provided a service that couldn't be provided anywhere else in the Township. She reminded that people couldn't afford their internet so they came to the library. That they were working on getting a job, there were lots of lay-offs and they just tried to help them as best as they could. The library still offers that and they are prepared if they need to play a more active role. She stated that it is something that libraries are essential for.

She stated that the new library is going to be larger. The library plans on the same amount of professional staff and maybe a few clerical additions, but nowhere near the amount of salary that her co-director had, which was sizeable. She compared that it is probably around the same amount of money the Board members make. She stated that those funds should take care of a lot of things that might come up. The library plans to keep that money as a reserve for the first year to see exactly what they are going to need for maintenance and utilities. She has a good idea based on what the architects and consultants have prepared and she believes they are going to be comfortable, not pinching pennies, but taking care of the asset the public is paying for. She stated that the library has always done that and they have a nice facility. Currently it is 1/3 the size it should be.

As for materials, she indicates that currently they have to weed a lot because they do not have room for them. That will change next year. The library will not be adding a budget for any materials. If there is an addition, it would be for electronic and downloadable media.

She stated that the library is not opened on Sundays as there has never been a huge push for it and it is one way to keep the budget down. The library has an arrangement with Waterford Township. Their library is closed on Friday and their patrons use White Lake if needed. Our residents are welcome to use the Waterford Library on Sundays. She furthered that Commerce is open on Sundays and they have a larger budget.

She closed by reminding that the Library Board did approve this and that she is asking for professional curtesy.

Trustee Voorheis asked if the renewal is not renewed how does that affect the library.

Ms. Stefanick said it would be catastrophic, and that the library would have to cut a lot of things. She stated they would still stay open, but it would probably only be 3-4 days a week max, with shorter hours and they wouldn't be able to buy new materials. The cuts would be across the board.

Trustee Voorheis thanked her for the invite tomorrow, but declined due to her full-time employment.

Trustee Powell thanked Denise. He further stated regarding the documents she presented, the budget for 2018 is \$1.2 million and the expected revenue is \$1.1 million, about \$100,000 less. He furthered that

next year there is going to be some higher costs for utilities and things like that. He questioned if he heard her say that because they are dropping about \$100,000 of materials that they are not going to be looking to replace that and is that where they would get the balanced budget. To which she replied no.

Denise Stefanick stated that they would keep the same material budget. It will be higher than most libraries. She explained that where they will be saving money this year, compared to last is they will not have another director. The library will not hire another individual for this role but may promote within.

Trustee Powell clarified that they have \$100,000 revenue coming in from other sources. He further pointed out that he has always known the library to offer services that you can't get anywhere else in the Township. Regardless of a downturn in the economy or other activity he thinks there is no other source in the Township where people can go other than the library for certain things.

He questioned the millage language which she addressed is different than it was eight years ago. To which she replied slightly. He furthered that the building of the building was passed and questioned if that millage included equipping the library. To which she replied yes. He is having a problem with it being presented as a renewal. People look at a renewal and think obviously I voted for this before. In reality they haven't because the library is looking to supplement the building bond where they could not supplement before. He reminded that it was just operations. He further stated that the millage eight years ago was library operations and all legal purposes. It did not specifically state that you could use that money for equipping the library. He stated that the library is asking the public now to amend the bonding that was approved for the building of your library.

Denise Stefanick replied that they definitely are not. She stated that the bond has equipment in it. She stated you cannot have a new building without getting new equipment. The operating budget includes computers which need to be traded out at least every 3 years. There are media and projectors, technology in general is part of the operating. The library uses the operating funds for that because that's what a library does. She confirmed that they are not amending that bond and that it is a totally different type of expense.

Trustee Powell asked why the language was changed.

Denise Stefanick replied that it came from the attorney. She thinks that their resolution language is slightly different than theirs. She agrees with him and states that we can have the same language. She stated that to her it is the same thing.

Trustee Powell appeals to his colleagues that the people will go to the ballot and see renew, exactly what I voted for last time and the library is saying no we're changing it.

Denise Stefanick questioned whether the fire and police were the exact same.

Trustee Powell indicated that is why he asked each of them that and they maintained it is the exact same language.

Denise Stefanick stated she didn't ask for anything new and that it came from the attorney that they all used.

Trustee Powell declared that he would be very disappointed if our Township attorney put language in a ballot that wasn't asked for. He asked the Board if their attorney changed the language on the ballot request.

Supervisor Kowall indicated he was not a party to the conversation.

Denise Stefanick indicated she was the only one involved in the millage or the resolution. It is all totally library. She was given the police millage, the language about that millage and that is all she had. The resolution was last week. It was sent back to the attorney because she wanted to make sure they were good with it. The library does not want to change anything from what they had before. She doesn't want anybody in the community thinking that they are asking for something different, they are not, they are asking for what they were given in the past and we used it very well.

Supervisor Kowall interjected that essentially what he reads is in the old language ...2010 -2017, inclusive, to provide funds as determined by the library board to be necessary for the library operations for all library purposes authorized by law, including general operations. It is fairly broad.

Trustee Powell stated that he is good with that language but is not good with calling this a renewal when the language is different from what the people saw last time.

Both Denise and Supervisor Kowall agreed that it was broader last time.

Supervisor Kowal stated it would be a renewal in the fact that the mills are matching.

Trustee Powell said he is okay with the numbers, but not the language change. He furthered that the people deserve to know exactly what was changed. He recognizes that he is only one vote.

Supervisor Kowall asked Trustee Powell how he would propose to tell the people. He believes this language is more definitive than the previous.

Trustee Powell stated that there has to be a reason why equipping language was in their bond language and it wasn't in their operating.

Supervisor Kowall stated that equipping in their bond language was for fitting and fixtures for the building.

Trustee Powell accused that he was interpreting instead of stating what it reads. He furthered that if their building cost \$1 million less than it did they wouldn't need anything else to equip, they would have plenty left in their budget to equip the library. He further stated that it reads they want to use additional money to equip and he is only stating the difference. He would be in favor of the ballot language as long as they were not changing anything and the people didn't know the language was changing. He is still opposed to the August ballot, but would be in favor of it for the November ballot as long as the language is the same. He suggested they remove the word renewed.

Treasurer Roman questioned Clerk Lilley as to whether or not he is aware if the old police and fire proposal is the exact same language as the renewal.

Clerk Lilley responded that he is not aware of anything. He reminded that this was brought up whether the language had to be exactly the same. He is not aware of anything from MTA at this point. He didn't see anything in MTA that says the language has to be exactly the same. The only thing it addresses is that the millage rate has to be what the previous rate was and that if it is used for operating purposes that sometimes you can be too specific on what you use the money for and it will not allow you to use it for other purposes. He believes that generally the language has been used has generally allowed them to do whatever it takes to operate the facility. He is not aware of any that requires the language to be the same.

Treasurer Roman asked Denise Stefanick if the renewal language was written by the library attorney. To which she replied yes.

Trustee Powell stated if they had to put in there for the building of the building and all that stuff, as long as the millage is the same, this Board would be okay that it is a renewal. He is presenting a hypothetical because the Board is saying that because the word changes here doesn't mean it can't be renewed. He questioned that if they had put in there the building of the building out of these funds, would that be a renewal just simply because the amount is the same.

Trustee Smith interjected that this is not the case before this Board. The proposed hypothetical is not the case. The language has been approved by all the attorneys and according the Township Clerk it's the same concept of renewal. She doesn't believe creating hypotheticals benefits anybody.

Trustee Powell replied that it is because he was told that just because things changed, as long as the amount is the same that its just a renewal. He challenges that he doesn't believe the people would say that is a renewal if its changed from the original request.

Denise Stefanick questioned Mr. Piccinato in the gallery if the police and fire language was the same. He responded that it was. She furthered that she is confident that if the Board would like to change those words so that it is the same as 8 years ago, the Library Board would be fine with it. The Library Board wants a true renewal.

Trustee Smith indicated that the intent is renewal. She believes that needs to be very clear. Renewal is the intent of this Board and the Library Board.

Trustee Powell restated that the way he read it is that the monies could be used for something different than the previous ballot. That is how he interprets it.

Trustee Smith agrees with the audience that the attorneys read it and their intent was clear as well that it was a renewal.

Trustee Powell stated that it would be really nice if the attorneys voted, but he is worried about the residents.

Trustee Smith indicated that she understands and that the Board is listening.

Trustee Powell closed with the Board can do what it wants.

Dan Letang, 8447 Townsend. He thinks the point that Trustee Powell is trying to make is that the language has changed and its being called a renewal. He questioned where you draw the line on how much the language can change and still call it a renewal. He recognizes that in this case the language may be more restrictive, but it doesn't matter.

Denise Stefanik interjected that she wonders if the attorneys changed it because it was too broad before.

Dan Letang replied that it doesn't matter, you changed the wording. He believes it doesn't matter if it is for better or worse, you changed the wording. He questioned what happens next time someone tries to slip something in...it would set a precedence.

Trustee Smith suggested a recess to review the old language.

Treasurer Roman questioned if he made a motion to use the old language as long as it is okay with the library attorney. What the use is...as long as it is approved by the library attorney.

Clerk Lilley stated that it was made up by the Township attorney.

Denise Stefanick clarified that the language presented today was made up by Foster- Swift's millage attorney. The same person who did the police and fire. They were the same people the Library used in the past.

Trustee Powell stated that he thought he asked the question at the onset, did the Township attorney draft the language for the library.

Supervisor Kowall identified that Ms. Stefanick just realized that it was drafted by the same people 8 years ago. He calls it a crafting of the hand. He compared, I say *to-may-to* you say *to-mah-to*, all the same thing. He has very high confidence of Foster-Swifts ability to review the Township Attorney, Lisa. He is much more comfortable knowing that the Township Board attorney architected this.

Trustee Powell restated that he believes the language is changed and therefore the renewal is different.

Teresa John, stated when you say a renewal she agrees with Trustee Powell. If you say renewal, put the exact same language in it. She reiterated that Denise doesn't have a problem with it. She declared that if you're adding something it doesn't make it the same as the one before. She feels that the Board can spin it anyway they want, but a renewal with identical language is just that.

Supervisor Kowall reiterated that he has to trust the attorneys when they craft these types of documents and that was their course of action was and they thought that it had the same intent. He doesn't want to cause a delay as it is need for the canvassers.

**It was MOVED by Treasurer Roman to approve #18-012, Library Millage Renewal as read into the record (below). The MOTION DIED.**

Shall the previously authorized increase in tax limitation on all taxable property in White Lake Charter Township, Oakland County, that expired in 2017 be renewed and the Township be authorized to levy an amount not to exceed 0.3861 mill (\$0.3861 on each \$1,000 of taxable value. Against all taxable property for a period of eight (8) years, 2018 to 20125, inclusive, for the purpose of operating, maintaining and equipping the White Lake Township Library or any other purpose authorized by law for library service? The estimate of the revenue the Township will collect in the first year (2018) if the millage is approved and levied by the Township is approximately \$429,000. By law revenue from this millage will be disbursed to the White Lake Township Library.

Clerk Lilley initially supported said motion but withdrew that support.

Trustee Smith clarified that she wants the intent to be clear, she doesn't want this looking poorly on the library. She furthered that if Denise is comfortable with amending the language so that it is exactly the

same, so that it is a true renewal, and there is no dark cloud over the language and she thinks that is better for all.

Clerk Lilley stated that he is not comfortable changing language without the attorney having an opportunity to look at it. He understands from the attorney's standpoint that she has to give the library a substantial amount of leeway for operating purposes. He believes there is a big difference between the equipment that the bond is buying and operational funds that are going to be used to maintain that equipment. He is not comfortable.

Treasurer Roman stated that both ballot languages include the words that the library can use it for any purpose authorized by law. He believes that right there tells him that they are both very simple.

Trustee Smith suggested moving forward with another motion but tweaking the word equipping.

Trusted Powell stated that maintaining and equipping were not in the original language.

Clerk Lilley stated that if you take out maintaining equipment then they will not be able to use those funds to maintain the equipment.

Trustee Powell disagreed that he is not sure that is the case because they used it in the past.

Treasurer Roman stated that it reads for any other purpose authorized by law for library service. He questioned why wouldn't be able to maintain.

Clerk Lilley responded that there is a big difference between making items generic and making the restrictive enough and leave it up to purposes it cannot be used for. He stated that it is in the MTA. He believes the library needs the most flexibility to maintain the operational expenses for the new library.

Treasurer Roman questioned Clerk Lilley if he liked the old language.

Clerk Lilley responded that he preferred to go with what the attorney provided.

Treasurer Roman believes the old one is more open.

Supervisor Kowall reiterated that his level of confidence is high.

Trustee Smith agrees with the confidence on the intent of this but doesn't want residence to be unsure of the intent or a dark cloud hovering over this ballot language until the primary. She wants to be very clear that the intent is clear. She thinks it is a difference in authors. Same firm, two different authors.



Clerk Lilley is not suggesting that the language having to be the same isn't a valid argument, he just hasn't seen anything in writing from MTA that says anything other than the millage rate and five items stated. In order to give flexibility to them to use those funds for any operating purposes they seem fit, we don't want to be restrictive.

Trustee Powell stated that if their construct fund ran short and the need to buy new windows, that is equipping the library in your position.

Supervisor Kowall indicated that his is a matter of interpretation. He sees equipment as a printer breaking down, or computer is outdated, or they need a new gadget.

Trustee Powell stated they have an equipment line item in their budget. They are using it the way it was before. His concern is that equipment can be a much broader interpretation than operating.

Supervisor Kowall stated that he understands that but the line item can be interpreted 100 different ways. He stated that this millage is for the operation of the library. It is not tied in with the construction.

Trustee Powell thinks it is confusing.

Trustee Smith stated that she is looking up the MTA and there is nothing there that says it must be the exact same language.

Supervisor Kowall stated the most important thing with MTA is the dollar amount.

Trustee Smith agreed.

Trustee Powell stated that it could have said the dollar amount for constructing a new building and it would be a renewal.

Supervisor Kowal responded that it would not be the purpose as the purpose if for operating.

Trustee Powell argued that it does make a difference in the language.

Denise stated they do not have the word constructing in the language.

Supervisor Kowall stated he doesn't interpret it that way.

Trustee Powell opined that in the future someone will interpret it differently. Members of the Board reminded that it could happen with any of the Board's motions. Trustee Powell continued asking that the Board is good in representing that a renewal is exactly what it is even though its different.

Supervisor Kowall replied that he has to base it on the resources at hand which is the Township's attorney and MTA, which are far more experienced than we are as they set the standards for these types of things. He also relies on Clerk Lilley who is extremely cautious.

Trustee Powell doesn't believe the language specifically asked of MTA, it just wasn't mentioned. He believes if it was mentioned they would have come up with a different opinion. His concern is that the public isn't going to hold the attorney responsible, it will hold the Board responsible.

Trustee Smith indicated that she is looking at the MTA handbook and it states to be classified as a renewal it needs to be the same number of mills and for the same purpose.

Trustee Powell stated he agrees with that language but interprets it differently

Clerk Lilley stated that he did receive the resolution that the Library Board passed tonight. His concern is that tonight they received an operating budget from the library and he believes that the library expenses are going to be more than what is anticipated at this point. He did not get elected to be on the Library Board to do their budget. He wants to make sure from the Board's standpoint that they provide enough leeway for the Library Board to use operating funds for operating purposes. He will not stand for the Township being the fall guy if the library cannot manage their funds. He wants to express his concern but his vote would be language that gets them the operating funds that they've asked for. He is willing to move forward to do that.

Trustee Smith in reading the MTA guidelines, she believes that the millage language presented tonight fits within a renewal according to the MTA. She thinks the intent is what it is. It is just a different author, same firm. She thinks the Board can move forward with it.

Treasurer Roman stated that Trustee Powell is recommending that the Board take out three words, maintaining and equipping. If that was done the language still allows the library to use these funds for any purpose authorized by law for library services, which is going to include maintaining and equipping.

Trustee Smith suggested that the Board include in the motion as long as it passes the library attorney.

Supervisor Kowall suggested subject to our attorney's secondary review.

Trustee Powell clarified our attorney not their attorney. He was corrected by members of the Board that it was the same attorney. The library hired the same firm.

Supervisor Kowall stated subject to a review and get that done tomorrow morning.

Treasurer Roman questioned if he could bring back his previous motion that was not supported.

Supervisor Kowall advised that he should make a new motion.

**It was MOVED by Treasurer Roman, SUPPORTED by Trustee Smith to approve Resolution # 18-012, Library Millage Renewal as modified and read into the record and subject to Township attorney's review. The MOTION PASSED by a roll call vote (Powell-no/Voorheis-yes/Smith-yes/Lilley-yes/Roman-yes/ Kowall-yes).**

Shall the previously authorized increase in tax limitation on all taxable property in White Lake Charter Township, Oakland County, that expired in 2017 be renewed and the Township be authorized to levy an amount not to exceed 0.3861 mill (\$0.3861 on each \$1,000 of taxable value) against all taxable property for a period of eight (8) years, 2018 to 2025, inclusive, for the purpose of operating, the White Lake Township Library or any other purpose authorized by law for library service? The estimate of the revenue the Township will collect in the first year (2018) if the millage is approved and levied by the Township is approximately \$429,000. By law revenue from this millage will be disbursed to the White Lake Township Library.

Trustee Powell stated that the Library Board was very strong in stating that the motion to approve the construction of the new building was approved by three people and their statement was the people have spoken, it's a done deal. He would very much like this put on the November ballot for more people to be able to vote on it. That is why he would vote no on this motion. He does appreciate this Board changing it so that they are not accused of modifying the renewal.

Trustee Smith stated that it is subject to those three words. If the attorneys say we need those three words then it is subject to those three words and we will move forward.

Supervisor Kowall reiterated subject to the attorney's review.

Treasurer Roman also reiterated subject to the attorney's review.

Denise Stefanick asked if they will make the deadline of the 15<sup>th</sup>.

Trustee Smith confirmed that the resolutions are voted on this evening and they will be turned into the county by the 15<sup>th</sup>.

### Trustee Comments

Trustee Smith wanted to address a couple of things that were said tonight. She has a tremendous amount of faith in the residence and their intelligence and their willingness to be active citizens with White Lake Township's best interest in mind. Unlike her colleague, Mr. Powell, who she likes personally, but found his comment somewhat offensive to say along the lines of he didn't think the residence were wise.

Public safety is of the utmost importance to her and she thanked the police and fire department for their daily outstanding service to the community. She further stated that historically elections are won in the primary. There are very important office results in White Lake Township and she has the confidence in the current candidates that are running that they will make a great effort to get up the vote and there are a lot of important issues on the ballot. She believes in the election process and the integrity of the voting process. She reminded that it is our civic duty to be an informed, educated, and interested voter and to actively participate in the process. She is here to represent the people and like the last primary she will continue to represent the vote of the people and the integrity of the process.

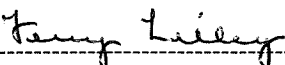
She further commented that this evening we acted as the Board to simply put these three millages on the ballot, now it is up to the people. Enthusiastically she is encouraging all residents to participate in the election process this August. She reminded that the Township has an elections specialist if you're not sure how to get involved.

She noted that there is a ground-breaking ceremony for the Township Library tomorrow. It is on the property where the library will be built at 9am. Followed by refreshments at the current library. She hopes all will join them.

**It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to adjourn the meeting. The MOTION PASSED by a yes vote (6 Yes votes).**

**The meeting was adjourned at 8:34 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 1, 2018 regular board meeting minutes.

  
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Terry Lilley, Clerk  
White Lake Township  
Oakland County, Michigan