

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

March 15, 2016

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

Clerk Lilley called the roll:

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

Absent: Scott Ruggles, Trustee

Also Present: Lisa Hamameh, Attorney
Sean O'Neil, Planning Director
Amy Bertin, Recording Secretary

Clerk Lilley amended the Agenda as follows: Add Items 6A, List of Bills dated 3-15-16; 6D, Treasurer's Report; 9E, Huron Valley Youth Assistance Program; 9F, Castlewood Sanitary Sewer; 9G Nordic Drive Utility Extension; 9H, Oak Pond Community. Remove Item 9A, Request to Purchase MERS Credits.

It was MOVED by Trustee Kowall, SUPPORTED by Trustee Powell to approve the following Amendments to the Agenda: Add Items 6A, List of Bills dated 3-15-16; 6D, Treasurer's Report; 9E, Huron Valley Youth Assistance Program; 9F, Castlewood Sanitary Sewer; 9G, Nordic Drive Utility Extension; 9H, Oak Pond Community. Remove Item 9A, Request to Purchase MERS Credits. The MOTION PASSED by a voice vote (6 yes votes).

PUBLIC COMMENTS

Peter Picciano, 8771 Townsend Drive. He commented on a flyer he received in the mail this past week. Whoever authored the flyer didn't list their name and there were no facts cited. It was very poorly written and makes no sense. Please in the future, if flyers are sent out, research the topic more thoroughly and cite facts. He understands the process for spending Township money is it has to first be approved by the Board. He attends most meetings and wasn't aware of this expenditure being approved.

Supervisor Baroni commented that starting tomorrow a statement will be posted on the White Lake Township website as well as in the Oakland Press addressing the regrettable and inaccurate

claims made in the flyer.

Kevin Labreque, 5300 Murland Hollow. He hired a builder to work on his home on February 29th. He was told the person who approves building permits was out on medical leave and no permits could be issued until March 16th. Consequently, his builder has pushed his project out further than planned. He has merchandise he purchased in a warehouse which he has to pay a fee to store. He would like to know why no one was put in place to issue permits.

Martin Ciurlik, 4050 Orr Road. He would like an update on the issue brought up at last month's meeting of the contaminated soil placed on the Ruggles Farm. The soil is highly contaminated and thought to be a health hazard to nearby neighbors and citizens.

Supervisor Baroni stated he personally went out and inspected the site. He has contacted several different agencies, qualified chemist companies. The information he has been provided so far does not state anything regarding contaminated material. If individual residents have a concern, they are free to have their water tested.

CONSENT AGENDA

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

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

MINUTES

- A. FEBRUARY 16, 2016**

Trustee Powell noted a correction to be made in the February 16, 2016 Minutes. On Page One, within the Motion to approve the Agenda, Item 9N, the word 'Pain' should be changed to 'Paid'.

It was **MOVED** by Trustee Powell, **SUPPORTED** by Treasurer Roman to approve the Minutes dated February 16, 2016 as amended. The **MOTION PASSED** by a voice vote (6 yes votes).

OLD BUSINESS

- A. SECOND READING, AMENDMENTS TO ZONING ORDINANCE NO. 58**

It was **MOVED** by Trustee Powell, **SUPPORTED** by Trustee Kowall to approve the Amendments to Zoning Ordinance No. 58. The **MOTION PASSED** by a voice vote (6 yes votes).

NEW BUSINESS

B. EAGLE SCOUT PROJECT

Sean O'Neil, Planning Director, introduced Evan Thompson, a local high school student who is presenting this project to become an Eagle Scout. He would like to put a sign up at the White Lake Community Garden located at the Calvary Lutheran Church. If this is considered to be a permanent sign, he will need to bring the project before the ZBA to obtain a variance and pay permit fees. The other option would be to approve it as a temporary sign. If the Board feels it should be considered a permanent sign, he would like to obtain relief from the building permit and ZBA fees.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to approve the Eagle Scout Project as a Temporary Sign for the White Lake Community Garden, waiving all fees associated with the project. The **MOTION PASSED** by a voice vote (6 yes votes).

C. REQUEST FROM RESIDENT REGARDING PROPERTY LOCATED AT BENNINGTON AND WILLIAMS LAKE RD. PARCEL #12-36-200-006

Matt Landino, 1286 Rossfield, White Lake. He recently purchased this parcel of property. He can't get a building permit due to the code stating if you are within 200 ft. of a water main you have to connect. To bring the water main across his property would be incredibly expensive. To his interpretation, the code does not apply to a single family dwelling. It would only apply if you are a developer looking to build single family residential subdivisions and condos. The initial perk test is good for a septic field and there is an existing well on the property. He is requesting relief from the code which requires water hook-up.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to Postpone the request from resident regarding property located at Bennington and Williams Lake Rd., Parcel #12-36-200-006. The **MOTION PASSED** by a voice vote (6 yes votes).

D. RESOLUTION #16-003, TO AUTHORIZE THE SUPERVISOR TO EXECUTE INTERGOVERNMENTAL AGREEMENT WITH COMMERCE TWP. AND RELATED CONTRACTS FOR IMPROVEMENTS TO COOLEY LAKE

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Powell to approve Resolution #16-003, to Authorize the Supervisor to Execute Intergovernmental Agreement with Commerce Twp. and Related Contracts for Improvements to Cooley Lake with the reduction in insurance to \$2 million. The **MOTION PASSED** by a voice vote (6 yes votes).

E. HURON VALLEY YOUTH ASSISTANCE PROGRAM.

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to approve the amount of \$4000 be given to the Huron Valley Youth Assistance Program. The **MOTION PASSED** by a voice vote (6 yes votes).

F. CASTLEWOOD SANITARY SEWER

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to approve awarding the contract to Hardrock HDD of Jackson for the Castlewood Sanitary Sewer in the amount of \$374,817.33, the bid to hold for a period of 120 days to accommodate the public hearings required as part of the SAD process, the award being contingent upon White Lake Township's acquisition of the appropriate state and local permits, including a 15% contingency for the SAD calculations. The **MOTION PASSED** by a voice vote (6 yes votes).

G. NORDIC DRIVE UTILITY EXTENSION

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to approve awarding the contract to D'Angelo Bros. of Farmington Hills for the Nordic Drive Utility Extension in the amount of \$89,886, the award be contingent upon the successful resolution of SAD requirements, the bid to hold for a period of 120 days to accommodate the public hearings required as part of the SAD process, the award being contingent upon White Lake Township's acquisition of the appropriate state and local permits, including a 10% contingency for the SAD calculations. The **MOTION PASSED** by a voice vote (6 yes votes).

H. OAK POND COMMUNITY

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to authorize the Supervisor to provide some means of ensuring the developer comply with completing the final coat of asphalt in the Oak Pond Community. The **MOTION PASSED** by a voice vote (6 yes votes).

TRUSTEE COMMENTS

Trustee Powell felt it was wise to postpone action regarding the request by Mr. Landino until the subcommittee can look at the issue. Hopefully, something can be brought back to the Board for next month's meeting. Also, it would be helpful if information regarding Agenda items can be scanned and put on the TV screen so the residents can see what we are talking about. A guest internet could be provided here in the audience room so people attending the meeting can get online and not breach the firewall between our server.

Trustee Kowall congratulated Clerk Lilley and his wife Donna on reaching their 50th wedding anniversary.

Trustee Voorheis mentioned that it was an outstanding election. Her precinct hit record numbers. It was the busiest time she has ever worked the election. It was busy but it ran very well.

Clerk Lilley also commented on the election. We went from almost 20% to 40% participation in the precincts. It was a remarkable turnout. This year, there were several high school people who assisted us on the computer and they were terrific. Also, it is unacceptable, no matter who is on vacation or absent for any reason, no one should come before this Board and say they can't get building permits approved in this Township. Appropriate action needs to be taken to make sure that doesn't happen again.

Thomas De Santis, President of the White Lake Citizens League. Authority was given by the White Lake Improvement Board to do a dredging project on White Lake. It has been alleged this was done knowing the material was contaminated, which is false. Duane Roskoskey, an MDEQ official, stated what the contamination level was. There were three items measured, arsenic, copper, and benzo(A)pyrene. It was reported within the summary regarding each item the sediments were not contaminated for the parameters used. Mr. Roskoskey will be in attendance at our next meeting, March 23rd @ 7:00 if anybody wants to know what he has to say. An attempt was made to use the White Lake Citizens League as an avenue to get back at other people, which is wrong. The implication of the flyer was that we knew about the contamination and let it happen which can't be further from the truth.

Mr. Ciurlik responded to the comments made by Mr. De Santis. The same Duane Roskoskey referenced by Mr. De Santis also stated in an email that the material was so contaminated that it can't even have direct human contact. There are records of the White Lake Citizens League stating that over \$100,000 on average per year of chemicals are used to treat that water. There are also records which state that one of the options for final soil disposal can be on site which requires a restrictive covenant deed, basically meaning you can't touch it or remove it, it is basically quarantined as if it were a landfill. Or it can be trucked to private property which also requires a restrictive covenant deed.

Trustee Powell called for a point of order. This item is being improperly represented and shouldn't be allowed.

EXECUTIVE SESSION

A. APPROVAL TO RECESS INTO CLOSED SESSION FOR DISCUSSION OF ATTORNEY /CLIENT PRIVILEGE AND LABOR NEGOTIATIONS IN ACCORDANCE WITH MCL 15.268 (h)

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to approve adjourning into Executive Closed Session for discussion of attorney/client privilege communication in accordance with MCL 15.268 (h). The **MOTION PASSED** by a roll call vote (Voorheis-

yes/Kowall-yes/Roman-yes/Baroni-yes/Lilley-yes/Powell-yes).

- B. APPROVAL TO RECESS INTO CLOSED SESSION FOR STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF A COLLECTIVE BARGAINING AGREEMENT IN ACCORDANCE WITH MCL 15.268 (c) AND TO CONSIDER ATTORNEY/CLIENT PRIVILEGE COMMUNICATION IN ACCORDANCE WITH MCL 15.268 (h).**

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Kowall to approve adjourning into Executive Closed Session for discussion of strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement in accordance with MCL 15.268 (c) and to consider attorney/client privilege communication in accordance with MCL 15.268 (h). The MOTION PASSED by a roll call vote (Voorheis-yes/Roman-yes/Lilley-yes/Powell-yes/Kowall-yes/Baroni-yes.)

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to return to general session. The MOTION PASSED by a roll call vote (Voorheis-yes/Roman-yes/Lilley-yes/Powell-yes/Kowall-yes/Baroni-yes.)

It was MOVED by Trustee Kowall, SUPPORTED by Trustee Voorheis to adjourn the meeting. The MOTION PASSED by a voice vote (6 yes votes).

The meeting was adjourned at 10:06 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 March 15, 2016 regular board meeting minutes.



Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan