

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

March 17, 2015

Supervisor Baroni called the meeting to order at 7:00 p.m.

Supervisor Baroni led the Pledge of Allegiance.

Clerk Lilley called the roll:

Present: Greg Baroni, Supervisor
Terry Lilley, Clerk
Mike Roman, Treasurer
Carol Burkard, Trustee
Rik Kowall Trustee
Scott Ruggles, Trustee
Andrea Voorheis, Trustee

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

Clerk Lilley made a few general announcements. Four of our old police vehicles and a motorcycle were sold, picked up and paid for. The Oakland County Chapter will be having their quarterly meeting April 2nd, the topic being the road tax issue. Police and Fire Awards Banquet will be March 21st. The West Oakland Republican Club will be holding a seminar with four different participants at the Dublin Community Center on March 23rd to also discuss the road tax pros and cons.

Clerk Lilley added the following Items to the Agenda: Item 5A, New List of Bills dated 3-17-15; Item 5D, Presentation to Swear in John Holland as Fire Marshal; Item 9E, Rodwan Consulting Contract; Item 9F, Budget Amendment; Item 9G, Village on the Lakes Trailer Park, sewer issues; Item 9H, Commercial business at 9555 Elizabeth Lake Road.

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Kowall to approve the following Amendments to the Agenda: Add Item 5A, New List of Bills dated 3-17-15; Item 5D, Presentation, Swearing in of John Holland as Fire Marshal; Item 9E, Rodwan Consulting Contract; Item 9F, Budget Amendment; Item 9G, Village on the Lakes Trailer Park, sewer issues; Item 9H, Commercial business at 9555 Elizabeth Lake Road. The MOTION PASSED by a voice vote (7 yes votes).

PUBLIC COMMENTS

Mary Earley, 5925 Pine Ridge Court, White Lake. Her property abuts the Hidden Pines Park and she would like to voice her support of the Township's development of that park.

Jeff Long, Vice President of Huron Valley Schools Board of Education. He offered some details and requested support for a proposed millage the district will be bringing to the voters on May 5th. The 2.5 mill proposal will allow implementation of our long range facilities plan. It approved, the facilities millage will generate approximately 5.7 million dollars annually. A complete listing of the building projects are available on the website at HVS.org and then click on the icon Strong Schools/Strong Communities. The funds will be used for building improvements, repairs and additional security cameras. Seeking a facilities millage is the most conservative approach to obtaining funds. All Huron Valley School buildings will be open Sunday, March 29 for tours. Information related to the proposed ballot initiative will be available at that time and also by using the Talk to Us feature on our website.

Peter Piccinato, 8771 Townsend Drive. His concern tonight was about 2444 Porter Road. The Township ended up losing a significant amount of money on that property investment. Previous assessment data showed in 2006 the property was assessed at \$191,000. Considering the assessed value, it is hard to believe the Township purchased the property for \$600,000 and then ultimately found out it was not even buildable. He would like to see the Minutes where approval of the purchase was made. Also, he filed a Freedom of Information request to see all the documents surrounding the purchase of this property.

Kristine Zrinyi, District Representative. She introduced herself as a representative of Congressman David Trott. Congressman Trott has been assigned to the Foreign Affairs and Judiciary Committee. He is working hard to represent us in Washington, his main focus being on maintaining as much local control on issues as possible. There are several district representatives. Please call or email. They are available to help constituents on many different issues and would like to hear from them.

Stephanie Gondek, 5355 White Lake Road. She is against any improvements on Hidden Pines Park, at least until the promises which were originally made are completed. There is no 6 ft. berm or 10 ft. pine trees. The ones which were installed have died. No netting has been installed. Batting practices are held in the outfield allowing balls to come into her yard. Before getting a grant or doing further improvements, fix what is already there.

CONSENT AGENDA

- A. LIST OF BILLS**
- B. REVENUE AND EXPENSES**
- C. DEPARTMENT REPORTS**
 - 1. POLICE**
 - 2. COMMUNITY DEVELOPMENT**
 - 3. WATER**

4. FIRE
 5. TREASURER
 6. OVERTIME REPORT
- D. SENIOR ADVISORY COUNCIL APPOINTMENTS

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Burkard to approve the Consent Agenda as amended. The **MOTION PASSED** by a voice vote (7 yes votes).

PRESENTATION

- A. FIRE DEPARTMENT, SWEARING IN OF JOHN HOLLAND AS FIRE MARSHAL

Chief Gurka presented John Holland to be sworn in by Clerk Lilley as Fire Marshal. John Holland was the top candidate for the position. He joined the White Lake Fire Department in 1985 as a Paid On-Call firefighter, finally becoming a career member in 1994. His current rank is Shift Sergeant. Throughout his career he has taken on responsibilities of fire inspections and investigations. He has many exceptional credentials and certifications.

MINUTES

- A. FEBRUARY 17, 2015

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Voorheis to approve the Minutes dated February 17, 2015. The **MOTION PASSED** by a voice vote (7 yes votes).

PUBLIC HEARING

- A. CONFIRMATION OF ROLL FOR EMERGENCY SEWER CONNECTIONS

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Burkard to open Public Hearing on Confirmation of Roll for Emergency Sewer Connections. The **MOTION PASSED** by a roll call vote (Burkard-yes/Kowall-yes/Voorheis-yes/Ruggles-yes/Lilley-yes/Roman-yes/Baroni-yes).

There were no comments by the Public at this time.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Burkard to close Public Hearing on Confirmation of Roll for Emergency Sewer Connections. The **MOTION PASSED** by a voice vote (7 yes votes).

- B. RESOLUTION #15-004, EMERGENCY SEWER CONNECTIONS, ORD. #15-004

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Burkard to approve Resolution #15-004, Special Assessment Roll for SAD, Emergency Sewer Connections 2015-01. The MOTION PASSED by a voice vote (7 yes votes).

C. HIDDEN PINES PARK LAND AND WATER CONSERVATION GRANT

Sean O'Neil, Planning Director. Almost one year ago the Township Board approved a resolution seeking a grant from the Michigan Natural Resources Trust Fund to make improvements to Hidden Pines Park. The grant bid was unsuccessful so we are proposing to make application through the Land and Water Conservancy Fund. The maximum grant they will put forward is \$100,000 and requires an equal match. The scope of the project was displayed on the overhead screen for the Board members and audience to view. The application deadline is April 1, 2015. If successful in obtaining the grant the project would begin approximately in Spring of 2016. The grant will be written in-house at no cost to the Township.

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Burkard to open Public Hearing for the Hidden Pines Park Land and Water Conservation Grant. The MOTION PASSED by a roll call vote (Kowall-yes/Voorheis-yes/Ruggles-yes/Burkard-yes/Roman-yes/Lilley-yes/Baroni-yes).

John Earley, 5925 Pine Ridge Court. He questioned whether they would lose parking spots with the new downscaled plan. During ballgames the parking lot is three-quarters full and he is concerned there could be overflow parking onto their neighborhood streets. He was told the parking lot should still hold approximately the same amount of vehicles.

Ms. Gondek would like to know whether there were any plans to get rid of the eyesore of the Port-A-Potty from the middle of the field. She was advised that at this time, there is no allotment for the expense of adding a permanent restroom facility. Possibly a fence screening enclosure could be put up to improve the appearance.

Diane Chrzanowski, 2205 Teggerdine Road. There has long been talk about putting a bike path along Teggerdine Road which has never materialized, yet there is a lot of money being spent on establishing these new parks. Her taxes are high and continuing to rise. The Township is spending her tax dollars too freely. She is on a fixed income and all this spending is going to drive her out of the Township.

Mr. O'Neil advised that the money for this project will be coming out of the Parks and Recreation Fund. The money is earmarked for projects that involve Parks and Recreation. The fund is made up of tax dollars which were previously collected through a millage. Any resident is welcome to come to the Community Development Department or look to the

website for more information about this project or anything else within the Parks and Recreation Master Plan.

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Burkard to close Public Hearing on the Hidden Pines Park, Land and Water Conservation Grant. The **MOTION PASSED** by a voice vote (7 yes votes).

D. RESOLUTION #15-005, LAND AND WATER CONSERVATION FUND

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Kowall to approve Resolution #15-005, Land and Water Conservation Fund 2015. The **MOTION PASSED** by a voice vote (7 yes votes).

OLD BUSINESS

A. SECOND READING, AMENDMENT TO ORDINANCE 129 (FEE ORD.)

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Ruggles to approve the Amendments to Ordinance 129 (Fee Ord.), excluding the amendments to Section 34, incorporating Attachment A from the First Reading. The **MOTION PASSED** by a voice vote (7 yes votes).

NEW BUSINESS

A. SENIOR TRANSPORTATION POLICY AND PROCEDURES CHANGES

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Voorheis to approve the recommendations of the Senior Advisory Committee regarding the Senior Transportation Policy and Procedures Changes. The **MOTION PASSED** by a voice vote (7 yes votes).

B. FIRST AMENDMENT TO THE SOLID WASTE COLLECTION AGREEMENT

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Clerk Lilley to approve the First Amendment to the Solid Waste Collection Agreement, authorizing the Supervisor to make changes in regard to naming the composting facilities. The **MOTION PASSED** by a voice vote (7 yes votes).

C. VILLAGE ACRES IRON REMOVAL PLANT RECOMMENDATION

It was **MOVED** by Trustee Kowall, **SUPPORTED** by Trustee Burkard to approve the Village Acres Iron Removal Plant Recommendation. The **MOTION PASSED** by a voice vote (7 yes votes).

D. PAY INCREASE FOR ELECTION WORKERS

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Burkard to approve the Pay Increase for Election Workers. The **MOTION PASSED** by a voice vote (7 yes votes).

E. RODWAN CONSULTING CONTRACT

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Roman to approve the Rodwan Consulting Contract in the amount of \$6,200.00. The **MOTION PASSED** by a voice vote (7 yes votes).

F. BUDGET AMENDMENT

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Clerk Lilley to approve the transfer of funds into the Improvement Revolving Fund from the sale of 2444 Porter Road in the amount of \$384,434.07. The **MOTION PASSED** by a voice vote (7 yes votes).

It was **MOVED** by Treasurer Roman, **SUPPORTED** by Trustee Burkard to approve the Budget Amendment regarding the transfer of funds into the Improvement Revolving Fund from the sale of 2444 Porter Road in the amount of \$384,434.07. The **MOTION PASSED** by a voice vote (7 yes votes).

G. VILLAGE ON THE LAKES TRAILER PARK, SEWER ISSUES

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Trustee Kowall to approve authorizing the Supervisor to proceed with legal action against Village on the Lakes Trailer Park to enforce compliance regarding the sewer issues. The **MOTION PASSED** by a voice vote (7 yes votes).

H. COMMERCIAL BUSINESS AT 9555 ELIZABETH LAKE ROAD, NON-CONFORMING LAND USE

Treasurer Roman stated many of the Board members visited the auto repair business located at 9555 Elizabeth Lake Road. It was felt that as the use had not changed, there was no structural change, there was no square footage added on so the property can be left as a Class B Non-Conforming Structure. They are in compliance with Section 7.25 F of the Zoning Ordinance and there are no other requirements at this time.

Clerk Lilley, over his lifetime, has had the opportunity to be associated with that particular auto repair shop. It has always been an automotive repair shop and gas station. The previous owner preferred to rebuild transmissions and blocked off an existing garage door but never tore out the actual structure for the door. The new owners have done a remarkable job of cleaning up the property and he personally apologized for any inconvenience they've had to endure.

Trustee Burkard commented that it stated right on the original real estate listing when it was sold, three bays. Also, the applicant had a letter from the building official giving them the right to open the building with three bays.

Atty. Hamameh cautioned the Board members that they may be setting a precedent by the way they applied the Zoning Ordinance in this instance. The process that should be followed according to the ordinance is to get an interpretation and then appeal the interpretation to the Zoning Board of Appeals.

It was MOVED by Treasurer Roman, SUPPORTED by Clerk Lilley to allow the commercial business located at 9555 Elizabeth Lake Road remain a Class B Non-Conforming Structure as they are in compliance with Section 7.25 F of the Zoning Ordinance. The MOTION PASSED by a voice vote (7 yes votes).

EXECUTIVE SESSION

A. APPROVAL TO RECESS INTO CLOSED SESSION TO CONSIDER THE PURCHASE OF PROPERTY PURSUANT TO MCL 15.268 (d)

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to adjourn into Executive Session to consider the purchase of real property in accordance with MCL 15.268 (d). The MOTION PASSED by a roll call vote (Burkard-yes/Ruggles-yes/Voorheis-yes/Kowall-yes/Lilley-yes/Roman-yes/Baroni-yes).

B. APPROVAL TO RECESS INTO CLOSED SESSION TO CONSIDER ATTORNEY/CLIENT PRIVILEGED COMMUNICATION PURSUANT TO MCL 15.268 (h)

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Kowall to adjourn into Executive Session to consider attorney/client privileged communication in accordance with MCL 15.268 (h). The MOTION PASSED by a roll call vote (Kowall-yes/Voorheis-yes/Ruggles-yes/Burkard-yes/Roman-yes/Lilley-yes/Baroni-yes).


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

It was MOVED by Trustee Kowall, SUPPORTED by Trustee Burkard to proceed as discussed in executive session to permit the Supervisor to take appropriate steps to compel compliance with the State or local requirements. The MOTION PASSED by a roll call vote (Kowall-yes/Voorheis-yes/Ruggles-yes/Burkard-yes/Roman-yes/Lilley-yes/Baroni-yes).

**It was MOVED by Trustee Kowall, SUPPORTED by Treasurer Roman to adjourn the meeting.
The MOTION PASSED by a roll call vote**

The meeting was adjourned at 9:57 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 17, 2015 regular board meeting minutes.



Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan