

CHARTER TOWNSHIP OF WHITE LAKE

Approved Minutes of the Regular Board of Trustees Meeting

October 16, 2012

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

Clerk Lilley called the roll:

Present: Gregory Baroni, Supervisor
Terry Lilley, Clerk
Forrest J. Brendel, Treasurer
Todd Birkle, Trustee
Carol Burkard, Trustee
David Lewsley, Trustee
Mike Powell, Trustee

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

Supervisor Baroni made the following changes to the Agenda: Remove Item 9C, Add Items 9J -Hidden Pines Infield, and 9K-Oxbow & White Lake Cemeteries.

Clerk Lilley also added a new List of Bills.

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

Clerk Lilley had some update information on the voting process. Over 80 volunteers conduct precinct elections. After the precincts close, the tapes are run, the polls close, one Republican and one Democrat from each precinct bring up all of their information to the clerk's office to a receiving board, it is checked to make sure everything is properly prepared to go to the Oakland County Clerk's office. For a number of months a new system has been worked on. A new modem has been placed on the election machines. Normal practice now will be when the polls close and the tapes are run off the machine; there will be a 30 second span that those results will be sent immediately to Oakland County. Within about three minutes after that, we will see results. This is a pilot program. In case there is a failure, we will resort to the old way. The new process will greatly speed up the amount of time the candidates have to wait to see the results. Thanks to Joe Rozell at the Oakland County Elections Department as well as Bill Bullard as they worked very hard on this program.

Clerk Lilley brought up a few other issues of interest. A Sewer Presentation was put on and many people were unable to attend. It is going to be redone on November 13 in the Township Meeting Room at 7 p.m. Tomorrow the Bogie Lake Sewer project will be completed. The Township is currently responsible for costs involved in the McCotter election situation. Our support has been given to Oakland County on Resolution #12-187 to have the State reimburse

us for the election costs which were about \$22,000. For anyone interested, the League of Women Voters have placed Voter Guides in the Clerk's Office.

Trustee Burkard commented that today was sad in that this will be the last regular meeting for four of the board members. Jay Brendel came on with her in 1996 as a new trustee. People thought they would be like oil and water but they decided on the first day that they would agree to disagree. In actuality they did agree on things about 90 percent of the time. Also, Trustees Lewsley and Birkle have been Planning Commissioners. The Planning Department has really helped make the trustees decisions much easier. She thanked them for their professionalism and being such good stewards for White Lake Township. Trustee Powell's experience in engineering and his friendship has meant a great deal to her. She has served with many boards over the past years. This has been one of the best and it has been a privilege.

Trustee Lewsley took a moment to publicly thank his fellow board members for selecting him to fill the vacancy last year on the Board. It has been an honor to work and serve with them.

Supervisor Baroni stood and applauded all the board members. He thanked Trustee Powell for all his years of service, his experience, efforts and suggestions. He also thanked Trustees Lewsley and Birkle for their outstanding assistance and Treasurer Brendel for his many years of dedication and service. Job well done to all.

Clerk Lilley also thanked the board. They have made some tough decisions. Trustee Powell has been a strong voice on the issues involving the sewers. Todd and Dave have been good partners. He appreciates their hard work and thanked them all.

PUBLIC COMMENTS

Joyce Anson, White Lake. She was here a couple of months ago and asked for a comparison between the White Lake Police Dept. and the Sheriff's Department. So far nothing has been supplied so she took it upon herself. She was given a comparison of other communities and got a copy of the budget for the police department and compared the two. Our budget is roughly \$4.2 million for the police dept. and the Sheriff's Dept. was \$3 million. White Lake could possibly save a \$1 million which is a lot of money. If no one on the board is going to do anything with the information she is just going to keep coming back every month.

William Sabat, 4500 Rebecca Lane. He heard there is a well going up on Teggerdine and White Lake Road. He is worried about fracking because of there are many lakes in this area and he is on well water.

Norm Newberger, 8760 Arlington, White Lake Township. He is asking for special consideration or reclassification of the SAD involving the Lake Improvement Board. The Lake Improvement Board really does all the work, the project management, contracts, budgets. All White Lake Township does is have a file that holds the contracts and distributes the funds. There is also a discrepancy on what an administration fee is. The Resolution has been passed but in consideration for next year it should be updated to avoid the usurping of riparian's money

and treat everything at cost.

Bill Chatfield, Operations Director for Walled Lake School District. He is here to share information about the school district Building and Site Sinking Fund which will appear on the ballot in November. We are the largest school district in Oakland County. It takes a lot of work and money to keep the facilities in a good state of repair. The Sinking Fund is a renewal of an existing millage. We are asking for a continuation or extension of an existing half mill renewal that will cause no tax increase. For the owner of a \$200,000 home in the township, it equates to \$50 per year. These funds can only be used for repairs to school buildings. Without renewal, repairs to the buildings will have to be funded from educational dollars that are intended for the classroom such as supplies.

Peter Piccinato, 8771 Townsend Drive. He thanked Clerk Lilley for his presentation on the sewers. It was very open, frank and insightful. He does admonish the past and present boards for not dealing with the situation. He hopes the new members will deal with this issue. He would like to see a plan for how the money will get back into the general fund that was used to help offset the costs. He is concerned and will probably be up here every month asking the same thing because he does want to see something done.

Laura Vogel, 6220 Whispering Meadows. In the interest of cost savings, there are four years to plan for this; she would urge everybody who is running for office in the next election cycle to run on an independent and not a party ticket. It would save the cost of having primary elections. Primaries mean nothing. Everybody runs on the Republican ticket and it is a waste of money to run two sets of elections.

Trustee Birkle had a comment on the sewer issue, also. In the follow-up presentation he would like to see a little more emphasis on the funding and the deficit. There are some misunderstandings. It was stated in The Patch that the fund was broke and the sewer fund would not be able to make its bond payment in February. Supervisor Baroni stated that this was not true but it is. The sewer fund has about \$60,000. The bond payment is close to \$600,000 in February. There will be some revenues coming in but around \$300,000 will need to be borrowed to make that payment. This is going to continue every year for the next six years unless something is done. This is a huge problem. The fund is broke. Something needs to be done to make the bond payments in February.

Clerk Lilley stated that those who were present at the last sewer presentation were enlightened to the facts. He feels strongly that before recommendations are made on how to fix the problem that more people need to understand what the problem is. A good education process in understanding what went on is the first order of business. It is important that we get more people come to the November 13 presentation and get involved before options and final decisions are made.

Trustee Powell thanked the residents very much for giving him eight years on the Township Board. He regrets leaving. He has enjoyed the input. He did want to share a few things. In going over the elections, he met with Oakland County and found some very disturbing results. Not only was the participation very low for a primary but the voting results pointed out that 20%

of the public went to the polls and only voted for the ballot questions, not any personnel whatsoever. Also, people apparently get tired going through ballots and only 20% filled out the first section. They didn't even finish the ballot, voting for county items and millages, leaving the rest empty.

Mr. Powell passed on a few items to the new board members coming in:

- They have a responsibility to represent the residents. No matter what the cost or political ramifications, they will be held responsible for the actions of the in-house people. You are considered part-time by some but in reality you have the same vote and same responsibilities as the three in-house officials. The reason there are four trustees is that the constitution wants to make sure that residents at large have a say over the typical government. It is very critical to understand the issues.
- It is very important that you can force your position. You have to be strong in making sure your wishes are carried out in holding the in-house officials responsible. The supervisor should keep you informed as to what goes on. The public is looking to you for answers. As to lawsuits and correspondence, make sure you're not caught off guard by not understanding what is happening. You should have all the same information that the in-house officials do so you can make the same decision intelligently. You can be a part-time official, just coming in and opening your packet, making decisions off the hip or be a responsible, engaged trustee.
- One of the big issues coming before you is development and zoning ordinance issues. Controlled development is extremely essential in this township for tax purposes. We cannot survive without the taxes charged to the commercial and industrial areas of the township. Some temporary changes to the zoning ordinances will need to be made. If land were given to developers for free, the cost to do the development and meet all the township requirements is more than the profit they are going to make. This will hamper the development in White Lake. Some suggestions are that you consider allowing private roads again in developments, don't require street lighting, allow open ditches instead of curb and gutters, reduce landscape requirements, allow lot splits.
- A lot has been said regarding the sanitary sewers. They are essential for expansion and environment. The Commerce Twp. Agreement which was signed in '92 and '95 really needs to be renegotiated and now is the time. If we can't provide sanitary sewer service to our community, residents and commercial districts, they will not come as they can't afford the tap fees. We cannot just keep studying the issue. The supervisor's office has to cause this to happen. We are subsidizing Commerce Twp. in maintaining and expanding their sewers with no benefit. They can set or change the rate and determine how much water they figure is going to come from a building. The costs could prevent us getting any nice restaurants or good commercial developments.
- There are also a number of very important lawsuits before the Township which could have a major impact on our budget. Please become very familiar and intimately involved with those. You have to be engaged and hold the in-house administration, attorneys, accountants and insurance companies very much responsible for the outcome.
- Concerning roads. This township has the ability to establish a Special Assessment District and possibly road boards so that the gravel roads owned by the county can actually

be controlled by the residents around and along the roadways. That has to start with the administration and you have to suggest that can happen and then stay in-tuned on it.

- Require that ordinances be enforced. There are a number that need to be modified. The administration is supposed to enforce them. Demand changes if necessary. Be careful when you modify ordinances not to overburden businesses.
- White Lake has an incredible staff. They are professionals. Let them know when they do a good job, complimenting them. White Lake residents are our customers and should be treated with respect and not as a burden.

CONSENT AGENDA

- A. LIST OF BILLS**
- B. REVENUE AND EXPENSES**
- C. DEPARTMENT REPORTS**
 - 1. TREASURER'S REPORT**
 - 2. FIRE DEPARTMENT**
 - 3. POLICE DEPARTMENT (AUGUST & SEPTEMBER)**
- 4. COMMUNITY DEVELOPMENT**
- 5. OVERTIME REPORT**
- D. BUDGET AMENDMENTS**

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

MINUTES

- A. SEPTEMBER 18, 2012**
- B. SEPTEMBER 26, 2012**

It was **MOVED** by Trustee Burkard, **SUPPORTED** by Trustee Powell to approve the Minutes for September 18, 2012. The **MOTION PASSED** by a voice vote (7 yes votes).

It was **MOVED** by Trustee Burkard, **SUPPORTED** by Trustee Powell to approve the Minutes for September 26, 2012. The **MOTION PASSED** by a voice vote (7 yes votes).

PUBLIC HEARING

- A. 2013 COMMUNITY DEVELOPMENT BLOCK GRANT**
 - 1. RESOLUTION #12-011**

It was **MOVED** by Clerk Lilley, **SUPPORTED** by Treasurer Brendel to Open for Public Hearing, 2013 Community Development Block Grant, Resolution #12-011. The **MOTION PASSED** by a voice vote (7 yes votes).

Lori George, representing Haven. She thanked White Lake for their help and support in the past. They handle issues of domestic violence and sexual assault. Every year they provide counseling and shelter for survivors of abuse. Tonight she is here to ask for \$5,000.00 to support Haven in their efforts to provide services for survivors in this community. Thank you for your past support and considering our current request.

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Treasurer Brendel to **Close Public Hearing on the 2013 Community Development Block Grant, Resolution #12-011. The MOTION PASSED by a voice vote (7 yes votes).**

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Trustee Burkard, to **approve the 2013 Community Development Block Grant Application, CDBG, in the amount of \$65,547: \$50,000 minor home repair; \$6,200 public service; \$6,200 public service; \$3,147 public service, authorizing the supervisor to sign the application and submit the documents to Oakland County. The MOTION PASSED by a voice vote (7 yes votes).**

OLD BUSINESS

A. ORMOND ROAD RADIO TOWER

It was **MOVED** by Trustee Lewsley, **SUPPORTED** by Trustee Powell to **approve the use of Ken Schmidt of Steel In The Air as a consultant, costs not to exceed \$2,000, changing the wording in Item 8 from Florida law to Michigan law. The MOTION PASSED by a voice vote (7 yes votes).**

NEW BUSINESS

A. RESERVE AT TULL LAKE, CONSERVATION EASEMENT

It was **MOVED** by Trustee Birkle, **SUPPORTED** by Trustee Burkard to **approve the Reserve at Tull Lake, Conservation Easement, an informational letter being sent to the Homeowner's Association President in Twin Lakes. The MOTION PASSED by a voice vote (7 yes votes).**

B. FIRE STATION #1 PARKING LOT REHAB AND COMMUNITY HALL PARKING LOT

It was **MOVED** by Trustee Powell, **SUPPORTED** by Treasurer Brendel to **approve Fire Station #1 Parking Lot Rehab and Community Hall Parking Lot, awarding the contract to Allied Construction requesting the Township to repair the parking lot at Station #1 as presented. The MOTION PASSED by a voice vote (7 yes votes).**

D. WHITE LAKE CEMETERY CLEAN UP

It was MOVED by Trustee Birkle, SUPPORTED by Trustee Powell to approve the White Lake Cemetery Clean Up. The MOTION PASSED by a voice vote (7 yes votes).

E. RESOLUTION #12-010, 2013 ANNUAL PERMIT FOR WORK ON STATE TRUNK LINE RIGHT OF WAY

It was MOVED by Trustee Birkle, SUPPORTED by Trustee Powell, to approve Resolution #12-010, 2013 Annual Permit for work on State Trunk Line Right of Way. The MOTION PASSED by a voice vote (7 yes votes).

F. RESOLUTION #12-012, IN SUPPORT OF INCREASED LEGISLATIVE AND REGULATORY ACTION ON OIL AND GAS DEVELOPMENT

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Burkard to approve Resolution #12-012, Support of increased Legislative and Regulatory action on Oil and Gas Development. The MOTION PASSED by a voice vote (6 yes votes, 1 no vote - Powell).

G. PROCUREMENT POLICIES REVIEW

It was MOVED by Trustee Powell, SUPPORTED by Trustee Burkard to Table the Procurement Policies Review. The MOTION PASSED by a voice vote (6 yes votes, 1 no vote - Birkle).

H. APPROVAL OF JOB DESCRIPTION FOR TRANSPORTATION DRIVER

It was MOVED by Clerk Lilley, SUPPORTED by Trustee Birkle to approve the Job Description for Transportation Driver. The MOTION PASSED by a voice vote (7 yes votes).

I. TWIN LAKES WELL NUMBER 1 PUMP REPAIR

It was MOVED by Trustee Powell, SUPPORTED by Trustee Burkard to approve the Twin Lakes Well Number 1 Pump Repair. The MOTION PASSED by a voice vote (7 yes votes).

J. HIDDEN PINES INFIELD

It was MOVED by Treasurer Brendel, SUPPORTED by Trustee Lewsley to approve the final red coat to be put on Hidden Pines Infield. The MOTION PASSED by a voice vote (7 yes votes).

K. GRAVELING OF WHITE LAKE AND OXBOW LAKESIDE CEMETERIES

It was MOVED by Trustee Powell, SUPPORTED by Trustee Lewsley to allow Treasurer Brendel to abstain from voting on the Graveling of White Lake and Oxbow Cemeteries. The MOTION PASSED by a voice vote (5 yes votes, 1 no vote Burkard).

Trustee Burkard gave credit to the Historical Society Questers Group. They went out and got

grants for the White Lake Cemetery for the beautiful fencing. There is a lot of history and it is part of our heritage in those cemeteries.

It was **MOVED** by Trustee Burkard, **SUPPORTED** by Trustee Powell to approve the Graveling of White Lake Cemetery in the amount of \$5,050 and Oxbow Lakeside Cemetery in the amount of \$3,835. The **MOTION PASSED** by a voice vote (6 yes votes).

ADJOURNMENT

It was **MOVED** by Treasurer Brendel, **SUPPORTED** by Trustee Birkle to adjourn the meeting. The **MOTION PASSED** by a voice vote (7 yes votes).

The meeting was adjourned at 8:36 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 October 16, 2012 regular board meeting minutes.

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Terry Lilley, Clerk
White Lake Township
Oakland County, Michigan