

CHARTER TOWNSHIP OF WHITE LAKE
Approved Minutes of the Regular Board of Trustees Meeting
August 20, 2024

CALL TO ORDER

Supervisor Kowall called the meeting to order at 6:30 P.M. He led the Pledge of Allegiance.

ROLL CALL

Clerk Noble called the Roll:

Present:

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer
Scott Ruggles, Trustee
Liz Smith, Trustee
Andrea Voorheis, Trustee
Michael Powell, Trustee

Also Present:

Trish Pergament, Deputy Supervisor
Sean O'Neil, Community Development Director
Aaron Potter, Director of DPS
Nick Spencer, Building Official
Dave Hieber, Township Assessor
Daniel T. Keller, Chief of Police
John Holland, Fire Chief
Lisa Hamameh, Township Attorney
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

It was **MOVED** by Clerk Noble, seconded by Treasurer Roman to approve the agenda as presented. The motion carried with a voice vote: (7 yes votes).

PUBLIC COMMENT

Barb Pallotta, 5445 Ridge Trail North, Clarkston, spoke to acting and pending legislation and encouraged the Board to read SB 603 and SB 604. She shared her concerns with SB 401 and related bills. She commended the Board for past actions supporting control at a local level.

CONSENT AGENDA

- A. REVENUE AND EXPENSES
- B. CHECK DISBURSEMENTS
- C. BUDGET AMENDMENTS
- D. LIST OF BILLS
- E. DEPARTMENT REPORT - POLICE
- F. DEPARTMENT REPORT - FIRE
- G. DEPARTMENT REPORT - COMMUNITY DEVELOPMENT
- H. DEPARTMENT REPORT – TREASURER

It was MOVED by Treasurer Roman, seconded by Trustee Powell to approve the consent agenda as presented. The motion carried with a voice vote: (7 yes votes).

Supervisor Kowall stated that the Township's interest income last month was hovering about \$70,000.00, and he commends Treasurer Roman for his hard work.

MINUTES

- A. APPROVAL OF MINUTES - SPECIAL BOARD MEETING, JULY 1, 2024
- B. APPROVAL OF MINUTES - SPECIAL BOARD MEETING, JULY 10, 2024
- C. APPROVAL OF MINUTES - REGULAR BOARD MEETING, JULY 16, 2024

It was MOVED by Trustee Powell, seconded by Trustee Voorheis to approve the special Board meeting minutes of July 1, 2024, the special Board meeting minutes of July 10, 2024, and the regular Board meeting minutes of July 16, 2024, as presented. The motion carried with a voice vote: (7 yes votes).

PUBLIC HEARINGS

- A. PUBLIC HEARING TO HEAR PUBLIC COMMENTS REGARDING THE SPECIAL ASSESSMENT DISTRICT KNOWN AS EMERGENCY SEWER CONNECTIONS 2024-02

Supervisor Kowall explained how for the last several years, the Board has set up a program to allow special assessment districts for sewers in a cost-efficient manner.

It was MOVED by Supervisor Kowall, seconded by Trustee Powell to open the public hearing to hear comments regarding the special assessment district known as Emergency Sewer Connections 2024-02 at 6:38 PM. The motion carried with a roll call vote: (7 yes votes). (Kowall/yes, Smith/yes, Ruggles/yes, Voorheis/yes, Powell/yes, Roman/yes, Noble/yes).

Seeing none, it was MOVED by Supervisor Kowall, seconded by Trustee Smith to close the public hearing at 6:38 P.M. The motion carried with a voice vote: (7 yes votes).

NEW BUSINESS

- A. RESOLUTION #24-040; TO ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT DISTRICT TO PAY COSTS ASSOCIATED THEREWITH AND TO APPROVE THE PLANS AND ESTIMATES OF COSTS THEREFORE TO BE KNOWN AS: EMERGENCY SEWER CONNECTIONS 2024-02

Assessor Hieber explained the three-resolution process and said tonight's resolution will be the second of those steps. The three involved properties will be notified. The confirmation hearing will be held on September 17, 2024, if tonight's resolution moves forward.

It was MOVED by Trustee Powell, seconded by Trustee Voorheis, to approve Resolution #24-040; to Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith and to Approve the Plans and Estimates of Costs Therefore to Be Known as: Emergency Sewer Connections 2024-02. The motion carried with a voice vote: (7 yes votes).

B. REQUEST TO APPROVE LAKES AREA CO-RESPONDER PROGRAM

Chief Keller reminded the Board of the previous program used by police to allow those in mental health crisis to interact with Common Ground. That program lost funding and has ended. The program presented tonight, would be a replacement that would be used to help the residents of White Lake.

Hillary Nusbaum, Supervisor of the Oakland Community Health Network (OHCN) program, stated that there are seven co-responders throughout eleven police agencies across Oakland County. Since the program's start in 2021, they have received 4,100 referrals from police for their services. The co-responders will ride in their vehicle and respond to the scene similar to the police. Once at the scene, the co-responder helps the police in assisting the individual with mental health resources. A co-responder can help create a safety plan; or take the individual to the emergency room, or Common Ground. The program's goal is jail diversion and to get the individual appropriate services. If an individual does go to jail, there are additional resources provided through the program to get the individual support. Ms. Nusbaum added that the program works collaboratively with Wayne State University to ensure the program's efficiency by analyzing outcome data. The data shows that police are only successful 7% of the time linking the individual to mental health resources. Co-responders will attempt to link individuals to mental resources 100% of the time including making follow-up appointments with the individual and notifying a case worker.

Chief Keller explained that the funding would be resourced with Wolverine Lake, Walled Lake, and Wixom. OCHN will hire the co-responders for the four municipalities, and provide them with training. The co-responders will not be on the White Lake payroll, but White Lake will be supplying the funding for them.

Chief Keller added that OCHN has a grant available through the American Rescue Plan Act of 2021, where the first year of the program will be paid for, and the Township receives a grant to pay for the co-responders for an additional three years after that. A minimum of two years of the program will be paid, and logistics will be worked out to pay for the other two years of the program. The money from the opioid settlement can potentially fund the program. The program will potentially be funded for five to ten years without taxpayer dollars.

Supervisor Kowall said he thinks the program is great; and has done research about these programs reducing incidents.

Trustee Voorheis stated that this program is needed in the Township. Chief Keller added the co-responders will have their own office at the new Public Safety building.

Treasurer Roman asked Ms. Nusbaum what factors determine whether a call gets a response.

Ms. Nusbaum said she scans for four departments. Co-responders have access to radio dispatch to monitor calls that are then triaged. Suicidal subjects are a priority. In response to Mr. Roman's inquiry about safety, Ms. Nusbaum indicated co-responders do not carry weapons but do wear Kevlar vests.

Clerk Noble stated that this is a great program.

Trustee Smith stated she is excited about the program, and mental health is real, and people need help. She asked Ms. Nusbaum if the individuals are taken to Common Ground. Ms. Nusbaum replied if a referral is received from the police, OCHN will follow up themselves. If the co-responder is on the scene, and the determination is made that the individual needs to be taken to Common Ground, the individual will be taken to Common Ground. OCHN has a partnership with Common Ground, and Common Ground should not be refusing police drop-offs. Ms. Nusbaum added if Common Ground is full, OCHN has a partnership with McLaren Oakland and an individual can be taken there instead. Ms. Nusbaum understood previous barriers and stated that OCHN is working through them.

Trustee Powell asked about funding to which Chief Keller replied the annual cost would be approximately \$130,000.00. White Lake Twp will act as the fiduciary and the cost will be split: 30% to White Lake, 30% to Walled Lake, 30% to Wixom, and 10% to Wolverine Lake.

It was MOVED by Supervisor Kowall, seconded by Trustee Smith, to approve the Lakes Area Co-Responders program, subject to Township Attorney review and to allow the Supervisor to sign the contract, and for future funding of the program to come out of the Police department budget. The motion carried with a voice vote: (7 yes votes).

C. FIRST READING; REZONING REQUEST FOR PARCEL 12-23-227-003 - 9101 HIGHLAND ROAD

Director O'Neil advised this is the first reading of the rezoning application originally presented in May. It was recommended for approval by the Planning Commission to rezone this property from Single Family Residential (R1C) to Restricted Business (RB). The proposed rezoning is consistent with the Master Plan.

Director O'Neil provided information as a result of action directed by the Board. He said the applicant is not interested in a conditional rezoning and our current ordinance does not provide for such. Additionally, he was requested by the Board to reach out to MDOT to inquire about the installation of a traffic light at Sunnybeach Boulevard & M-59. Staff and the applicant met with MDOT on July 30, 2024, and at that time, MDOT affirmed that a traffic light is not warranted at Sunnybeach Boulevard. MDOT was requested to put their response in writing. To this date nothing in writing has been received from MDOT. The proposed rezoning is consistent with the Master Plan and was recommended for Township Board approval at the Planning Commission's meeting on May 16, 2024.

Supervisor Kowall shared his frustrations with MDOT. He stated he is aware the zoning request was for Restrictive Business, and the Master Plan calls for commercial development along M-59. He added it is the desire of the Board, Planning Commission, and Zoning Board of Appeals to work with the developer to have the least impactful effect on the surrounding residents. If the zoning request is approved, it will not be an automatic "green light" for the applicant to do what they want to do; certain requirements will have to be met. The site plan will go through the site planning process. It is in the best interest of the Township to be in control as much as possible.

Trustee Powell said he is disappointed administration did not come to the Board with a reason why a conditional rezoning ordinance is not a good idea for the Township. A conditional rezoning allows putting requirements on a site plan that might control issues that impact the surrounding community. He asked

if there is an ordinance that will require conditions to make the development less impactful to the surrounding neighbors.

Director O'Neil reiterated that the applicant is not interested in conditional rezoning, and a conditional rezoning must be initiated by the applicant. The ordinance does address light and noise on a commercial property that abuts residential property. Site plans have challenges, and the applicants made it clear they intend to seek special land use approval for drive-thru restaurants. The Township would be able to address some of the issues concerning those uses to help mitigate concerns through the special land use application. The applicant met with the residents and agreed to increase the buffering between the development and the neighbors.

Trustee Powell stated he has dealt with site plans every day for the past 50 years, and the continued residential use is not the proper use for the site. The Master Plan calls for commercial use, and he is pleased they were proposing a Restrictive Business use. He said the applicant must work with the Planning Commission to minimize negative impacts.

Trustee Ruggles said the request came before the Planning Commission twice, and there was a lot of feedback given from the residents.

Supervisor Kowall encouraged residents to attend future Planning and Board meetings for the site to be aware of the future development plans.

Trustee Smith said she is surprised residents aren't in attendance tonight, and she plans on sticking with the residents who have voiced their concerns.

Trustee Ruggles stated he was hopeful to hear from residents. He would hate to believe that the Master Plan is ironclad. He listened to all the residents' concerns and he agrees with them.

It was MOVED by Supervisor Kowall, seconded by Treasurer Roman, to move the rezoning request for parcel 12-23-227-003, 9101 Highland Road, to second reading. The motion carried with a roll call vote: (4 yes votes) (Powell/yes, Smith/no, Voorheis/yes, Kowall/yes, Roman/yes, Ruggles/no, Noble/no).

D. REQUEST TO APPROVE BS&A CLOUD UPGRADE AGREEMENT

Deputy Pergament reminded during last month's discussion; the Board was in favor of upgrading the BS&A modules to the Cloud. BS&A operates on a year-to-year basis. They would not agree to hold the increases for the Township but they did agree to a three-year contract that would spread the increases over three years and offered \$7,200.00 off implementation. The contract is written for the annual increases to be 5% or greater of the yearly Consumer Price Index for All Urban Consumers U.S. city average. The Township needs to negotiate terms and conditions, and the deadline to accept the contract is August 30, 2024, to keep the \$7,200.00 discount. She added two modules will be added with the implementation: Fixed Assets and Special Assessment.

Treasurer Roman stated as a Board, it was agreed to move to the Cloud. The contract needs to be approved as soon as possible for implementation not to coincide with the move to the new township buildings.

It was MOVED by Treasurer Roman, seconded by Clerk Noble to approve the BS&A Cloud Agreement, as per the proposal, not to exceed \$151,485.00, and to allow the Supervisor to sign the documents, subject to attorney review. The motion carried with a roll call vote: (7 yes votes) (Smith/yes, Voorheis/yes, Powell/yes, Ruggles/yes, Roman/yes, Noble/yes, Kowall/yes).

Deputy Supervisor Pergament thanked Deputy Treasurer Patton for taking on the implementation of BS&A Cloud.

E. RESOLUTION #24-039; TENTATIVELY DECLARING ITS INTENTION TO ESTABLISH A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS COOLEY LAKE WEED CONTROL AND LAKE IMPROVEMENT 2024-2028

Assessor Hieber said this is the first resolution in the three-resolution process. The weed control assessment is petition based. 183 parcels in White Lake Township and 12 parcels in Commerce will be included in the SAD. There currently isn't a SAD but there had been a SAD in the past. An intergovernmental agreement between White Lake Township and Commerce Township has been agreed to. He added he has communicated with Commerce Township Supervisor Larry Gray, and was told Commerce will be moving forward as well. The first public hearing will be scheduled for the September 17, 2024 Board meeting.

It was MOVED by Trustee Ruggles, seconded by Clerk Noble to approve Resolution #24-039; Tentatively Declaring Its Intention to Establish a Special Assessment District to Be Known as Cooley Lake Weed Control and Lake Improvement 2024-2028. The motion carried with a voice vote: (7 yes votes).

F. RESOLUTION #24-033; DETERMINING TO ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT DISTRICT TO PAY COSTS ASSOCIATED THEREWITH, APPROVING THE PLANS AND ESTIMATES OF COSTS THEREFORE TO BE KNOWN AS: BURGESS BAY WEED CONTROL AND LAKE IMPROVEMENT 2024-2028

Assessor Hieber stated this is a new SAD, but it is continuing what the 20 parcels on the bay had been doing for many years. It is a petition based special assessment under PA-188. The public hearing to establish the district was held at last month's Board meeting. He added if the resolution is passed tonight, the public hearing to confirm the SAD would be scheduled for the September 17, 2024 Board meeting. Contract details with the weed control company are under review.

It was MOVED by Supervisor Kowall, seconded by Trustee Powell to approve #24-033; Determining to Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith, Approving the Plans and Estimates of Costs Therefore to Be Known As: Burgess Bay Weed Control and Lake Improvement 2024-2028. The motion carried with a voice vote: (7 yes votes).

G. RESOLUTION #24-032; DETERMINING TO ESTABLISH AND MAINTAIN A SPECIAL ASSESSMENT DISTRICT TO PAY COSTS ASSOCIATED THEREWITH, APPROVING THE PLANS AND ESTIMATES OF COSTS THEREFORE TO BE KNOWN AS: MEADOW LANE ROAD MAINTENANCE 2024-2028

Assessor Hieber said there are eight parcels on Meadow Lane and the SAD is a petition based under PA-188. He added if the resolution is passed tonight, the public hearing to confirm the SAD would be scheduled for the September 17, 2024 Board meeting.

It was MOVED by Trustee Powell, seconded by Supervisor Kowall to approve Resolution #24-032; Determining to Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith, Approving the Plans and Estimates of Costs Therefore to Be Known as: Meadow Lane Road Maintenance 2024-2028. The motion carried with a voice vote: (7 yes votes).

H. REQUEST APPROVAL FOR LAKEPOINTE - PLANNED DEVELOPMENT AGREEMENT

Director O'Neil said the Planning Commission granted Lakepointe's final site plan re-approval at their meeting on August 15, 2024, and recommended the Township Board approve the planned development agreement. The applicant is looking to break ground at the site this fall.

Director O'Neil noted that the proposed community benefit for the sidewalk frontage to the north is being replaced with a deposit of \$8,700.00 into the Park's Fund for other desirable pathway connections within the Township. The neighbor to the north is not favorable to granting an easement to the applicant for the pathway to be installed along the frontage of the site, so the monetary donation will be in place of that.

Supervisor Kowall said he is very familiar with the project and the applicant's use will be appropriate for the property.

Trustee Smith asked if the connection could be made in the future if the neighbor to the north changes their mind on the pathway connection. Director O'Neil confirmed. Trustee Smith said she still wants to see a passing lane on Union Lake Road for the safety of the residents.

Director O'Neil said the issue of the passing lane came up at the Planning Commission meeting, and the Road Commission does not warrant a passing lane, so the lane is not included in the plans.

Trustee Powell said Bocovina is on septic fields, and it is a shame that the applicant did not extend the sanitary sewer to Carpathian Drive.

Director O'Neil advised the sanitary sewer will be extended to Carpathian Drive.

Jason Emerine, 39205 Country Club Drive, Farmington Hills, said he met with the Road Commission of Oakland County (RCOC) twice without the passing lane. A traffic impact assessment was also provided to the RCOC, and the study does not warrant a passing lane. RCOC agrees with the study's findings.

Trustee Ruggles asked Mr. Emerine if the Township approved a lane, could the Road Commission deny it to which Mr. Emerine responded that he could not answer on behalf of the Road Commission. Trustee Ruggles added that he would be more comfortable with a tangible community benefit instead of a specific dollar amount.

Attorney Hamameh said the development agreement is close to being finalized.

Mr. Emerine stated the community benefit will include a donation of \$8,700.00 to the Park Fund for a future pathway connection, \$7,500.00 to the Park Fund, and \$1,500.00 for speed bumps on Carpathian Drive, should the Bocovina HOA decide to install the speed bumps. There is a separate agreement between the Bocovina HOA and the developer to provide the money for the speed bumps.

Trustee Smith stated her desire to add the passing lane. Director O'Neil said the Planning Commission had already approved the final site plan, and it would not be equitable to the developer or the Planning Commission to make that change at this point.

Clerk Noble said the project has been in the planning stage for seven years. He doesn't disagree with the desire to have safety for the residents, but the Township should not hold the developer up any longer.

It was MOVED by Supervisor Kowall, seconded by Trustee Voorheis, to approve Lakepointe's revised planned development agreement, subject to attorney review and Community Development review and refining, and to authorize the Supervisor to execute the document. The motion carried with a voice vote: (7 yes votes).

Trustee Powell stated there may be an issue in the way this lane was requested with the Road Commission. He requested the record reflect, Carpathian was required to have a passing lane and there is much more traffic since Carpathian Drive was completed.

I. REQUEST APPROVAL FOR NEW HOPE - PLANNED DEVELOPMENT AGREEMENT

Director O'Neil said the applicant requested amendments to the landscape plan and to allow for the use of the satellite building as a training facility. The Planning Commission thought the use was appropriate; and would be in harmony with the rest of the site. A small sign will be allowed on the building and at the monument sign for identification. There are no concerns at the staff level.

Rumi Shazad, New Hope White Lake, said the company is called Sokol Healthcare Training, and they train certified nursing assistants. Training will be set up in the satellite building.

It was MOVED by Supervisor Kowall, seconded by Trustee Powell to approve New Hope's amended planned development agreement as submitted, subject to Planning Department finalization, and to authorize the Supervisor to sign the necessary documents. The motion carried with a voice vote: (7 yes votes).

J. REQUEST TO APPROVE HURON VALLEY YOUTH SERVICES AGREEMENT FOR YOUTH SERVICES FISCAL YEAR 2024-2025

Supervisor Kowall said it is time for the Township to reapprove the program, and the program is beneficial for the Township youth.

It was MOVED by Trustee Voorheis, seconded by Trustee Ruggles to approve the Huron Valley Youth Services Agreement for youth services fiscal year 2024-2025, not to exceed 9,606.00, and to authorize the Supervisor to sign the documents. The motion carried with a voice vote: (7 yes votes).

K. RESOLUTION #24-042; TO APPROVE RETAINER AGREEMENT WITH BENDZINSKI & CO. FOR LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2024

Supervisor Kowall said the bond sale will be coming shortly for financing the new Township Hall and Public Safety buildings.

Treasurer Roman said in order for the Township to bond out, we are required to use a municipal financial advisor. The Township has used Bendzinski & Co. in the past.

It was MOVED by Treasurer Roman, seconded by Supervisor Kowall to approve Resolution #24-042; Retainer Agreement with Bendzinski & Co. For Limited Tax General Obligation Bonds, Series 2024 not to exceed \$60,000.00 and allow the Township Supervisor to sign the agreement. The motion carried with a roll call vote: (7 yes votes) (Kowall/yes, Smith/yes, Voorheis/yes, Powell/yes, Ruggles/yes, Roman/yes, Noble/yes).

L. REQUEST TO TRANSFER FUNDS TO IMPROVEMENT REVOLVING FUND - NEW TOWNSHIP BUILDINGS

Treasurer Roman said he is requesting additional transfers in 2024 to the Improvement Revolving Fund for the new buildings. He said he ran the numbers by the Finance Director, and some were reduced.

It was MOVED by Treasurer Roman, seconded by Trustee Powell to approve \$1,635,000.00 of improvements as listed to the improvement revolving fund to be used for the construction of the new buildings. The motion carried with a voice vote: (7 yes votes).

M. DISCUSSION REGARDING PINECREST STORM WATER DRAINAGE SYSTEM MAINTENANCE

Supervisor Kowall stated that the stormwater basin has not been maintained and is no longer functional. There is no initiative from the subdivision to move forward, so the Township has the option of a forced SAD or litigation.

Attorney Hamameh said she has worked on this issue with the Supervisor and Director Potter for years. The Township receives many complaints because of significant flooding issues. A lawsuit is not what anyone wants, but the repairs need to be made.

Director Potter stated there are eleven affected properties where the residents were approached about the matter in 2023 and a title search was completed at the time to locate any related easements and agreements. There is a maintenance agreement for Pinecrest Meadow's basin. The residents were contacted to be made aware of their responsibility to maintain the basin. Some of the residents reached out to Director Potter and put him in touch with the original builder of the neighborhood. The neighbor still owned four lots in the subdivision. A cost estimate for the repair is not yet available. The residents were moving forward with getting a cost estimate from Kieft Engineering. The cost estimate for the engineering portion alone was around \$11,000.00. The residents elected not to move forward at the time. Recently, a meeting was scheduled and advertised to the eleven residents to discuss the pertinent legal documents. None of the residents or the builder attended the meeting. Currently, the storm basin is retaining no flow, and outlets at the overflow continuously during rainfall. The basin is filled with sediment, and the outlet needs to be jetted. The water flows through the land and damages private property and the road.

Attorney Hamameh offered two options: to establish a Township initiated SAD or initiate litigation against the homeowners. The Township would pay for litigation. A SAD can use PA 188 money if the repair is considered a public improvement. An estimate will determine the cost and length of the SAD.

Treasurer Roman asked how often the basin will need to be maintained.

Trustee Powell said typically, only when there is a problem. The SAD would be a one-time SAD.

Trustee Powell said the engineering estimate is high. He felt the best approach to the issue is a Township established SAD. He added that if 20% of the residents opposed, litigation would happen anyway.

Director Potter stated the maintenance agreement for the basin and the outlet path identifies exactly what should happen if maintenance is not performed. The Township is involved in the agreement. The agreement was made between the Township and the builder. The agreement states if the maintenance isn't performed, the Township will step in and maintain it, with the costs plus administrative fees to be paid by the homeowners.

Attorney Hamameh read the conditions listed in the related consent judgement from 1992 that addressed specific maintenance responsibility and options if not maintained.

Rick Derry, president of the Pinecrest Shores HOA, 1149 Pinecrest Drive, expressed his difference of opinion with the Supervisor's statement that no one has come in to talk about this issue because on June 21, 2022, his assistant presented the lawsuit judgment to the Board. This issue is pitting neighbors against each other and there is a lot of bad blood between neighbors. Pinecrest Meadows subdivision was platted in the '90s and is not affiliated with Pinecrest Shores. Pinecrest Meadows does not have an active HOA. The builder for Pinecrest Meadows was Woodcraft Homes Inc Employee's Pension Trust Fund. Woodcraft Homes obtained an easement install a positive drain pipe. He claims the overflow pipe was not installed to the appropriate depth, nor was it permitted by the County. He said the failure to maintain the retention pond and drain along with the Township's failure to provide oversight has resulted in serious harm to properties and to surrounding roads. There are also concerns of sewage flow into

Bogie Lake. He asserts the Township has failed to have septic inspections which are required every two years and to properly document inspection logs. He added there is a plume of feces on Bogie Lake that has caused a shutdown of the beach for E. coli and equates about one hundred feet of the damage to the roads as looking like something from Ukraine

Toni Miesel, 1173 Pinecrest, wants to include the diagnosis and reconstruction of the piping area that leads to the lake, as well as repair to the road.

Trustee Smith acknowledged the resident's concerns. She understands that they have been seeking help from the Township for a long time. She stated their frustrations are valid.

Trustee Powell agrees with the SAD but indicated based on what he has heard tonight, this problem has been complicated tremendously and may snowball into a great deal more.

Director Potter agreed multiple agencies will be involved with the repair. He stated failed septic fields is separate from the maintenance agreement that identified the maintenance responsibility for the outlet pathway. He added this will be a complicated resolution.

It was MOVED by Supervisor Kowall, seconded by Trustee Powell to defer this matter to the DPS Advisory Committee for further action. The motion carried with a voice vote: (7 votes).

The Board took recess at 8:45 P.M. The Board returned from recess at 8:50 P.M.

N. RESOLUTION #24-043; TO APPROVE NON-UNION EMPLOYEE AND ELECTED OFFICIAL WAGE RESOLUTION

Supervisor Kowall said in the past, the non-union employees mirrored the same increases as the union employees. There were adjustments in certain departments but other areas had adjustments and a cost-of-living adjustment of 3%. He stated the non-union are seeking the 3% to be effective in September 2024's payroll. He stated it has been done in the past and that we also need to extend our agreement with the union workforce that was negotiated for an addition year through December 31, 2026.

Trustee Powell asked if the non-union employees get an equal amount or greater increase in their salary as stated in the contract. He added it is his understanding that all the non-union and union employees did in fact get the same cost increase that is identified in the contract but maybe they are questioning the 3% bonus.

Supervisor Kowall said that was not correct and that this was a 3% that was doled out to some and not to others. Trustee Powell asked for clarification and Supervisor Kowall stated this is no different than what the Township has done for the last 40 years.

Trustee Powell asked which increase in the union contract did the non-union employees not get? Supervisor Kowall stated 3%. Trustee Powell stated they got a 3% raise in January.

Director O'Neil added he and other non-union employees have not received the 3% increase the union employees received at the meeting in December of 2023. He stated the public safety contracts were settled a month before but what did not happen was the parity that has always existed. He would like to think it was just an oversight. The group is requesting that they be put on parity with that 3%.

Trustee Powell asked if any of the non-union personnel get any raise at all in that same year that the union members did not get?

Supervisor Kowall stated there may have been prior to that but not necessarily that year. There were some adjustments in the Township the year prior.

Trustee Powell expressed his concern when one group cites another group's past raise as the reason they need a raise now, then another group uses the raise the newest group received to justify future raises for yet another group, and it just snowballs from there.

In response to Trustee Powell saying Department Heads were given an adjustment, Supervisor Kowall stated not all of them were.

Treasurer Roman added, all Department Heads were looked at.

Supervisor Kowall stated the Township wanted a plan for employee retention after comparable studies were done. He stated it cost more money to bring new employees in.

Trustee Powell asked if employees that got that percentage in December received another raise in January.

Supervisor Kowall stated that was part of their contractual agreement that he calls a cost-of-living adjustment.

Treasurer Roman said that in his time on the Board he has never been more irked. He stated that this proposed wage increase is double dipping. He said a Township-wide labor study was done, and department head salaries were first to be looked at. All of them were looked at and some received pay increases. This included the Police Chief, the Fire Chief, the Planning Director, the DPS Director and the Finance Director. Then Elected Officials, Deputies, the Fire and Police Unions. The only Union left was the MAPE group. When that was complete, it was supposed to be done. These were one time labor studies increases and not the usual pay raises. Now we have a group coming back after the MAPE adjustment was done and they want more. Treasurer Roman stated under ordinary labor negotiations he would understand the comparable but this was a one-time labor study where every group was looked at and the Department Heads went first and they got bigger pay raises. He reaffirmed it is nothing more than a double dip. He added that \$42,000,000.00 would be spent on the new buildings. The pay raises come with legacy costs.

Supervisor Kowall responded that the cost is \$46,000.00 a year. Treasurer Roman stated those numbers are way low. Supervisor Kowall stated he got them from the number one authority and that the total

cost with pension and employer taxes is \$66,300.00. Treasurer Roman reminded that regardless of what the amount is, it is a yearly cost.

Treasurer Roman called out the resolution that has pay raises for 2025 and 2026. He stated those raises have already been approved twice and that he has a problem with the 3% for September 7TH. Additionally, he questions the timing right after an election. He feels the public should be disgusted if the Board passes this and he is embarrassed that this even came to the Board.

Supervisor Kowall said the adjustments were studied pre-COVID, and he doesn't see the request as greedy and they are trying to follow the parity the Township had previously done. It is now caught up to a certain point and it just happened to be before this Board at this time. He stated Employees have requested it and therefore he has brought it to the Board. He stated it is his job as the Supervisor and he is the ultimate HR person and he must balance keeping people here. There are always opportunities in the workplace and it cost the Township a tremendous amount of time in lost production, productivity, customer service, efficiency etc. when you bring people in. The 3% increase is a modest that will affect 19 hardworking and dedicated employees. Her believes good people are good people to keep.

Treasurer Roman reminded the Board that this request includes giving the Board itself a pay raise.

Supervisor Kowall said it follows the traditional guidelines the Township has always followed.

Clerk Noble stated adjustments were already given to all elected officials, Director O'Neil, Director Potter, Official Spencer already got raises. He stated he has sat on both sides of negotiations and initially he didn't object but after looking into it further he realized they already had gotten 3% and that this adjustment was to give a 3% raise to the lower bargaining unit. He stated the elected officials got raises already and he is grateful for what they have and reminded the Board that we do have a huge building obligation ahead of us.

Trustee Ruggles asked if the resolution could be amended to exclude the elected officials

Supervisor Kowall stated it could be amended but it would put the elected officials back in the pot of pay disparity with staff that wasn't equitable.

Clerk Noble added that there was 30 years of no adjustments for elected officials and that it would affect the pay scaled approved by the board to pay the in house and their deputies on a percentage scale.

Trustee Ruggles stated he is not in favor of giving himself a raise this evening but he would feel differently about them. He stated trustees already got a raise.

Supervisor Kowall stated everybody got something except some of the people didn't get some of the stuff they should have gotten.

Trustee Smith stated she would disassemble this as well because a raise to a trustee is like twenty dollars a month but a raise to the in house and deputies would be more significant. She stated each deputy was

touched and each elected official. She stated she never votes against raises for the staff. She stated they are top notched and deserve support but wants to see the resolution remove the increase for the elected officials and deputies.

Clerk Noble stated he wants the matter tabled and a wage study done for the chiefs.

Trustee Powell stated he was in support of increases for the staff, but would vote no if the elected officials were included.

Director O'Neil requested for action to be taken on the staff piece of the resolution this evening.

Trustee Voorheis asked if all the people on this list gotten raises and whether the increases could be delayed to January.

Mary Earley, 5925 Pineridge Court, spoke in favor of approving a wage increase.

Trustee Ruggles asked Mr. Powell if he intended to motion to remove deputies to which he stated just the elected officials.

Trustee Smith reminded that the Board already addressed each deputy individually.

Treasurer Roman stated the deputies are tied to elected officials.

Trustee Smith said the deputies were given very sufficient raises.

Treasurer Roman stated he is against all the raises but if the Board approves for some then they may as well include the elected officials because without that the deputies are going to be counted out.

Trustee Powell said that can be changed also to which Clerk Noble explained the resolution that ties deputy pay to a percentage of the elected officials.

Clerk Noble said the question is we either approve it or we don't approve it.

Trustee Smith asked Supervisor Kowall if the number he provided earlier included the elected officials and he stated it did.

Supervisor Kowall stated the cost is minimal to the Township. He stated he struggled with this but he challenges anyone to look at how frugal this Board operates. He credits staff and added that as he goes into his third term as Supervisor, every budget he has been a part of has always been balanced and had a surplus at the end of the year unlike another community that was rewarded for bad fiscal behavior when the State gave them four million dollars for their retirement fund. He stated the Township has employees who spend prudently and this proposed increase keeps us at parity and he does not want any ramifications against deputies.

It was **MOVED** by Supervisor Kowall, seconded by Trustee Voorheis to approve Resolution #24-043; Approve Non-Union Employee and Elected Official Wage Resolution as presented. The motion carried with a voice vote: (5 yes votes). (Kowall/yes, Smith/yes, Powell/yes, Voorheis/yes, Ruggles/yes, Noble/no, Roman/no).

O. REQUEST APPROVAL FOR CONTRACT AWARD (BALANCE) - BID PACKET #2 UTILITIES AND SITEWORK FOR NEW CIVIC CENTER DEVELOPMENT

Director O'Neil stated the landscape piece of the bid package didn't receive a bid when Bid Package #2 was open for bid. The landscaping piece was re-bid, and there is an apparent low bidder. The low-qualified bidder was J.W. Christmas and is \$90,000.00 under budget.

It was **MOVED** by Trustee Powell, seconded by Treasurer Roman to award the contract for utilities and landscaping for an amount not to exceed \$582,838.25. The motion carried with a voice vote: (7 yes votes).

OLD BUSINESS

A. SECOND READING; REZONING REQUEST FOR PARCEL 12-16-200-030 - HALEY ROAD

Director O'Neil said the request is straightforward. The property had split zoning and will be uniformly rezoned to Suburban Farm if adopted this evening.

It was **MOVED** by Supervisor Kowall, seconded by Trustee Powell to adopt the rezoning request for parcel 12-16-200-030. The motion carried with a voice vote: (7 yes votes).

FYI - CIVIC CENTER UPDATE

Supervisor Kowall stated there were recently three days of post-bid interviews for the new Township Hall and Public Safety buildings.

Trustee Powell stated he has been pleased with the process and looking forward to the earth work starting.

Treasurer Roman stated he does not have final numbers but the Public Safety Building appears to be coming in at about \$1 million over and the Township Hall is at \$1.5 to \$2 million under. He credits Aaron Phillips with doing an amazing job as his estimates have been spot-on.

Supervisor Kowall updated the Elizabeth Road constructions and stated the curbs are in up to the library. He stated the leveling course on the road will be going in this Thursday and advised on the motorcycle parking pads.

Director O'Neil said the post-bid interviews will conclude next week and a special Township Board meeting will be tentatively scheduled for September 10, 2024, to review the bids before taking action on bid awards.

TRUSTEE COMMENTS

Trustee Smith shared that she and her husband welcomed a healthy baby girl. She congratulated everyone on the Board who is reelected. The library reading party was a great success, and reminded that the library can be accessed during construction. She enjoyed watching the Fire Youth Academy, it warms her heart to see them utilize the library. She congratulated Lisa on being sworn in as the president of the Michigan Bar Association next month.

Trustee Voorheis reminded everyone that the Fisk Farm fall festival is September 7 & 8, 2024 from 10 A.M. to 5 P.M. The Fire Department Open House is September 15, 2024, from 1:00 P.M. to 3:00 P.M. She thanked the residents of White Lake for another four years as a trustee.

Trustee Ruggles said the Planning Commission met on August 15 and went over the Capital Improvement Plan draft. He thanks everyone who voted for him.

Clerk Noble thanked the citizens of White Lake for voting. He also thanked Finance Director Elaine Homeister for all her work.


Treasurer Roman said he spoke with a Priority Waste driver today, and they are doing what they can to get the job done. He thanked his Deputy Kim Patton for her work on the BS&A Cloud implementation. Taxes are due September 14. He congratulated Lakeland High School's Grace Stark for placing fifth in her Olympic race.

Trustee Powell commented on politicians in one state asking for money from another state. He said politics is a unique occupation, and the residents decided it is time for him to retire. He thanked the Board and congratulated all who will be reelected.

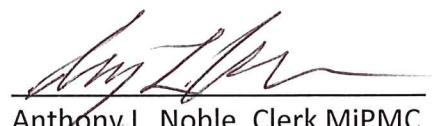
Supervisor Kowall said it has been an interesting experience, and he will be here for another four years. He complimented Mr. Powell. He spoke to Priority Waste and acknowledged it has been frustrating for everyone. He believes they have improved and they have added more trucks that will be out on the road in the next couple of months or so. He said he is blessed to be here and to serve the community.

ADJOURNMENT

**It was MOVED by Supervisor Kowall, seconded by Trustee Smith to adjourn at 9:47 P.M.
The motion carried with a voice vote: (7 yes votes).**



Rik Kowall, Supervisor
Charter Township of White Lake



Anthony L. Noble, Clerk MiPMC
Charter Township of White Lake