

CHARTER TOWNSHIP OF WHITE LAKE
Unapproved Minutes of the Regular Board of Trustees Meeting
June 21, 2022

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

Clerk Noble called the roll:

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

Also Present: Sean O'Neil, Community Development Director
 Aaron Potter, Director DPS
 Cathy Derocher, Human Resource Manager
 Jennifer Edens, Recording Secretary

AGENDA

Supervisor Kowall added Item 10-1, POAM Tentative Agreement to the agenda.

It was MOVED by Treasurer Roman, SUPPORTED by Clerk Noble to approve the Agenda, as amended. The motion PASSED by voice vote (7 yes votes).

PUBLIC COMMENT

Laura Malcheski she is here this evening to discuss a problem with her subdivision, Pine Crest Shores. She noted there is a problem with flooding due to a retention pond issue from the adjoining subdivision Pine Crest Meadows. She brought copies with her of the August 5, 1992, consent judgment between the Charter Township of White Lake and Woodcraft Homes Inc. She knows that the Township is aware of the severe flooding issues they have had, but she is not sure if the retention pond problem has been addressed. She notes that the flooding is getting worse every year and has now resulted in permanent damage to their main subdivision road. She continued that the overabundance of water which freezes in the winter has caused buckling in the road in three separate areas that flow directly from the retention pond. She believes the consent judgment clearly states that the retention pond will be maintained and who's responsibility that is. She looks forward to having this included in the agenda at the next meeting and thanked the Board for their time. Lastly, she provided the Trustees and counsel with a copy of the judgment.

CONSENT AGENDA

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

It was **MOVED** by Trustee Powell, **SUPPORTED** by Treasurer Roman to approve the Consent Agenda. The motion **PASSED** by voice vote (7 yes votes).

MINUTES

- A. APPROVAL OF MINUTES – SPECIAL BOARD MEETING, MAY 9, 2022**
- B. APPROVAL OF MINUTES – REGULAR BOARD MEETING, MAY 17, 2022**

Trustee Powell stated in the May 17, 2022, Minutes on Page 19, third paragraph. He he believes the word emergent should read emergency.

It was **MOVED** by Trustee Powell, **SUPPORTED** by Treasurer Roman to approve the Minutes of the Special Board Meeting on May 9, 2022 and the Minutes of the Regular Board Meeting of May 19, 2022 as amended. The motion **PASSED** by voice vote (7 yes votes).

PUBLIC HEARING

- A. PUBLIC HEARING; TO HEAR PUBLIC COMMENT ON WATER SYSTEM IMPROVEMENTS – 2023 DRINKING WATER STATE REVOLVING FUND (DWSRF) PROJECT PLAN**

It was **MOVED** by Supervisor Kowall, **SUPPORTED** by Trustee Smith to open public hearing to hear public comment on the DWSRF Project Plan. The motion **PASSED** by roll call vote (Kowall/yes, Roman/yes, Powell/yes, Voorheis/yes, Noble/yes, Smith/yes, Ruggles/yes)

Director Potter reminded that a couple of months ago he came before the Board with a project plan proposal and an opportunity to get some water projects from the capital improvement plan in for possible funding from the Americas Water Infrastructure Act. This tonight is part of the requirements for that plan, the Drinking Water State Revolving Fund ('DWSRF').

Mike Lueffgen, DLZ Engineer. He shared that in January he was before the Board discussing potential funding mechanisms and hopefully achieving principal forgiveness. He noted the state is granting funding currently through the DWSRF, which is similar on the sanitary side. He introduced Kyle Gall and Shannon Filarecki of DLZ.

Kyle Gall presented that the DWSRF Program stands for Drinking Water State Revolving Fund and that it is Michigan's program for low interest financing to assist communities with construction of needed drinking water improvements. He continued that it was established in 1996 as an amendment to the State's Drinking Water Act. He indicated that each fiscal year congress authorizes, and amount appropriated and then it is allocated amongst the states. This year \$256 million is available for FY2023 projects. The money can be used to improve drinking water treatment, fix leaking and old watermains, improve sources of water supplies, replace or construct finished water storage tanks, and other structural projects needed to protect public health.

Mr. Gall continued that there are requirements that must be covered which include:

- Description of the drinking water infrastructure and the alternatives that were looked at
- Description of the recommended alternative with costs
- Discussion of project financing
- Discussion of the social and environmental impacts, as well as the mitigation of these impacts.

The identified projects include:

- Iron removal and general upgrades to the Twin Lakes Wellhouse, which will increase water quality
- A completion of the second emergency connection to Waterford Township's water system located across from Hess Hathaway Park that will provide redundancy and reliability in an emergency situation.
- A Watermain extension from Bogie Lake Road to Union Lake Road which will connect the previous year's DWSRF project of adding that watermain down to the Huron Valley Schools over to Union Lake Road. This will add redundancy and reliability.

He shared a map of the pressure districts and water system throughout the Township and identifying the locations of the above projects.

Mr. Gall identified the alternatives that are to be looked at:

- No action
- Optimum performance of the existing facilities, which the Township currently operates at
- Regional alternatives
 - Connecting to the Great Lakes Water Authority System

- Connecting to the Genesee County System
- Creating a water authority with Independence Township and Waterford Township
- Alternate route for the watermain

He identified that DLZ is recommending improvement of the system. The project overview will provide upgrades to the supply, high quality water to new and existing customers with adequate flows and pressures, a second emergency connection that provides reliability and redundancy in case of system failure, and an additional watermain from Union Lake Road to Bogie Lake Road.

The estimated budget for each would be:

- No action has no costs
- Optimum performance would have no additional costs as the Township is already doing this.
- Regional alternatives
 - Great Lakes Water Authority would be approximately \$70 million
 - Genesee County would be approximately \$161 million
 - Removal of the system is approximately \$7.9 million

He continued that with the \$7.9 million construction cost identified, the total SRF budget would be approximately \$9.5 million which would include design, construction, administration, project plan, legal services, and financial bond counseling.

He continued that White Lake would be requesting the Michigan Department of Environmental and Great Lakes and Energy low interest funding at a 1.875% interest rate. He noted that the state tries to keep the interest rate around 2%. This would give an annual principal and interest payment of \$574,000, which will be funded by the operations and maintenance budget, unrestricted water fund balance and capital charges. Currently the bond is estimated at 4% which would provide an annual savings of approximately \$125,000. The twenty-year savings would be approximately \$2.5 million for the bond.

As to the social and environmental impacts at specific project sites, there is no foreseen traffic impacts at the Twin Lakes Wellhouse site. The emergency connection will have very minimal impact because there is already casing which also would provide very minimal impacts. The largest would be the new watermain.

In looking at the adverse environmental impacts and endangered species, all the projects are outside of their natural environments and outside of the protected areas. Therefore, it was determined that there are no environmental effects.

He clarified that currently the Township is functioning with a 5% per year rate and there is no additional rate increase at this time and that it is scheduled out through 2026. He understands that

when the Township analyzes the water rate it accounts it into the capital improvements that have been identified. He clarified that these projects were already looked at when the last rate increase occurred.

Mr. Gall shared approximation deadlines of:

- January 2023 – submittal of draft plans and specifications
- March 2023 – environmental assessment, submittal of permit applications, and final submittal of plans and specifications
- April 2023 – actual project plan fully approved and EGLE will approve plans and specifications, and submittal of contractor bids
- August 2023 – start construction
- October 2024 – completed

It was MOVED by Supervisor Kowall, SUPPORTED by Treasurer Roman to close the public hearing for the DWSRF. The motion PASSED by voice vote (7 yes votes).

Treasurer Roman asked if the EGLE interest rate moves or if it is fixed. To which Mike Leuffgen indicated that it is a fixed interest rate.

Supervisor Kowall indicated that fortunately the state had the wisdom to set aside funds for this. He noted that it has taken great strides to move forward from situations of ground water contamination and incidents that were very public. He believes this opportunity makes the best sense as the current system is not a looped system. He further indicated that if there was a catastrophic failure, there is a certain population that would go without water. He noted that water quality is always better when the water is constantly moving. As to the Twin Lakes improvement, he indicated it would put the Township at a very high capacity of improved water. He opined that it represents a significant, long term savings to the water system and that removing the iron will add longevity and higher quality.

Treasurer Roman asked Director Potter if the costs were included in the last water study rate. To which Director Potter confirmed that they were included.

Trustee Ruggles asked if what DLZ is looking to achieve is the low interest.

Mike Leuffgen responded that it gives the state an opportunity to compare projects, rank them against each other, and pick those that are most beneficial for funding and debt forgiveness. He continued that it gets the Township in the queue, hopefully ranked, and fall in a favorable position to achieve not only a loan but potentially some forgiveness. He declared that there is a limited amount of money and a lot of interest.

Clerk Noble asked what the worst-case scenario is.

Mike Leuffgen indicated worst case scenario is the Township does not fall on the favorable priority list and will not get funded in this round. However, putting the project plan together and submitting it to EGLE will keep it on the list for or in the cycle for potential future funding.

Supervisor Kowall noted that a good portion of the loan could be forgivable and a chance for the Township to apply. He continued that it would benefit all residents within 1,000 feet of the line.

Trustee Smith questioned the route chosen and whether it has effects on the residents that are served or if there is anything else as to why it was chosen.

Mike Leuffgen noted one of the primary goals was the Huron Valley Schools campus and the watermain coming to it. The primary goals/objectives of DWSRF project is to increase water systems.

Director Potter agreed that is the primary reason the route was chosen. He noted that while the Elizabeth Lake Road route would be a shorter route and less expensive, it is possible to connect the southern and northern districts with the Elizabeth Lake Road route, but it does not solve the consequence of issue failures that exist on the Bogie Lake Road main or the M59 main westward. He opined that failure in those areas could have potential high consequences. He indicated that the Cedar Island route, while longer, picks up more areas and solves the issues. He admitted that the Cedar Island route has a greater population but would be close. He opined that it is about eliminating dead ends.

Regarding the question of Clerk Noble as to what is the worst that could happen, Director Potter indicated the worst is that the Township would have to look for alternate funding for the projects and perhaps a lack of debt forgiveness. He shared that there is no way of knowing where the Township's projects will rank with the state, but the best-case scenario is to get ranked and qualify for some debt forgiveness and a low interest rate. He declared there is no loss in getting these in the queue.

Supervisor Kowall interjected that dead ends in watermains are historically problematic and expensive.

Discussion amongst the Board members ensued regarding service provided by the route of Cedar Island.

Director O'Neil indicated there is a preliminary route map and opportunities to look at it closer when at that point.

Clerk Noble asked what DLZ's management fee would be for the project.

Mike Leuffgen indicated there is an estimated fee in the plan based on the percentage of the construction cost, which is a conceptual number for budget purposes. He identified that it is 10% of the construction cost which would be \$797,000.

Supervisor Kowall interjected that it is construction, administration, engineering, and inspection on a project that will last well over a year.

Trustee Powell noted that a downside is that it appears the design costs of the entire project must be paid for before being approved for the loan, placing the Township on the hook for approximately \$700,000. He opined the real actual number is \$640,000 design, \$800,000 in construction.

Director Potter interjected that this project plan will be submitted in the next few days and that it will be known if the Township ranks before moving forward with design and bidding.

Supervisor Kowall indicated that there is no request for any funding in the Resolution.

Trustee Powell further asked if there is a PRV between the west side and pressure zone two and which is higher.

Mike Lueffgen indicated that it would have to be analyzed.

Supervisor Kowall reminded that this is simply to get into the que for funding.

Director Potter provided that there is currently twelve pressure reducing valves between district one and two.

Trustee Powell noticed in the analysis for the surrounding areas that the tie in with Independence and Waterford as a potential, and he indicated it is a real potential. He further noted that Commerce looked into it.

Director Potter indicated it was looked at when the water rate study for Bogie Lake Road was completed. He reminded that he presented a chart of approximately fifteen communities that included their water rates and that Commerce Township's water rates, who are on the very end of the Detroit water system, where White Lake and Waterford were in their twentieth year of the Detroit water system of that plan. In looking at the costs of the extension it was similar to the Bogie Lake extension and when offset with the additional costs over a twenty-year period, he opined that it blew that plan out of the water.

RESOLUTION

A. RESOLUTION 22-023; ADOPTING A FINAL PROJECT PLAN FOR WATER SYSTEM IMPROVEMENTS AND DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Voorheis to approve Resolution #22-023, Adopting a final project plan for water system improvements and designating an authorized project representative. The motion PASSED by voice vote (7 yes votes).

NEW BUSINESS

1. POAM TENTATIVE AGREEMENT

Cathy Derocher, Human Resource Manager, indicated this is a four-year agreement that represents the patrol officers, dispatchers, and record clerks. She indicated the wages are consistent, including a 3%, 2.5%, 3%, and 2.5% in 2025. The four-year agreement will be from 2022 to 2025. She further indicated that the dispatch wage scale has been added, which will make the position more competitive with other communities. The workday schedule outlined is the same that has been followed for several years but will now be implemented in the union contract. She noted some benefits that have been added or modified to be more consistent with the other groups, they include: two new health care plans, a short-term disability plan, a long-term disability plan, a sick leave sell back incentive, and a 2% matching 457 for employees in a tier two pension plan (hired after 2011).

Trustee Voorheis asked if people that were just hired would be brought up to the six-month wage. To which Manager Derocher indicated depending on when they were hired that they could be. The police chief will have latitude as to what scale to bring them in.

Clerk Noble thanked Cathy and Brandon for handling this and multiple contracts.

It was MOVED by Clerk Noble, SUPPORTED by Trustee Smith to approve the tentative agreement with White Lake Township Police Officers of Michigan. The motion PASSED by voice vote (7 yes votes).

Supervisor Kowall that it was his plan to get all the labor contracts to sync together and he thanked everyone for their efforts and for the ratification.

A. FIRST READING; 1392 S. WILLIAMS LAKE REZONING

Director O’Neil indicated that this is a request to rezone 2.5 acres on Williams Lake Road from AG to RM1. It was before the planning commission on May 19, 2022 where approval was recommended. A 16-unit building is the plan for the property and the applicant has provided a “best-effort” schematic of the same. He continued because the property borders another community, it must go before Oakland County, who also recommended approval. He shared that neighbors were present at the meeting and issues that came up were traffic, which was deemed not to be an issue, and the impact on the road system and storm drainage system. He reminded that a couple of years ago, these neighbors spent hundreds of thousands of dollars replacing their road system and they do not want any development connecting to them. He indicated that the only way that could happen is if their HOA entered into an agreement with this developer. Lastly, he noted that it is in line with the Masterplan, and he believes that it is a very appropriate request.

Trustee Powell reminds the Board that AG zoning in this area is holding it back as it was never intended to stay AG. The question now is what the best use for it is. He believes RM1 is proper for the area. He confirmed that there will be a review of a future site plan. He believes it would be appropriate for the applicant to meet with and attempt to achieve an agreement with Weatherstone for use of or tie into the road. He does not believe it makes sense to have another access off Williams Lake Road. He would like it in the plan that will be brought before the Board in the future, that the setback off Williams Lake Road and the building be made as a major issue.

Supervisor Kowall indicated it is an appropriate rezoning that does not result in spot zoning and is consistent with the area. He doesn’t see it as problematic.

It was MOVED by Trustee Ruggles, SUPPORTED by Supervisor Kowall to approve first reading of the rezoning request of 1392 S. Williams Lake Road, parcel #12-36-476-002 currently zoned AG to rezone RM1. The motion PASSED by voice vote (7 yes votes).

B. GRINDER STATION CONTINGENCY DISPUTE – 9533 STEEPHOLLOW

Director Potter indicated that on April 11, 2022, a grinder station was installed at 9533 Steephollow. He noted that there was a septic tank under the driveway at the site. The homeowner, Robert Ross, worked out a change order with CNE to avoid having to rip out the driveway, which essentially extended the existing pipe that came into the septic tank. It resulted in an excess of \$725.00 charge which was paid for out of the contingency of the escrow. He indicated that Mr. Ross disputes the charge. He further shared that Greg from CNE indicated that it took his crew 1.5 hours to excavate and tunnel to the septic tank and break a hole in the concrete to run the 4-inch pipe into the tank and then reach into the tank to align the pipe to the existing stub inside of the tank and backfill. Greg noted to him that the actual cost for this work would be \$1,200.00. Mr. Potter noted that this deal was worked out between CNE and Mr. Ross the day before the installation and unbeknownst to his office until afterwards.

Trustee Powell indicated that it appears it was originally designed to not impact the driveway at all. He questioned if the property is not configured as the drawing shows and if there is concrete where the station was going to be. He asked where the grinder pump was installed.

Director Potter noted he has landscaping near the grinder panel and a deck to the door area and then the driveway. The plan they worked out was to avoid all of that and abandon the septic tank in place, rather than dig up the driveway. He understands that the pipe didn't come out where it should have on the plan. The grinder pump was installed where it is shown on the plan set.

Trustee Powell confirmed with Director Potter that it was going to connect into the line coming from the house and that Director Potter is stating that the line coming from the house is not as shown on this plan and that it was further into the site. Therefore, to prevent further disturbance of the property between the house and septic tank, and the concrete driveway.

Robert Ross 9533 Steephollow Drive. He is here to dispute the grinder station contingency. He has a few pictures that will aid the Board in the visual. He referenced CNE invoice number 362 that reads: line-item construction contingency charge, tunnel driveway, cut hole in existing septic tank/placed four-inch pipe through septic tank and doing onto 4 schedule 4 PVC pipe in tank with a charge of \$750.00.

Mr. Ross indicated that it stated three items that had to be done. The first, tunnel the driveway, which was not done whatsoever. The picture shows the straight line from the manhole to the driveway. The driveway is not even part of the problem and there is no grass issue to show it was tunneled because it was not. The second, cut hole in existing septic tank, he notes was actually used with an electric jack hammer that was already trenched out for the grinder pump. It took the electric jack hammer, which didn't have to be critical, round, square, oblong, it was demolished. In doing so, there was no clean up whatsoever. The third thing placed four-inch pipe in guide onto four-inch PVC pipe. He indicated that this had to be done regardless and whether the driveway was there or not. Through all of that the only addition he seen to the project, which he never left, was opening of a 3x3 access hole to pass through to connect to the existing pipe coming out of the house. He opined that doing it in that manner actually saved them a few cuts and a lot of digging. He declared that nobody got in the septic tank and the only thing that changed was knocking this 3x3 hole in the wall. Then he got a bill for \$750.00, and he has a hard time understanding it. That is his position.

Supervisor Kowall indicated that if there was not the alternative, they would have had tear up the driveway extensively.

Mr. Ross indicated the photograph shows a shadow where the picture is and that it was cut out in a one-foot section so they could get down there and saw cut maybe 12 to 24 inches. The removal was never considered. The worst scenario was saw cutting a six-inch slab in the driveway, a soft

cut. This way one man outside, one man worked through the manhole, lined it up and shoved it in. That portion of the job took no time at all.

Supervisor Kowall interjected that he frankly got away cheap and that it is fortunate that they didn't have to disrupt it.

Mr. Ross indicated that he told CNE to rethink it and that there has to be a better way. He just declared that they used their heads and that if he can do it more economically that is the way he is going to do it.

Trustee Voorheis asked Mr. Ross why his first call wasn't to the Township to get in touch with the Director of Public Works.

Mr. Ross admitted he didn't think of it. He continued that he had nothing to do with the contractor whatsoever and that the Township was his representative for the entire project. When they left him Saturday, he was happy, and they were happy.

Treasurer Roman asked Mr. Ross if an additional fee was discussed when he spoke with the construction crew about the change.

Mr. Ross indicated that he did and was advised that for what was being done it would be very, very, minimal.

Treasurer Roman asked if they discussed dollars and if he asked for or got anything in writing from CNE.

Mr. Ross believes it was less than \$100.00, but he cannot swear to that. He did not get anything in writing and that he saw no reason to.

Treasurer Roman noted that this is exactly why you get it in writing.

Trustee Powell understands where Mr. Ross is coming from as he has stood in this position and talked with the homeowner and contractor several times. Anytime that they must connect into and through a septic tank, the odors are being dealt with, they are in some capacity inside the tank if they are drilling a hole in it to slide a pipe through. He noted that it might look easy, but they work very hard doing this. He has watched what Mr. Ross described being done several times. He continued that ideally, they want to connect to the pipe before the septic tank and then it is relatively easy. He notes that is what appears to be designed originally, but evidently, they could not get to the pipe coming out of the Mr. Ross's home without saw cutting the concrete. His opinion is that the contractor earned his money. He believes that Mr. Ross got off lower than he could have. He understands his concern but notes that CNE came down in the price. His vote will be a no and he wanted Mr. Ross to know why.

Mr. Ross hears Trustee Powell but disagrees whole heartedly. He continued that he watched and what was added was less than twenty minutes of work. He believes they are way off at \$2 to \$6 a square foot to break through a 3-inch concrete wall. They only had to knock it down.

Trustee Smith empathizes with Mr. Ross's position but sees that the signature page specifically states that any dollar amount exceeding the estimated installation cost shall be assessed to the property owner and (indiscernible) in the time period as set forth by the Township of White Lake.

She reminds that Mr. Ross signed this document prior to the project starting and understanding that he would be responsible for any dollar amount that exceeded the estimate.

Mr. Ross indicated that it should be a reasonable amount.

Trustee Smith indicated that a contract goes by the written word and that he did sign it. She asked of counsel if there is a policy to address this or should there be a policy, for when a resident takes it upon themselves to make a change after the fact.

Attorney Hamameh indicated the Township does not have a policy, but takes contingencies go cover any changes.

Trustee Smith understands but also recognizes that this is the first time a resident has disputed the contingency.

Treasurer Roman noted that Mr. Ross indicated it took them twenty minutes but asked if it were possible that they needed more time to cut out the parts to construct it. To which Mr. Ross indicated no. Treasurer Roman further asked if it would be possible that they needed additional time to plan out the change or construct it.

Mike Leuffgen noted there was an agreement reached before the day of install that he was not privy to. He indicated that when his company does the inspection, they are looking for certain items that are unit price and that they are not tracking time on these projects.

Trustee Smith believes a policy needs to be added to avoid this situation in the future.

Director Potter indicated there are contingency policies on all grinder station installations which is always \$500.00. In this case, \$2,775.00 of the contingency was returned after the project. This additional cost did come out of the contingency. He pointed out that in these kinds of cases, he does not require a call from CNE to him every time a change occurs. He further indicated that in looking at the photograph provided by Mr. Ross, that CNE did a fantastic job. He shared that in his six years with the Township, this is the first contingency dispute and that twenty-five grinder stations have been installed this year. Never having a dispute and noting that he does not believe the dispute is warranted, he thought it best to give Mr. Ross an opportunity to state his position. His personal experiences tell him that the job completed could not have been achieved within twenty minutes.

Robert Ross added that the only additional thing CNE did was knock a hole in the side of the septic tank and that everything else still had to be done regardless. He noted that the big dollar item would be the driveway and that never happened. He looked at the site plan and noted that the line to the house is incorrect and that he identified its location to one of the workers. He

noted the blueprint indicates the existing sewer line, plus or minus nine feet. He questioned who could have an engineering degree with a plus or minus nine-foot dimension.

Supervisor Kowall interjected that these particular projects often have variables. He noted that it is a general conceptual idea of where the tank is located and is not considered gospel. He shared that he did underground work for a while and recalled that very seldomly were things where they were supposed to be.

Treasurer Roman noted that he would have sided with Mr. Ross had he gotten a changed dollar amount in writing.

Mr. Ross interrupted indicating that he researched the cost on the internet and by his calculations it would have been \$54.00. He noted that even if they had charged him \$100.00, he wouldn't be here right now.

Supervisor Kowall indicated that they bill it as an hourly rate for the crew onsite and if the process is delayed or not moving along, it becomes part of the cost.

It was MOVED Supervisor Kowall by SUPPORTED by Treasurer Roman to consider the reimbursement of \$750.00. The motion PASSED by roll call vote (Powell/no, Ruggles/no, Smith/no, Voorheis/no, Roman/no, Kowall/no, Noble/no).

C. REQUEST FOR UTILITIES ORDINANCE VARIANCE SECTION 38-355 – NORTH SHORE CONDOS

Director Potter indicated this property is just west of the Kohl's property and they have lost one of their two wells that supply 80 units on the site. Under Township Ordinance 38-354, Sections B, C, and D, as well as Section 8 of the Master Deed, the development would be required to connect to Township water in the event of a well failure.

It is his understanding that their remaining well will not sufficiently supply the development and leaves them vulnerable to a major public health issue should the remaining well breakdown. He reminded that in 2005, they paid close to \$60,000 to place the watermain across their frontage and as part of that contract an 8-inch watermain was stubbed up Village Drive for a future connection to this site.

He indicated that the president of the HOA is present tonight. He further indicated that they would like to replace the well on site and that they have been granted a permit from the state for a test drill. A letter has been provided to Director Potter which indicates a financial hardship and timeline issue along with the fear that if the second well fails they will have a public health issue.

Director Potter has provided the Board with the ordinances and considerations regarding this variance.

Jerry Shaba, President of North Shore Condominiums, 970 Village Drive. He noted that one of their wells went down and that they were unable to repair it and had to abandon it. Therefore, leaving them with only one well. If this well fails, they will be out of water. He understands that it will take close to a year to connect to the Township water. He declared that they cannot afford to wait a year to connect. He further noted that EGLE deems it invalid to try and continue on one well system with no back up. He opined that EGLE understood the problem and within weeks provided a permit to drill, but the Township refused which is why he is here tonight.

Supervisor Kowall noted in Mr. Shaba's letter that he makes quite a few assumptions, such as \$10,000 per unit and that it will take a year. He declared that the Township would work with the HOA as expeditiously as humanly possible to remedy the situation. He further indicated that the property has a stub and that it has been the plan for water to come into that facility. He shared that any other development that has water within its property line has been required to hook-up. He believes that if the HOA wants consistency, reliability, and at the end of the day more cost effectiveness, they should hook-up to the Township water. He opined that it could cost \$50,000 to \$60,000 for a well and that there is nothing from preventing the second one from failing. He believes the money would be better spent putting in a solution to solve the problem.

He further shared that he has been told that the hydrants located near the property are not reliable and that the fire department has been instructed not to use them in the event of an emergency and that this instruction was prior to the well problem. He declared that they need to get hooked up to the system regardless of the additional cost to the residents, as it will be a benefit to them and the community. He reminded that it was part of the original plan submitted for that property and that should have been part of the due diligence that it would have to hook-up to utilities, water and/or sewer should there be failure. He commented that he sympathizes, but notes the assumptions are made without facts. He noted that Mr. Shaba does not have engineer estimates. Lastly, he declared that Mr. Shaba needs to do his due diligence on behalf of the association.

Mr. Shaba indicated that Mr. Potter indicated it would take approximately one month and that EGLE would take five to six months before they could get back with them.

Director Potter interjected that it depends on the project and that an emergency runs on a different timeframe.

Mr. Shaba doesn't believe he is exaggerating with a year, when considering planning and engineering. He believes even eight months puts them in a dilemma at having residents at risk if the last well fails. He declared that he bears the responsibility.

Trustee Powell declared that he is not the Township engineer but is the engineer that designed the septic system for this development and is familiar with the area. His analysis is that extending the watermain up the wellsite is approximately in the \$30,000 range, which he believes to be in the ballpark of a well installation. He further indicated that you don't need an EGLE permit to extend a private watermain. It can be evaluated and defined as a building lead, coming up to a private water service to connect the buildings, eliminating EGLE from the

process all together. The process can go forward, and plumbing done. He noted that if a hydrant is put on the line then it could be considered a public main. He suggests that a 'T' can be put on that line for future installation of a hydrant. He continued that it would take care of this situation and then after the Township can apply to have the private lead defined as public to allow for installation of a hydrant. He declared that he sometimes thinks outside of the box, as Mr. Potter knows, and that he has done this many times.

Director Potter reminded that both the Township and their system are regulated EGLE type one systems and that you can't make any modifications to source water type one system without a permit from EGLE.

Trustee Powell suggest Director Potter touch base with the Building Department as he believes the ordinance officer can issue a public permit. He declared that the law must be followed, but that there are ways around the timelines. He agrees with the Supervisor and believes the right thing to do is to connect to water even though Mr. Shaba would like to get around the ordinance.

Director Potter noted there are already two hydrants installed.

Clerk Noble asked Mr. Shaba what year he bought the property. To which, Mr. Shaba indicated 2012. Clerk Noble continued asking if he did his due diligence regarding having to tie into the system.

Mr. Shaba indicated it was a bank purchase with no option to do due diligence.

Clerk Noble declared that Mr. Shaba took a chance on it then and Mr. Shaba agreed when it comes to this situation.

Mr. Shaba is asking what his options are and what actions can be done.

Supervisor Kowall declared that his actions are to hire an engineer and get someone out there tomorrow morning at 9:00 a.m. doing their due diligence to figure out what it will take to remedy this and to approach the Township's DPS with a plan of attack. The Township will then coordinate with its engineer and jump all over this, even if he has to hand walk it to Lansing. He declared the Township is here to serve the residents.

Clerk Noble declared that Mr. Shaba took a chance going in blind and now the Township wants to help them.

Mr. Shaba indicated that the condominiums have separate parcel id numbers therefore requiring separate meters for each.

Supervisor Kowall noted that if they are not separated now, that there would be no need to change it and that it would be part of their annual association fee. However, that would be their own prerogative.

Director Potter would not recommend doing so and noted that it would be cost prohibitive.

Treasurer Roman asked of Director Potter regarding the requirements as when one would have to hook up to water; it states within 90 days after the date of mailing notice of written notice by the Township or county health division that a health hazard exist due to the failure of an existing well system due to well failure, (indiscernible) conditions or any other reason. He asked if this is considered a two-well system, which Director Potter confirmed it is.

Director Potter further indicated that they are not 100% failed and that they are in compliance with their type one requirements. He noted that a potential health hazard does exist, which is why he advised that they need to connect. He indicated that he was looking to see an engineer estimate from Mr. Shaba. He commends Mr. Shaba for trying to make sure the residents don't have a loss of water. He would recommend to master meter the site, put a master back flow on the site which would save a considerable amount of money, connect to the existing main stub. The Township's costs are expected to be around \$20,000. He did note that he hasn't seen anything from an engineer as to where the nearest point of connection is, and it is not clear on the drawings he was provided. He further indicated that it is difficult for the Township to make an estimate on a financial crisis when there are no numbers to compare.

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Powell for consideration to grant the variance Section 38-355, North Shore Condos. The motion failed by roll call vote (Powell/no, Voorheis/no, Smith/no, Noble/no, Ruggles/no, Roman/yes, Kowall/no).

D. REQUEST TO APPROVE PURCHASE OF BULK SANITARY GRINDER STATIONS

Director Potter indicated that 25 of the 34 grinder stations have been sold and installed. He noted that costs of the grinder stations have gone up approximately 25% since the last order to purchase and that Kennedy Industries has the best price at this time. He shared that Holbrook is under construction now, Oakridge Park will hopefully be soon, and Eagles Landing is under construction now as well. Therefore, there is a need to reup on these stations and he would like to order 35 stations in an amount not to exceed \$147,490 from Kennedy Industries.

Treasurer Roman questioned how the number of 35 five was developed and believes that it might be low and asked what the lead time is.

Director Potter indicated that he looked at a previous order and noted that the price is the same per station regardless if 25 or 34 are ordered. He indicated lead time is about twelve weeks.

Trustee Powell shared that an order he placed for E1 pumps is twenty-six weeks out lead time. He suggests that if there is a place to store them that Director Potter order them now.

Director Potter has no issue with the Board approving a greater amount to purchase as there is storage space available.

Supervisor Kowall questioned if there is a need to order a couple of duplexes. To which, Director Potter indicated they are site specific and only used for commercial properties. He will reach out for pricing and bring it back before the Board later.

Clerk Noble asked who the other vendors are that Director Potter spoke with.

Director Potter indicated they spoke with Environment One who had a price of approximately \$5,500 per station.

Trustee Powell interjected that they were \$100 more per station than what Kennedy Industries quoted.

Director Potter also noted that E1 pumps run at a different pressure range. The other company was Keen who quoted \$4,222 and \$4,308. The issue with them is going with another manufacturer creates an issue with core and parts with Oakland County. The Township has been using Barnes pumps since the existence of the system and Oakland County has parts for the Township's system on their trucks and in their warehouses. He declared that it would take a lot to get him to agree to switch pump brands.

Supervisor Kowall agreed and indicated that using the specific pumps that the county uses makes the best sense and provides the best service to the residents.

Director Potter declared that we need to have pumps and parts in hand.

It was MOVED by Trustee Powell, SUPPORTED by Clerk Noble to authorize DPS and Township Supervisor to sign any documents necessary to order up to 50 stations from Kennedy Industries at a total price not to exceed \$220,000.00. The motion PASSED by voice vote (7 yes votes).

E. REQUEST TO APPROVE DEPARTMENT OF PUBLIC SERVICES MAINTENANCE FLEET VEHICLE PURCHASE

Director Potter shared that his assistant Deborah has been working on this for 6 months. He indicated there is a 2014 Ford F250 maintenance vehicle that is currently used as a salt carrier, plow, landscaping equipment hauler, and other general maintenance as a heavy-duty work truck. He is hoping to replace this with a 3-yard dump truck. The main issue with the current truck is rust and \$2,800 in maintenance on it, the plow, and salt spreader. He shared that the hopper of the salt sprayer holds a yard of salt, the sprayer weighs 800 lbs. and the salt itself weighs 2,000 lbs., which is the maximum load rating for the truck for one yard of salt. He noted that the maintenance man drives to Breen's in Waterford for salt, and it takes him 45 minutes to 1 hour, three times per night every time there is snow.

Trustee Ruggles suggests that the salt be delivered.

Director Potter and Supervisor Kowall interjected that there is no place to store it.

Trustee Ruggles indicated he would have it delivered, load a little bit, spread it, and repeat.

Director Potter reminded that they salt all the Township fire stations, police department, township hall, Dublin, and the hill at Village Acres every time there is a snow event. He shared that they tried a couple of things to improve this, for example to salt lighter, which halted when Trustee Powell fell in the parking lot. He indicated that in addition to this the Township does not currently have a vehicle that is rated to tow the newly purchased generator. He reminded that the purchase of a backhoe and an excavator has been in the capital improvement plan since 2016. He further shared that currently the Township is outsourcing all its restoration work which he would like to bring back in-house.

Trustee Ruggles interjected that there wouldn't be anyone qualified to do it. To which, Director Potter agreed that someone would need to be trained.

Director Potter continued that in the last six months many attempts to price it out have been made but it was determined that the vehicles his office found, sold before they could get more information. He further noted that the dealerships are not offering municipal discounts, nor are State of Michigan MI deals. He indicated that they have tried to go and negotiate the trucks themselves but that they aren't staying on the lot for more than a day or two, which makes it difficult to get comparable prices.

He shared that based on website base numbers he has a couple of options:

- 1) Single cab F550, basic.
- 2) A cab and a half F550 that seats 5 people. He included this price because currently the Township has 3 landscapers. He reminded that the Board has approved 4, but he doesn't have a vehicle that they can all fit it. He indicated that there are capabilities that the Township is not utilizing, and that the half of cab will make a difference.

He is asking the Board to allow DPS to purchase a truck with specs. He indicated that the prices are suggested retail prices from the websites. He understands that the Township Clerk has worked with other dealerships and may have better contacts to aid. He asks that the Board approve a not to exceed budget and allow himself, Supervisor, Clerk and perhaps Treasurer to use any available contacts to find a vehicle that meets the needs within the budget. He declared that the Township's policy is too rigid to obtain accurate quotes in the current market condition.

Clerk Noble reached out to the LaFontaine Group and confirmed that as soon as a vehicle comes available, it is gone. He learned that with the specs and market the Township is probably looking at 2023. His only other suggestion would be to reach out to the Suburban group.

Director Potter interjected that he is not brand specific.

Clerk Noble asked if the current truck would be traded in.

Director Potter indicated potentially the 2012 could be traded in. He further indicated that he does not have prior maintenance records for this vehicle but identified the expenses since he has

been keeping records which included a lot of damage caused by corrosion and rust. He shared that biweekly vehicle inspections are done on every vehicle now. He stated that the issue is not mileage, it is rust. He opined that the Township is heading to some expensive maintenance with the truck that is used daily in all four seasons. He declared that the consequences of failure with this truck will cost the Township a lot of money.

Treasurer Roman is surprised that Szott will not give the Township the municipal discount.

Director Potter indicated that he is not limiting where they search for trucks and is willing to drive and get it from wherever.

Trustee Ruggles wondered if Director Powell was including or asking for a plow too.

Director Potter indicated they would like to purchase a cabin chaser, stainless steel or aluminum body, v-blade plow, salt spreader tailgate, and emergency lighting. He included in the package a Henderson contractor box. The salt sprayer tailgate can be swapped out in the seasons.

Trustee Ruggles asked for the total costs.

Director Potter indicated the costs of the suggested retail price was \$110,000. He firmly believes the truck can be built for less. He also indicated that this is only one quote. He has reached out to a couple of others but have not received quotes yet. He shared that there is a truck out there that is packaged with what he is looking for, called the Monroe Snow Fire Package, with a cost of \$135,000, which confirms his belief that it can be built for cheaper.

Trustee Ruggles asked if this came up because of the overtime loading salt.

Director Potter indicated pretty much and that there are a lot of elderly residents that enter Township property. He reminds that it was very unfortunate that Trustee Powell slipped and fell, but very fortunate that it didn't happen to someone else. He shared that now that maintenance and DPS have merged, when a snow event occurs, everybody comes in at 4:00 a.m. and tackles Township facilities and then they will split off and cover the waterpipes and cemeteries, which is much more efficient.

Trustee Ruggles feels there couldn't be a worse time to buy a truck and to spec out a dump and questioned if it is really needed. He would suggest getting the salt delivered and loading yard by yard would save overtime. He doesn't think a diesel-powered mega truck is needed and he doesn't think that DPS needs this now.

Trustee Smith concurs with Trustee Ruggles. She would like it worked on a little bit as it is not something that is needed right now. She would like maintenance logs on the vehicles as well and as previously requested. She confirmed with Director Potter that there is currently no vehicle rated to tow the generator.

Director Potter noted that they could bring in a smaller truck but a few years down the road when the small machine(s) are purchased per the capital improvement, he will be back before the Board asking again for a bigger truck.

Clerk Noble interjected that he heard from Szott and confirmed that they are not honoring municipal discounts right now.

Trustee Smith, for the record, noted that a maintenance record was just passed down to her.

Director Potter agrees that the environment right now is not conducive for purchasing vehicles, but that unfortunately the work continues whether the environment is good or bad. He continued that a lot more services have been brought back in house, including lawn and maintenance. He believes it is time to get this vehicle out of the fleet before it starts costing the Township an arm and a leg.

Trustee Powell noted there is a very nice van decked out for DPS and questioned the weight of the generator.

Director Potter indicated the generator is close to 15,000 lbs.

Supervisor Kowall noted the van is only rated for 5,000 lbs.

Conversations ensued regarding using the F250 to haul the generator and it being at max tow rating, but that it is what will be used if necessary.

Director Potter believes that it is very clear that the truck has been overloaded for years.

Trustee Powell questioned the request for the Board to approve \$35,000 and \$110,000.

Director Potter clarified that there are two parts to this and part two is the Ford Transit minivan. He continued that the Township custodian has been asked to use his own vehicle to perform custodial duties at township facilities. He does not think it is appropriate. He shared that it would be the same as the van used by the hydro painting crew, which is extremely versatile. He would like to purchase this vehicle for the maintenance custodial worker to be used as his township vehicle and to be used for his work. He also indicated that it is the same situation regarding a quote. He is asking the Board to approve a budget to purchase this vehicle so that township staff do not have to use their own vehicles.

Treasurer Roman questioned the equipment that needs to be transported.

Director Potter noted cleaning supplies, floor scrubber, paper towel toilet bowl cleaner, and hand towels.

Trustee Ruggles interjected if a new truck is bought, there would be an extra one. To which Director Potter agreed that the other truck could be used, but again reminded that it is eight years old and rusted out badly. He would like his staff to have the proper vehicles and the right tools to

do their job. He declared that if things are run to fail then nothing is gotten out of it. He believes the market is great for resale as well.

Supervisor Kowall clarified that there is discussion of possibly trading in the current truck to purchase the lightweight dump. He doesn't think it is a bad option to keep that truck and designate it for custodial purposes.

Trustee Powell chimed in that a floor scrubber is not hauled daily and that he is not sure why a van is needed for transporting paper towel. He indicated that there are three vehicles in discussion and doesn't believe they should be discussed one at a time. He questioned if the Township is outfitting a service station.

Clerk Noble suggests that when the police cars go out of service there is an option to purchase them, use them for a couple of years, and then sell, while still getting money out of it.

Trustee Powell feels that everyone here wants to drive a new vehicle and has a problem with that. He has issues with the requests.

Treasurer Roman suggests that these items be tabled for a month to allow for more research.

Trustee Smith would appreciate that as she feels this is too much.

Director Potter reminded that his office has been working on this for six months. He pointed out that you cannot get a quote for a truck before they are gone, and to follow the Township's procurement policy, he cannot provide three quotes. He is asking the Board to agree that the vehicle is needed and then approve a budget and team to find a vehicle that will meet the within the budget. He reiterated that he does not believe it is proper to make an employee use his personal vehicle for township business. He is seeking a versatile vehicle.

Trustee Powell asked if they don't act on the first part of 10E and it is needed in September, but not delivered until March, is there lead time needed.

Supervisor Kowall would recommend moving forward on that vehicle because it will serve multipurpose.

Trustee Ruggles noted that you cannot order trucks right now.

Supervisor Kowall noted that is the exact reason that Director Potter is before the Board now asking for an approved budget for that particular truck. If it can't be found within that budget then so be it, that is the budget.

Trustee Ruggles also noted that the MSRP is not what it will be sold for either.

Clerk Noble noted that Director Potter has taken over the Township vehicle records and is doing a nice job with it.

Supervisor Kowall recommends moving forward with the light duty dump and table the other two matters for a little more homework to be done.

Trustee Powell would like administration to do a total fleet analysis. He doesn't want extra vehicles just sitting around, just in case. If the Township owns the car then they should be able to use it.

Trustee Ruggles clarified that he is being asked to approve a \$110,000 dump truck. He further declared that there is no way that all of this can be bought for \$110,000. He believes that there will not be enough funds to purchase all requested. He declared this cannot be done for \$110,000.

Director Potter clarified that he doesn't know if he can get everything for that price, but without approval of the Board he cannot even get quotes.

Attorney Hamameh clarified that the proposed motion would be to get as close as possible to the specs presented today.

It was MOVED by Trustee Powell, SUPPORTED by Supervisor Kowall to allow the DPS staff and Township administration to evaluate and secure a vehicle for a price not to exceed \$110,000.00 that approaches and tries to meet the specs presented tonight. The motion passed by roll call vote (Powell/yes, Voorheis/yes, Roman/no, Kowall/yes, Noble/yes, Smith/no, Ruggles/no).

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Powell to table the other two vehicles in 10E and 10F. The motion PASSED by voice vote (6 yes votes, 1 no vote (Voorheis)).

F. REQUEST TO APPROVE DEPARTMENT OF PUBLIC SERVICES WATER AND SEWER FLEET VEHICLE PURCHASE

Tabled

G. CONSIDERATION OF PRELIMINARY SITE PLAN APPROVAL – COMFORT CARE REZONING

Director O'Neil noted this is a rezoning request and preliminary site plan approval for the property described as parcel number 12-36-176-002, located on the west side of Union Lake Road, between Hutchins Road and Cooley Lake Road, consisting of approximately 8.7 acres. The applicant requests to rezone the property from LB to PD. This matter appeared before the planning commission on May 19, 2022, where approval was recommended. He noted this property is immediately adjacent to the West Valley project, which was designed with a detention basin, not a retention basin, so much smaller in size. He noted that the West Valley

project has not progressed yet and this project cannot occur until there is a storm water system to accept potential overflow.

Director O'Neil noted that there were a lot of modifications to this project and noted that it was a very challenging site. He believes this is a very quiet use for the site. The neighbor directly behind the site had questions as to the access drive it has that runs through the Comfort Care Property on an easement, which will continue.

Mike Leuffgen indicated that it goes beyond the storm water system and that the watermain and roads would be used as well. He continued that the northside of the West Valley property is primarily used for emergency secondary access. The plan also proposes a second watermain connection that West Valley had stubbed. He stated that without any of those available for beneficial use, the project and property does not move forward as it is completely dependent on West Valley, without a redesign.

Trustee Powell asked where the kitchen is in this site. He shared that he has had to visit these types of places in recent years and noticed the greatest drop off is at the kitchen area. He noticed the loading/unloading zone is at the north end of the site with no sidewalks/access.

Director O'Neil identified that the kitchen is centrally located in the building.

Trustee Ruggles shared that they offered \$20,000 to the Parks & Rec Department, which he believes to be generous. He compared it to the donations made by other projects and identified that they are offering more than others.

Trustee Powell has concerns regarding the public benefit and not taking the money and building a tree farm away from the immediate area. He suggests extending the sidewalks down Union Lake as far as possible. He would like to see people approached and easements obtained.

Director O'Neil interjected that both this project and West Valley will bring sidewalks almost to Rossfield. He continued that the goal is to capture some of these funds and target areas of high priority in the Parks & Rec Masterplan and pool several contributions together and to put in meaningful gaps.

Director O'Neil further stated that the planned development agreement will come back before the Board and if the Board chooses to move it ahead it could add language that gives direction.

Trustee Smith agrees this is the chance to put in conditions. She would like to address it.

Trustee Powell pointed out that while the number of density appears to be high here, he believes it is a low intense use with very low traffic.

It was MOVED by Trustee Powell, SUPPORTED by Trustee Smith to approve the preliminary site plan for Comfort Care as presented, subject to all consultant reviews, planning commission reviews, and staff reviews, and that the extension of the sidewalk as far south down Union Lake Road as possible be evaluated and presented as part of the site

plan and appropriated in the development agreement. The motion PASSED by voice vote (7 yes votes).

H. FIRST READING; COMFORT CARE REZONING

Trustee Powell asked why this cannot be built in LB.

Director O'Neil does not believe it is a use allowed and this gives them flexibility regarding the site constraints.

Trustee Powell noted sidewalk will need to be tied together.

It was MOVED by Supervisor Kowall, SUPPORTED by Trustee Ruggles to move to second reading for rezoning. The motion PASSED by voice vote (7 yes votes).

I. CONSIDERATION OF PLANNED BUSINESS DEVELOPMENT AGREEMENT – TACO BELL

Director O'Neil noted this was before the planning commission on June 16, 2022 for development agreement. The lot is located at the northeast corner of M59 and Bogie Lake Road. It is approximately one acre in size and is currently zoned PB already. Before the Board is the agreement which was approved by the planning commission.

He continued that there were issues with dumpster labeling and location and that it will be worked out at the staff level to modify to fit more trees. He admits it a small site. The applicant will provide cross access to McDonald's, who has committed to signing it. They are also offering landscaping around a sanitary lift station. He declared that it is straight forward project.

Trustee Powell is hoping that a no U-turn sign will not be installed on Bogie Lake Road. He believes it would be shameful for residents to have to go all the way around to enter there.

Discussion ensued regarding a U-turn option.

Director O'Neil identified that the public benefit is landscaping the corner to beautify the area as well as a \$5,000 contribution to the pathway fund that could be earmarked for Union Lake sidewalks.

Trustee Smith confirmed there will be outside seating at the location. He advised that the colors will be different than what is shown on the rendering and that it will mimic the Union Lake location.

Louis Dortch, Great Lakes Taco, 8487 Retreat Drive, Grand Blanc. He indicated that the patio seating between the two locations are approximately the same size and the colors will mimic each other.

It was MOVED by Treasurer Roman, SUPPORTED by Supervisor Kowall to approve the Planned Business Development Agreement – Taco Bell subject to the recommendation of the planning commission as well as the comments of staff and consultant review letters. The motion PASSED by voice vote (7 yes votes).

J. REQUEST TO APPROVE AMENDED EMPLOYMENT AGREEMENT FOR BUILDING OFFICIAL – NICK SPENCER

Director O’Neil shared that Nick Spencer began with the Township in January of 2020 and has done an excellent job. He is glad he is here as he is a breath of fresh air, hard worker, and takes things on without missing a beat. He has taken on the Rental Housing Program. He is asking for the reinstatement of the four-step wage scale that his predecessor worked under. He would also like to move him immediately to step three and then on to step four at his next work anniversary. He is also seeking an additional week of vacation. He is also seeking a compensatory time bank, not to exceed forty hours, for after hour work assignments. He asks the Board for approval. Clerk Noble thinks this is what the Township has been trying to achieve with regards to good employees. He agrees that Mr. Spencer is a hard worker, always on time, and always willing to go the extra mile.

Trustee Smith asked Director O’Neil if he had any history as to why the wage scale was taken away previously. To which Director O’Neil indicated that he did not know.

Supervisor Kowall interjected that it was the recommendation of the labor attorney at the time.

Trustee Powell identified that he has no personal gain in this but identified that Nick Spencer is his son-in-law. He doesn’t believe there is a conflict of interest but wants the Board to agree/disagree with that. He further questioned if he should recuse himself.

Supervisor Kowall noted that he may recuse himself if he would like to.

Both Clerk Noble and Supervisor Kowall indicated that they do not see a personal gain or reason to recuse himself.

Trustee Smith believes it is always a good idea to err on the side of caution, but noted it is up to him.

Trustee Voorheis indicated if it is not a conflict then he shouldn’t have to recuse himself.

Trustee Powell asks to recuse himself and will leave it to the Board.

It was MOVED by Supervisor Kowall, SUPPORTED by Clerk Noble to allow Trustee Powell to recuse himself. The motion PASSED by roll call vote (Smith/yes, Ruggles/yes, Roman/yes, Voorheis/yes, Noble/yes, Kowall/yes).

Trustee Powell recused himself from this agenda item.

Trustee Voorheis confirmed that Nick Spencer has a newer township vehicle.

Director O'Neil indicated it has not arrived yet.

It was MOVED by Treasurer Roman, SUPPORTED by Clerk Noble to approve the Building Official Employment Agreement as presented. The motion PASSED by voice vote (6 yes votes)

K. REQUEST TO APPROVE FIREWORKS PERMIT – CEDAR ISLAND LAKE

Supervisor Kowall read a letter into the record.

Clerk Noble asked if a White Lake police officer was required to be on the barge in the past. To which Supervisor Kowall indicated he doesn't believe it is necessary since Oakland County will be there. Clerk Noble would like it to be a requirement.

It was MOVED by Treasurer Roman, SUPPORTED by Supervisor Kowall to approve the firework permit for White Lake. The motion PASSED by voice vote (7 yes votes).

OLD BUSINESS

A. SECOND READING; AMENDMENT TO FEE ORDINANCE #129

It was MOVED by Treasurer Roman, SUPPORTED by Trustee Ruggles to approve amendment to the Fee Ordinance #129, second reading. The motion PASSED by voice vote (7 yes votes).

TRUSTEE COMMENTS

Trustee Voorheis reminded that Family Funday is scheduled for this Saturday, June 26th from 3-9pm at Hawley Park. It will include: Happy the clown, hot dogs, ice cream cones/cart, Guy Lewis concert, food trucks, climbing wall provided by Oakland County, and Sensation a classic rock band.

Trustee Ruggles indicated that the Planning Commission met on July 7th. He missed the meeting this past Thursday.

Trustee Powell wished everyone a safe and great July 4th. He thinks we all love and pray for this country daily.

Treasurer Roman noted that his department is gearing up to send out summer tax bills and all the work that goes into it. He shared that they require an L4029 from each school district that tells the treasurer which millage to charge and how much. To the school districts out there, he declared that they need the form as soon as possible. Further he noted that dog licenses are now delinquent, and that Oakland County is going door to door.

Trustee Smith updated that the Library's summer reading program is up and running with a theme of oceans of possibilities. All are welcome to participate. She introduced the new library director, April Stevenson. Lastly, she read from the White Lake Township Summer 2022 Newsletter regarding the millages into the record.

Clerk Noble reminded of the August primary election and encouraged everyone to come out and vote. He shared that his office is working very hard on the election. He wished everyone a safe 4th of July.

Supervisor Kowall stated that the police department's open house was an overwhelming success. He was amazed at the number of people that showed up and shared that he grilled 948 hot dogs. He declared it was nice to see everyone there. He asked that with the hot temperatures that everyone check on their neighbors and be as neighborly and patient as possible. He shared that there is an AC issue at the township hall currently, which is why the Township is continuing to move forward to get into a new home. He wished everyone to drive safe, stay safe, goodnight and God bless.

ADJOURNMENT

It was MOVED by Trustee Smith, SUPPORTED by Treasurer Roman to adjourn. The motion PASSED by voice vote (7 yes votes).

The meeting adjourned at 10:32 p.m.

I, Anthony L. Noble, 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 June 21, 2022, regular board meeting minutes.

Anthony L. Noble, Clerk
White Lake Township
Oakland County, Michigan