

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES

March 12, 2013

APPROVED MINUTES

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The March 12, 2013 regular meeting of the Charter Township of Oakland was called to order by Supervisor Gonser at 7:00 p.m. in the Township Hall.

PRESENT: Terry Gonser, Supervisor  
Karen Reilly, Clerk  
Jeanne Langlois, Treasurer  
Michael Bailey, Trustee  
Judy Keyes, Trustee  
Sharon McKay, Trustee  
Maureen Thalmann, Trustee

James Creech, Manager  
Daniel J. Kelly, Attorney

ABSENT: None

A quorum was present.

Abbreviations which may be found within this document: OT – Oakland Township

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

Staff Sgt. Roger Schmidt, U.S. Army, led the Board, staff and guests in the Pledge of Allegiance. Clerk Reilly called the Roll.

**APPROVAL/REVIEW OF MINUTES:**

**Closed Session – February 12, 2013 and Special Meeting – February 26, 2013**

MOVED BY BAILEY, SECONDED BY REILLY, to approve the Minutes of the February 12, 2013 Closed Session Meeting and February 26, 2013 Special Meeting, as presented.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, KEYES,  
THALMANN, MCKAY

NAYS: NONE

ABSENT: NONE

MOTION CARRIED - UNANIMOUS.

MOVED BY BAILEY, SECONDED BY REILLY, to adopt the MTA Short Form minutes for future meetings.

AYES : GONSER, REILLY, LANGLOIS, BAILEY, KEYES,  
THALMANN

NAYS: MCKAY

ABSENT: NONE

MOTION CARRIED.

**AMENDMENTS TO THE AGENDA - APPROVAL OF THE AGENDA**

Supervisor Gonser stated all those in favor of postponing Agenda Item #16, and moving Agenda Item #21 to follow Item #3 on tonight's Agenda please signify by saying Aye. Supervisor Gonser stated for the record 6 for and 1 against.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY,  
THALMANN  
NAYS: KEYES  
ABSENT: NONE  
MOTION CARRIED.

**BILLS SUBMITTED TO BOARD FOR APPROVAL**

The Board discussed the invoices.

MOVED BY BAILEY, SECONDED BY THALMANN to accept the bills and to approve payment of the bills/invoices as presented, in the amount of \$39,034.93.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES,  
THALMANN  
NAYS: NONE  
ABSENT: NONE  
MOTION CARRIED - UNANIMOUS.

A copy of the list of invoices dated March 8, 2013, is attached as part of these minutes.

**CITIZEN COMMENTS – Re: ITEMS NOT ON THE AGENDA:**

Supervisor Gonser read the rules of Public Comment.

The Board heard Public Comment from:

1. **Richard Michalski, 3070 Wains Way, OT.**
2. **Bob Sirna, 5823 Wellwood Ct., OT.**
3. **Jim Carter, 3558 Briarbrooke Lane, OT, Chairman of the Planning Commission**  
**Mindy Milos-Dale, Parks & Recreation Director.**
4. **Alice Tombouljian, 798 W. Gunn Rd., Vice-Chair, Parks & Recreation Commission.**
5. **Jeff Chynoweth, 344 Hillside, OT.**
6. **Joe Langlois, 490 West Snell Rd., OT.**
7. **Barb Barber, Historic District Commission.**
8. **Roger Schmidt, 455 S. Rochester Rd.**
9. **John Giannangeli. 5846 Murfield Drive, OT.**
10. **Jeff Chynoweth, 344 Hillside, OT.**
11. **Rich Bosler, 3579 Briarbrooke Lane, OT.**

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES

March 12, 2013

APPROVED MINUTES

---

12. **Andrew Linn, 1725 Lochinvar Blvd., OT.**

13. **Reg Brown, 3666 Locust Drive, OT.**

14. **Beth Markel, 245 Birch Hill Drive. OT.**

**PHRAGMITES CONTROL: PRESENTATION**

Emily Duthinh of the Oakland Phragmites and Invasive Plants Task Force presented a PowerPoint presentation.

MOVED BY MCKAY, SECONDED BY BAILEY to form a taskforce with  
Trustee Sharon McKay as the Chair person to come back to the Board  
with a plan to address the Phragmites infestation on all Oakland  
Township property

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES,  
THALMANN

NAYS: NONE

ABSENT: NONE

MOTION CARRIED - UNANIMOUS.

**SPECIAL ASSESSMENT DISTRICT:**

MOVED BY KEYES, SECONDED BY REILLY, to approve the Charter Town-  
ship of Oakland Resolution For Road Commission to Proceed with SAD Road  
Improvement - Resolution13-03.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES,  
THALMANN

NAYS: NONE

ABSENT: NONE

MOTION CARRIED - UNANIMOUS.

**2012-2013 BUDGET AMENDMENTS:**

MOVED BY BAILEY, SECONDED BY THALMANN, to adopt the amended  
2012-2013 budget.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES,  
THALMANN

NAYS: NONE

ABSENT: NONE

MOTION CARRIED - UNANIMOUS.

**2013-2014 FISCAL YEAR BUDGET:**

The Board took public comment from:

**Richard Michalski, 3070 Wains Way, OT.**

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES

March 12, 2013

APPROVED MINUTES

---

The Board had no comment at this time.

The Board scheduled a public budget workshop-meeting for Monday, March 18<sup>th</sup>, 2013, at 7:00 p.m.

**2013-2014 WAGE AND SALARY SCHEDULE:**

The Board discussed the 2013-2014 Wage and Salary Schedule.

The Board took Public Comment from:

**Beth Markel, 245 Birch Hill Drive, OT.**

MOVED BY KEYES, SECONDED BY THALMANN, to adopt the proposed 2013-2014 salary schedule.

AYES - GONSER, REILLY, LANGLOIS, BAILEY, KEYES, THALMANN  
NAYS - MCKAY  
ABSENT – NONE  
MOTION CARRIED.

**2013-2014 MEETING SCHEDULE**

MOVED BY BAILEY, SECONDED BY LANGLOIS, to adopt the meeting schedule for 2013-2014, as proposed in tonight's meeting packet.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES,  
THALMANN  
NAYS: NONE  
ABSENT: NONE  
MOTION CARRIED - UNANIMOUS.

**AUDITOR CONTRACT EXTENSION**

MOVED BY THALMANN, SECONDED BY REILLY, to extend the auditor contract with PSLZ, LLP, for one year.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES,  
THALMANN  
NAYS: NONE  
ABSENT: NONE  
MOTION CARRIED - UNANIMOUS.

**WYNDGATE FIREWORKS REQUEST**

MOVED BY BAILEY, SECONDED BY MCKAY, to approve an application for fireworks from Wyndgate Golf and Country Club.

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES

March 12, 2013

APPROVED MINUTES

---

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES,  
THALMANN

NAYS: NONE

ABSENT: NONE

MOTION CARRIED - UNANIMOUS.

**DUST CONTROL CONTRACT**

MOVED BY MCKAY to contract with The Road Maintenance Corporation for calcium chloride applications for dust control.

MOTION FAILED.

MOVED BY LANGLOIS, SECONDED BY THALMANN to contract with the Road Commission of Oakland County for dust control for the summer of 2013.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, KEYES,  
THALMANN

NAYS: MCKAY

ABSENT: NONE

MOTION CARRIED.

**OPC SNOW PLOWING REIMBURSEMENT:**

MOVED BY THALMANN, SECONDED BY BAILEY to reimburse the OPC in the amount of \$480.00 for snowplowing services for seven seniors who benefited from this service.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES,  
THALMANN

NAYS: NONE

ABSENT: NONE

MOTION CARRIED - UNANIMOUS.

**CLEAN SCENE:**

MOVED BY LANGLOIS, SECONDED BY THALMANN to hold the Clean Scene on the first Saturday of May, 2013, with Trustee Thalmann chairing the event.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES,  
THALMANN

NAYS: NONE

ABSENT: NONE

MOTION CARRIED - UNANIMOUS.

**RESOLUTION 13-04:**

Tabled until the next regular Board of Trustees meeting.

**ADAMS ROAD SAFETY PATH AND BOARDWALK PROJECT:**

Oakland Township Parks and Recreation Director, Mindy Milos-Dale briefed the Board and those present on the Adams Road Safety Path and Boardwalk Project.

Ms. Milos-Dale stated that this project will be funded by leveraging the Oakland Township Parks Millage funds, combined with other private and public funding. Oakland Township has been recommended for two grants, including \$300,000.00 in a state, Michigan Natural Resources Trust Fund Grant, and \$852,239.00 in Transportation Enhancement Federal Funding, to match OT's \$778,111.00 in Trail Millage funds, to finance this project. There are three remaining required actions which must occur before September 30, 2013:

1. Completion of Easement Acquisition;
2. Completion of Engineering Drawings; and
3. Approval of the Engineering Drawings by the Road Commission of Oakland County, and the Michigan Department of Transportation.

In order for OT to meet this deadline, and make use of the grant funding to make this project possible, the Board is being asked to approve two concurrent actions: 1. Authorize \$50,000.00 from the Trail Millage Fund for completion of engineering drawings, and 2. Authorize the use of eminent domain to acquire two remaining easements, *or* the payment of satisfactory compensation to the involved landowners.

The Board was briefed by Jeff Smith, Professional Engineering Associates, Inc., in regard to the preliminary engineering work that has been done in regard to this project to this point, including a pre-survey.

The Board heard Board comment from Trustee Bailey, Trustee Langlois, and Trustee Keyes.

The Board heard Public Comment from:

**Mindy Milos-Dale, Oakland Township Parks and Recreation Director,**

1. **Roy Salisbury, 40 E. Buell Rd.**
2. **Alice Tomboulian, 798 W. Gunn Rd., OT, Parks and Recreation Representative on the Paths and Trails Advisory Committee.**
3. **Christine Jacobson, 4073 Calumet Rd., OT.**
4. **Bob Sirna, 5823 Wellwood Ct., OT.**
5. **Dave Gaus, 3910 Trout Creek Lane, OT.**
6. **Joe Wurm, 3200 Cairncross, OT.**
7. **Craig Blust, 2222 W. Buell Rd., OT**
8. **Rich Bosler, 3579 Briarbrooke Lane, OT**

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES

March 12, 2013

APPROVED MINUTES

---

9. **Ron Mulligan, 3160 Cairncross, OT**
10. **Frank Ferriolo 5600 Kirkridge Trail, OT**
11. **Karen Mannino, 3666 Locust Drive, OT**
12. **Jayson Corey, 1030 Pine Tree Lane, OT.**
13. **Tom Tirrell, 3915 South Creek Drive, OT.**
14. **Bill Garratt, 3800 Adams, OT.**
15. **Al Andrus, 1073 Bear Creek Court, OT**
16. **Marc Edwards, OT**
17. **Stacy Linn, 1725 Lochinvar, OT**
18. **John Giannangeli, 5846 Murfield Dr., OT**
19. **Robin Buxar, 1540 W. Gunn Rd.**
20. **Richard Michalski, 3070 Wains Way, OT.**
21. **Drew Markel, 245 Birch Hill Drive, OT**
22. **Bob Sirna, 5823 Wellwood Court, OT**
23. **Beth Markel, 245 Birch Hill Drive, OT**
24. **Joe Langlois, 490 W. Snell Rd., OT**
25. **John Reilly, 2272 W. Predmore, OT**
26. **Betty Ann Young, 3516 Mountain Laurel Ct., OT.**
27. **David Breuhan, 3675 Windy Knoll**
28. **Marc Edwards.**

Supervisor Gonsler stated that unless he hears a motion to the contrary, he will conclude that based upon the issues discussed, the project cost; the liability; the safety, or lack thereof; maintenance, which he believes has not been clearly addressed; uncertainty of obtaining easements; and the location of the future road right of way, which if goes forward, Oakland Township will be liable for all costs to move the safety path and re-pay the County; this board finds insufficient justification to resurrect this project, given that it was effectively discontinued prior to last November.

MOVED BY LANGLOIS, SECONDED BY KEYES, for this Board to direct the Safety Paths and Trails Committee to re-prioritize or re-visit the prioritization of the paths trails and alternatives and alternative routes with the inclusion of the factors that were discussed tonight that appear to not be included in some of the analysis that was provided to this Board.

AYES: GONSER, REILLY, LANGLOIS, BAILEY, MCKAY, KEYES, THALMANN

NAYS: NONE

ABSENT: NONE

MOTION CARRIED - UNANIMOUS.

Supervisor Gonsler stated that to summarize, he thinks trails and paths are important to this Board, but he thinks the Board needs to proceed with reasonable cost-effective trails that benefit the largest number of people, and he can certainly say that this has not happened in

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES

March 12, 2013

APPROVED MINUTES

---

the past; so he thinks going forward you can expect more trails in more places, and he thinks that was the intent of the millage that was passed, and it needs to be spent in that respect.

**MANAGER'S REPORT:**

Manager Creech reported that the budget work session will take place next week, the March 26<sup>th</sup> meeting will be concluding some business, and business will continue in April with the regular course of action.

A Planning Commission meeting was held on March 5, 2013. The Planning Commission is looking to make a recommendation to the Board for re-zoning of various properties for Parks and Recreation. The Planning Commission withdrew the request in regard to a 37-Acre Parcel next to Charles Ilesley Park.

A walk-through was held for vendors who are interested in responding to the Paint Creek Cider Mill Vendor RFP. The deadline has been extended one extra week.

Treasurer Langlois thanked Manager Creech for including in his report a letter from the State of Michigan recognizing and thanking Bill Benoit for his service on the Advisory Rules Committee.

Treasurer Langlois inquired as to whether any action was required by the Board in regard to the Triparty program. Manager Creech explained that the township uses these funds towards application of limestone on gravel roads, and there is no action required by the Board at this time.

**ATTORNEY'S REPORT:**

Attorney Kelly thanked the Board for their confidence and patience since he came on the job one week ago, and further stated he and he and his firm are committed to getting up to speed.

**SUPERVISOR GONSER'S REPORT:**

Supervisor Gonser reported that Mr. Bill Benoit turned in his resignation on March 11, 2013, effective March 22, 2013. Supervisor Gonser expressed his disappointment. Supervisor Gonser stated that Mr. Benoit contributed huge amounts of time and effort to this Township and did much innovative work, including building a first-class fire department, acting as the Building Inspector, the IT contact, and was recognized a number of times by the State of Michigan, most recently, on February 13, 2013, from the Department of Licensing and Regulatory Affairs, State of MI. Supervisor Gonser read for the record a letter of recognition thanking Mr. Bill Benoit.

Supervisor Gonser reported that the Board has done at least hundreds of hours of research over the past two and one half months, and in the process has also spoken with hundreds of residents. One resounding note which was heard from residents as they spoke with people was a desire for parking near or adjacent to the Paint Creek Trail. The Parks and Recreation



CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES

March 12, 2013

APPROVED MINUTES

---

Commission owns in excess of 5 acres of land North on Orion Road, North from Adams Road, that abuts the Paint Creek Trail. Supervisor Gonser stated that he intends to work with Mindy Milos-Dale, to make sure that parking in that area can be worked out because so many residents want it, i.e. to make the trails more accessible. The Board will get it budgeted in the coming year and hopefully, sooner than later, make it a reality.

**TRUSTEE THALMANN'S REPORT:**

Trustee Thalmann reported that she had the opportunity to fly over the township in the area of the proposed pathway, and is excited to look at other pathway options. Trustee Thalmann stated that there is a series of paths on Far East corner of Bald Mountain, just north of a residential area, and south of the trail. Trustee Thalmann questioned if there would be a way to pursue with Bald Mountain whether a bike path could be put through there, avoiding Adams Road.

**TREASURER LANGLOIS' REPORT:**

Treasurer Langlois noted that an Oakland Township magazine has featured Trustee Thalmann's contributions to the community in a recent issue. Treasurer Langlois congratulated Trustee Thalmann.

**TRUSTEE BAILEY'S REPORT:**

Trustee Bailey reported on the status of the mill race restoration project.

**TRUSTEE KEYES' REPORT:**

Trustee Keyes apologized to those that were affected by an e-mail glitch which was discovered, which affected 61 e-mail addresses that were in the quarantine file. Trustee Keyes reported that the problem has been corrected.

Trustee Keyes offered her congratulations to Barb Barber on her new position of Historic Preservation Planner. Trustee Keyes' reported that she was pleased that the Boy Scouts will be able to utilize Cranberry Lake Farm in place of a camp that they have used in the past which recently closed.

Barb Barber provided a summary to the Board regarding some future events that are being planned involving Cranberry Lake Farm.

Trustee Keyes reported that she is grateful for the support she has received since a letter was received by the Board's Supervisor from the ACLU.

**ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 11:00 p.m.

**NEXT REGULAR MEETING:**

**Tuesday, March 26, 2013**

**7:00 p.m.**

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES

March 12, 2013

APPROVED MINUTES

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**Oakland Township Hall**

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Respectfully submitted,

Approved,

Jane A. Bombard  
Recording Secretary

Karen Reilly  
Clerk