

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES

APPROVED

February 12, 2013

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The February 12, 2013, meeting of the Charter Township of Oakland Board of Trustees was called to order 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  
Steve Joppich, Attorney  
Matt Hocking, Engineering Consultant

ABSENT: None

A quorum was present.

**PLEDGE OF ALLEGIANCE**

Supervisor Gonser led the Board, staff and those present in the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Trustee Thalmann referred to page ~~154~~, 148, the comment by Joann Siwa regarding fatalities along Adams Road near the Paint Creek Trailways crossing. Ms. Thalmann said that her research revealed that there was only one fatality. Richard Michalski, who lives in Greenbrook Hills, disagreed with Trustee Thalmann, indicating that he has personal knowledge of two fatalities.

Trustee Keyes proposed numerous changes to the minutes. She also introduced a compensation package relative to the hiring of Barbara Barber.

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MOVED BY LANGLOIS, SECONDED BY REILLY, to table approval of the January 8, 2013, meeting minutes until the revisions proposed by Trustee Keyes have been incorporated into the text.

MOTION CARRIED UNANIMOUSLY.

**AMENDMENTS TO AND APPROVAL OF AGENDA**

MOVED BY BAILEY, SECONDED BY THALMANN, to approve the agenda with the following revisions: to accept comments regarding the Adams Road Safety Path to follow item 4 (“Citizens”), to move the closed session to follow item 5 (“Historic District Commission Business”), to add an item regarding the Oakland Township Webpage following item 12 (“Cable/Webcast of Township Meeting and Video Equipment and Installation”), and to add an item regarding Benchmarking following item 15 (“Fiscal Year 2013-2014 Budgets Hearing”).

MOTION CARRIED UNANIMOUSLY.

**CITIZENS**

The Board heard comments from Bob Sirna of 5823 Wellwood Court, Jan Olson of 4190 Orion Road, Marc Edwards of 470 Ash Court, Richard Michalski of 3070 Wains Way, Kathy Thomas of 405 Stoney Creek Road and Robin Buxar of 1540 W. Gunn Road regarding various matters.

**ADAMS ROAD SAFETY PATH**

The Board heard comments from Richard Michalski of 3070 Wains Way (statement attached as a part of these minutes), Bob Sirna of 5823 Wellwood Court, Dennis Murray of 1371 Dutton Road, Emily Roesch, 3295 Wains Way, Marc Edwards of 470 Ash Court, Kathy Thomas of 405 Stoney Creek Road, Bill Garret of 3800 Adams Road, Jim Foulkrod of 5739 Paint Valley Drive (statement attached as a part of these minutes), Alice Tomboulin of 798 W. Gunn Road, Carolyn Phelps of 3745 Collins Road, Tom Hosey of 3470 N. Century Oaks Circle, Judy Scubig of Aquarius Circle, Dave Sokol of 4363 Dixiana Court, Paul Van Rapphorst of 5900 Southgate, Joe Langlois of 490 W. Snell Road, Frank Ferriolo of 5900 Kirkridge Trail and Jan Olson of 4190 Orion Road regarding this matter.

**GEORGE FARMSTEAD**

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Property owners Marc and Jane Trahan were present. Mr. Trahan said he is in agreement with placing his property on the list of resources protected under Ordinance No. 37-A, the Historic District Ordinance.

MOVED BY BAILEY, SECONDED BY THOMAS, to introduce and hold the first reading of an amendatory ordinance to add property described as the George Farmstead at 825 Mead Road to the appendix of listed historic resources under Ordinance No. 37-A.

AYES: Gonser, Reilly, Langlois, Bailey, Keyes, McKay, Thalmann

NAYS: None

ABSENT: None

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**HISTORIC DISTRICT COMMISSION VACANCY**

MOVED BY KEYES, SECONDED BY LANGLOIS, to appoint David Phillips to the Historic District Commission to fill the vacancy on that commission.

MOTION CARRIED UNANIMOUSLY.

**PAINT CREEK CIDER MILL AND MILLRACE**

MOVED BY BAILEY, SECONDED BY KEYES, to enlist the services of the Historic District Commission to research the Paint Creek Cider Mill and Millrace as a National Register of Historic Places nomination and possibly also a local historic district.

MOTION CARRIED UNANIMOUSLY.

**CLOSED SESSION**

MOVED BY LANGLOIS, SECONDED BY BAILEY, to move to a closed session of this meeting at 9:13 p.m. for the purpose of discussing a privileged attorney-client communication regarding Blossom Ridge, and to consider the closed session minutes of the December 3, 2012, meeting.

AYES: Gonser, Reilly, Langlois, Bailey, Keyes, McKay, Thalmann

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY.

MOVED BY KEYES, SECONDED BY BAILEY, to reconvene the regular session of the meeting at 10:27 p.m.

MOTION CARRIED UNANIMOUSLY.

**ACCEPTANCE OF CLOSED SESSION MINUTES**

MOVED BY LANGLOIS, SECONDED BY BAILEY, to accept the minutes of the December 3, 2012, special meeting, closed session, with the following correction: on page 2, the second paragraph, second sentence should be deleted.

MOTION CARRIED UNANIMOUSLY.

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**BLOSSOM RIDGE**

MOVED BY THALMANN, SECONDED BY BAILEY, to direct Mr. Joppich and Mr. Creech to assemble a package and prepare a cover letter to submit to the County Coordinating Zoning Committee to include various issues and concerns raised and addressed in the process of considering rezoning of the Blossom Ridge development, and further to rescind the direction to submit an inquiry to the Attorney General.

MOTION CARRIED UNANIMOUSLY.

**APPLEWOOD MEADOWS**

MOVED BY BAILEY, SECONDED BY THALMANN, to grant Applewood Meadows, consisting of 5 lots on 4.02 acres within parcel no. 10-27-452-006 located south of Snell Road and west of Rochester Road, Final Site Condominium approval with the following contingencies:

1. Establishment of a financial guarantee of in the amount of \$8,500 for all incomplete construction items, and depositing \$10,260 in the Township Safety Path fund in lieu of constructing the safety path along the development's frontage on Snell Road as outlined in the PEA letter dated 2/4/13;
2. Developer providing a private road maintenance agreement to the Township for Sandlewood Court, and evidence of the dedication of the 60 foot right of way along the frontage of the development of Snell Road to the RCOC;
3. Correction of a few minor items in the Master Deed, which will be subject to final review and approval by the Township Attorney.

MOTION CARRIED UNANIMOUSLY.

**OAKLAND CREST**

MOVED BY THALMANN, SECONDED BY BAILEY, to grant Tentative Preliminary Site Condominium approval for Oakland Crest consisting of 26 lots on 36.22 acres with 20 unconditional sewer taps contingent upon: the applicant securing septic permits from the Oakland County Health Department for lots 21 through 26 prior to submittal for Final Preliminary review.

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**BOARD OF REVIEW GUIDELINES FOR HARDSHIP STANDARDS**

MOVED BY LANGLOIS, SECONDED BY McKAY, to adopt the following guidelines for the 2012 Board of Review:

The “very low income” limits shall be used as the eligibility guidelines for the Board of Review hardship applications along with a total asset level not to exceed \$129,290 subject to the following conditions:

1. Total assets shall not include the first \$132,392 of the homestead.
2. Total assets shall not include the first \$7,944 of one car.
3. Total household income shall include the income of all persons residing in the homestead.
4. The Board of Review has the discretion of granting hardship exemptions for non-qualifying applicants if, after consideration, in the Board’s opinion, unusual or extreme circumstances exist where granting relief would be justifiable and appropriate.
5. The Board of Review has the discretion of granting full or partial exemptions.

MOTION CARRIED UNANIMOUSLY.

**BOARD OF REVIEW RIGHT FOR RESIDENT TO APPEAL BY LETTER**

MOVED BY BAILEY, SECONDED BY THALMANN, that the Charter Township of Oakland shall allow resident taxpayers to file a board of review protest by letter for the 2013 assessment year, and the Township shall notify citizens of this option by public notice as required.

MOTION CARRIED UNANIMOUSLY.

**SEMCOG REPRESENTATIVE**

MOVED BY BAILEY, SECONDED BY THALMANN, to appoint Trustee Keyes as the representative and Supervisor Gonser as the alternate representative to the Southeast Michigan Council of Governments.

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**PAINT CREEK CENTER FOR THE ARTS AWARD**

MOVED BY KEYES, SECONDED BY BAILEY, to nominate Jan and Greg Olson for Oakland Township's Paint Creek Center for the Arts nomination.

MOTION CARRIED UNANIMOUSLY.

**CABLE/WEBCAST OF TOWNSHIP MEETING AND VIDEO EQUIPMENT AND INSTALLATION**

MOVED BY THALMANN, SECONDED BY BAILEY, to award the contract for production services for the monthly meetings to CMNtv for one year.

MOTION CARRIED UNANIMOUSLY.

MOVED BY GONSER, SECONDED BY LANGLOIS, to authorize an amount not to exceed \$50,000 to purchase hardware for video services, and to consult with CMNtv on the purchase.

MOTION CARRIED UNANIMOUSLY.

**OAKLAND TOWNSHIP WEBPAGE**

MOVED BY McKAY, SECONDED BY BAILEY, to seek bids from a minimum of two more webpage design companies for the job of developing our Township webpage, to advertise on the MTA webpage, our own webpage, and in local papers, and to have companies make a presentation to the Board at the next meeting if possible.

MOTION CARRIED UNANIMOUSLY.

**DISPATCH CONTRACT**

MOVED BY BAILEY, SECONDED BY LANGLOIS, to accept the 2013-2015 Fire Dispatch Service Agreement Between the County of Oakland and the Charter Township of Oakland.

MOTION CARRIED UNANIMOUSLY.

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**LEGAL SERVICES**

MOVED BY LANGLOIS, SECONDED BY BAILEY, to extend interviews to Adkinson, Need & Allen; Giarmaraco, Mullins & Horton; Hafeli, Staran, Hallahan, Christ; Butzel Long; Beier Howlett; and Neil Wallace on February 26, 2013, at a special meeting for interviews only.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING: FISCAL YEAR 2013-2014 BUDGETS**

Supervisor Gonser called the public hearing to order at 11:47 p.m.

Richard Michalski of 3070 Wains Way pointed out that the Adams Road safety path is the largest single line entry in the 2013-2014 budget. This project is not only very important to the community, but is also a very high visibility project.

There being no further comments, Supervisor Gonser closed the public hearing at 11:50 p.m.

**BENCHMARKING**

MOVED BY KEYES, SECONDED BY McKAY, to form a sub-committee to begin a gap analysis to benchmark all policies, procedures, organizations charts, job descriptions, mission statements, core values, ethics, code of conduct, public records and FOIA maintenance, resident servicing and interaction, security, asset management and any other procedural documentation deemed necessary by this sub-committee that is not listed in this motion, of all departments, boards, commissions, societies, administration, personnel, human resource, financial, maintenance, caretaking and any other entity that benefits in any way from taxpayer funds or resources within Oakland Township, and to set a date of March 12, 2013, as the deadline for the submittal of these requested documents, so that residents and the Board alike, can have sufficient opportunity to assimilate the information and to review what operating systems are currently in place before the April 9, 2013, Board of Trustees regularly scheduled meeting. These documents must include the original inception date and/or the last amendment date.

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MOVED BY McKAY, SECONDED BY KEYES, to appoint Trustee Keyes, Trustee McKay and Supervisor Gonser to serve on the benchmarking sub-committee.

MOTION CARRIED UNANIMOUSLY.

**MANAGER'S REPORT**

**Paint Creek Cider Mill Concessionaire Agreement**

Trustee Bailey inquired if there has been interest in this.

**ATTORNEY'S REPORT**

**Clinton River Watershed Council**

MOVED BY BAILEY, SECONDED BY KEYES, to direct the Township Attorney to pursue formal enforcement of the contract with the Clinton River Watershed Council.

MOTION CARRIED UNANIMOUSLY.

**TRUSTEE BAILEY'S REPORT**

Trustee Bailey reported on the millrace.

**TRUSTEE THALMANN'S REPORT**

Trustee Thalmann reported on applying for Certified Local Government certification from the State Historic Preservation Office.

**TRUSTEE KEYES' REPORTS**

Trustee Keyes reported on the Michigan Municipal League and a thank you letter regarding Byers Wrecker Service.

**TREASURER LANGLOIS' REPORTS**

Treasurer Langlois stated that the Treasurer's Department's quarterly report was included in this evening's agenda packet, and that the Planning Commission is interested in holding a joint meeting with the Board of Trustees.

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**SUPERVISOR GONSER'S REPORTS**

Supervisor Gonser reported on property tax assessments, PEG fees, the Older Persons' Commission parking structure, Fire/EMS unionizing, the need for a report from the Parks and Recreation Commission before the Board considers their budgets, and an OCATS meeting he attended.

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**APPROVAL OF INVOICES**

MOVED BY BAILEY, SECONDED BY McKAY, to approve payment of the invoices as presented, dated January 18, 2013, in the amount of \$4,803.82, January 24, 2013, in the amount of \$62,323.97, and February 12, 2013, in the amount of \$221,717.90, and to continue to not pay the \$900 invoice from the Clinton River Watershed Council until the Township receives a report from them regarding the dam project.

MOTION CARRIED UNANIMOUSLY.

A copy of the lists of invoices is attached as a part of these minutes.

**ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 12:31 a.m.

Respectfully submitted,

Approved,

Ingrid R. Kliffel  
Recording Secretary

Karen Reilly  
Clerk