

Weekly News Report

Oakland Township Sentinel, LLC

News and Information - Charter Township of Oakland, Michigan

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<http://oaklandtownshipsentinel.wordpress.com/>

*“Informed citizens are the foundation of
effective self-government”*

Township Meetings & Events Next Week

Meetings

(The public is invited to attend and usually to comment, view live on Ch 17, or see video on the Township website a few days after the meeting)

Parks and Recreation - Special meeting – **Wednesday, January 22, 6 PM, Paint Creek Cider Mill** (review new Lost Lake Nature Park caretaker contract). See more detail under Parks and Recreation below.

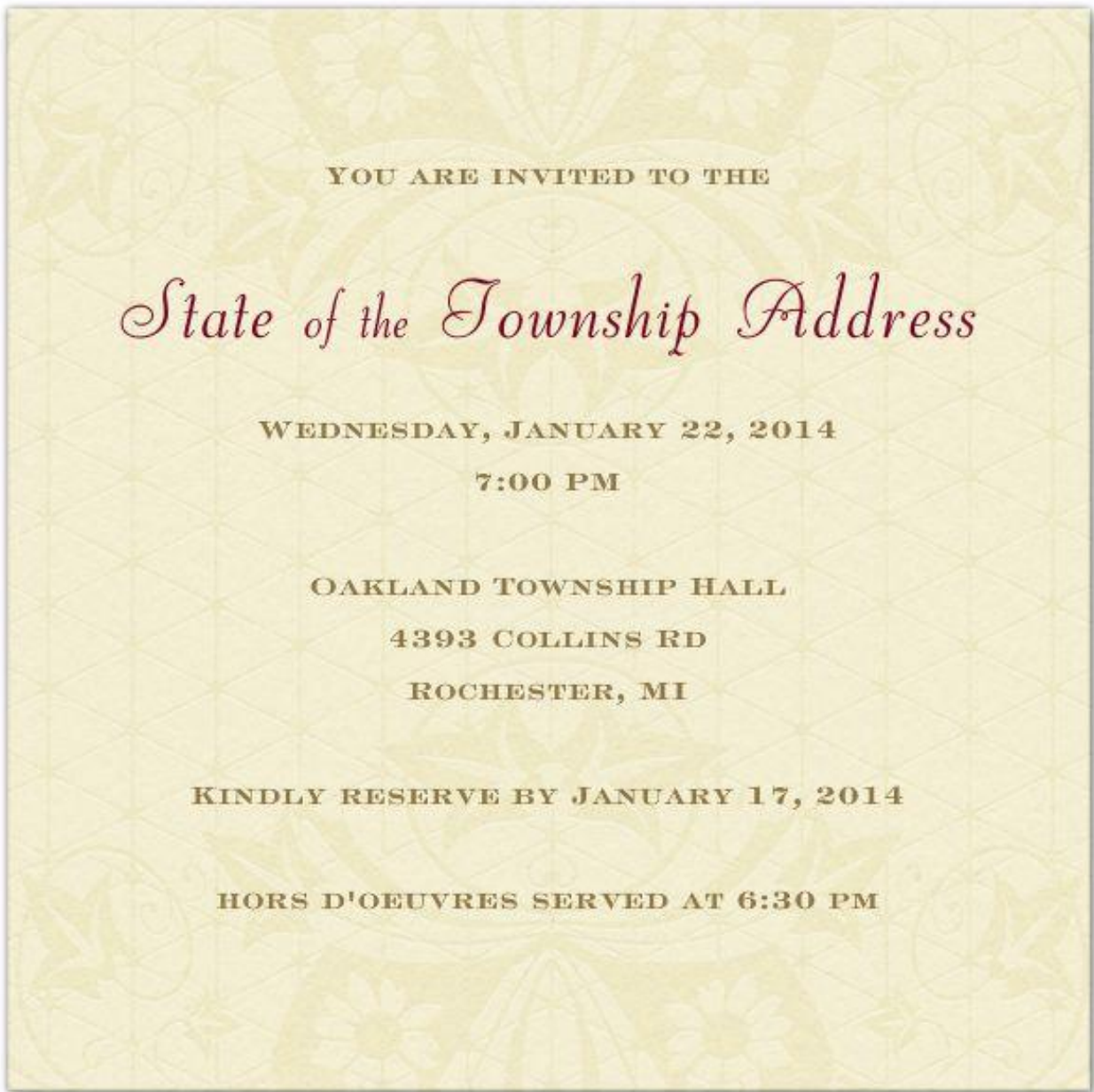
Zoning Board of Appeals meeting originally scheduled for January 21, 2014 has been cancelled. Sign up on the Township website for email and /or text message notification of meetings.

Events – a New Category

State of the Township Address – Special Event - Wednesday, January 22, 7PM, Township Hall (*open to the public, no invitation required, not televised, possible videotape, no public comment*)

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*On Thursday, January 16th, of this week, we learned of a scheduled State of the Township Address at the Township Hall. Written invitations (see above) to this scheduled event had been extended to certain individuals. However, no advanced announcement of next Wednesday's scheduled event was made at the Board of Trustees meeting which we attended on Tuesday, January 14th, nor was there a posting inviting the general public to attend Supervisor Gonser's State of the Township Address. We wondered about this omission.

We solicited statements from both Supervisor Terry Gonser and new Township Manager Ann Capela. Ms. Capela responded with an assurance that "this event will be posted and public is welcome to attend." She further stated that the State of the Township Address was "organized

by Supervisor Terry Gonser in the same way as many Mayors/Supervisors/County Executives/Governors and other elected officials hold, usually at the beginning of a calendar year, to deliver a message about the state of ‘their’ community.”

We welcome this opportunity to become better informed on the state of our township, and we strongly encourage all township residents to attend Supervisor Gonser’s State of the Township Address on Wednesday evening at 7:00PM at the Township Hall.

According to Ms. Capela, this event will not be televised. Although a “volunteer” will be videotaping the Address, it is unclear as to whether that tape will be made available to citizens of the township.

Moceri, et al, File \$4,000,000 Lawsuit Against Oakland Township – “Please Refund Our Water-Tap Fees”

According to a recent Oakland Press article, two lawsuits from builders and developers request that a judge require Oakland Township to refund the \$2500 water-tap fees that have been collected on new construction since 1998. The fees were intended to finance additional water lines to connect to Detroit Water System in areas where contaminated ground water was feared. In the Sept 10, 2013 Board of Trustees Meeting it was decided to stop collecting the fees as connection was unlikely. The lawsuits to refund the fees followed.

Oakland Township Sentinel plans to interview Township Officials in the near future to get their perspective on the story. What might be the effect on taxes? What happened to the original concerns about contaminated groundwater? What water supplies were these houses hooked up to?

See the full text of the lawsuits at the Oakland Township Watchers website:

<http://oaklandtownship.info/2014/01/14/oakland-township-sued-for-over-4-million-in-water-tap-fees/>

Information added to our website this week:

Water tap lawsuit summary plus links to (Oakland Press Article, Oakland Township Watchers blog entry) <http://oaklandtownshipsentinel.wordpress.com/water/>

2003 Master Plan Survey Data – See how citizens responded to key questions in 2003 survey that formed a basis for our current Master Plan
<http://oaklandtownshipsentinel.wordpress.com/planning-commission/>

Township Government Explained - The following link takes you to an article in Jan/Feb 2009 Michigan Township News that explains the basics of Michigan Government and the functions of Board of Trustee Members

http://www.charlevoixcounty.org/downloads/janfeb09_1.pdf

Freedom of Information Act (FOIA) page listing our requests in 2013 and 2014 with responses, if received (some are still pending with Township).

<http://oaklandtownshipsentinel.wordpress.com/freedom-of-information-act/>

Board of Trustees (BOT)

Link to Township website page:

http://www.oaklandtownship.org/boards_and_commissions/board_of_trustees/index.php

Next meetings:

Tuesday **January 27, 2014, 7 PM.,** Township Hall Board Room

Box Score - Board of Trustees Meeting - 1/14/14								
Approx. minute on video	Agenda Item (Green = pass, Red = Fail, Black = discussion only, no vote)	Robin Buxar - Trustee	Michael Bailey Trustee	Jeanne Langlois - Treasurer	Terry Gonser - Supervisor	Karen Reilly - Clerk	Sharon McKay - Trustee	Maureen Thalmann - Trustee
0	1 - Call to order							
	2 - Pledge of allegiance							
	3 - Roll call (P = present, A = absent)	P	P	P	P	P	A	P
	4 - Announcements, Proclamations, Presentations : Dr. Pierre Atallah							
7	5 - Citizens comments - see below							
	6 - Amendments / Approval of Agenda (add #19A, remove #17)	Yes	Yes	Yes	Yes	Yes	A	Yes
12	7 - Approve bills of \$327,690 without discussion of detail as a Consent Agenda Item	Yes	Yes	Yes	Yes	Yes	A	Yes
	8 - Approve minutes of December 7, 2013 meeting without discussion as a Consent Agenda Item	Yes	Yes	Yes	Yes	Yes	A	Yes
15	9 - Selected Plant-Moran as CPA firm for annual audit preparation	Yes	Yes	Yes	Yes	Yes	A	Yes
87	10 - Approved construction of Golf Cart garage at Myth Golf Course	Yes	Yes	Yes	Yes	Yes	A	Yes
89	11 - Decided to have Township Ann Capela investigate further Mrs. Beth Markel FOIA appeal regarding emails from Parks Director Mindy Milos-Dale	Yes	Yes	Yes	Yes	Yes	A	Yes
102	12 - Decided how to award \$15,000+ in Federal Community Block Grants (Haven and Mobile home park)	Yes	Yes	Yes	Yes	Yes	A	Yes
107	13 - Approved standard county No-Haz and approved Trustee Maureen Thalmann as 2014 coordinator (she volunteered)	Yes	Yes	Yes	Yes	Yes	A	Yes
112	14 - Decided to allow real estate tax appeals by letter again for 2014	Yes	Yes	Yes	Yes	Yes	A	Yes
	15 - Set low income / low asset hardship guidelines to use in granting possible tax relief	Yes	Yes	Yes	Yes	Yes	A	Yes
115	16 - Communicated the need for applicants for Zoning Board of Appeals alternates to fill in for planned vacations							
	17 - Zoning Amendment work consultant funding (Williams & Works) - dropped from agenda							
	18 - Decided to request Parks and Recreation Commission to permit review of Lost Lake Nature Park Caretaker contract by Board of Trustees	Yes	Yes	Yes	Yes	Yes	A	Yes
	19- Decided to table action on a compensation committee to study elected and appointed officials salaries							
	20 - Citizens Comments - see below							
	21- Board Reports - see below - reports from							
129	22 - Adjourn							

Detailed Discussion of Board of Trustees Meeting Agenda Items.

#4 – Announcements, Proclamations, Presentations

- Videos will be on website only 13 months due to space restrictions; after that they will be available from CMN TV – Supervisor Gonser
- Introduction of Ann Capela, new Township Manager – Supervisor Gonser
- Dr. Atallah was awarded Certificate of Recognition for his one-year service to OPC. Dr. Atallah summarized advances made during that year. – Supervisor Gonser

#5 & 20 - Citizen Comments

Citizens can comment on any item not on the agenda at this point in the meeting or a second time at the end. Up until March of 2013, a summary of each citizen's comment was included as part of the minutes. In the March meeting, the Board voted to change their minutes to an "MTA short form". Now only the citizen's name and address are recorded, but nothing about what they said. Here we attempt to summarize citizens' comments:

#5 – Comments at beginning of meeting

Mrs. Beth Markel – Trails Millage, Fund 211 - reviewed her dissatisfaction with the large payments for professional services of \$238,000 while moneys spent on actual trail construction totaled only about \$33,000 since the inception of the millage. She likened it to paying \$700,000 to architects for a \$100,000 house. She said Parks Director Milos-Dale managed the fund as Trails planner and the Board approved all her requests.

(Editors note: a summary table of expenses from this fund can be seen on our Safety Paths and Trails webpage: <http://oaklandtownshipsentinel.files.wordpress.com/2013/12/trail-improvement-fund-211.pdf>. We need to investigate what we actually received for our \$238,000. We have heard an overall survey of the potential of every trail on the Master Plan was part of this work. So to evaluate the value received for the \$238,000 we need to determine what all the deliverables were. We have entered FOIA OTS-2014-6 requesting this information. We will follow up with a report on this information.)

Greg Olson – glad to go on tour with ECT with regards to **Paint Creek Millrace restoration**. (Editor's note: Mr. Olson's home borders on the millrace. He and his wife Jan have been leaders of citizen efforts to restore the water flow to the millrace.)

#20 – Comments at end of meeting**Frank Ferriolo**

- Boy Scouts could be likely volunteers for N0-Haz.
- **Township board – please encourage more citizen involvement in BOT and PRC** (our two elected bodies) meetings to get more points of view. Consider using your “email blast” capabilities to alert people that “...there is a meeting tomorrow...” – especially focus on Homeowners Association leaders who can relay the message to their association members. (Editor’s note: Sign up on the Township website to have meeting notices sent to your email or by text message)

#7 - Bills - \$324,690 Approved

Bills totaling \$324,690.53 were approved as part of the Consent Agenda without discussion. Contrast that, with the detailed examining of invoices at the 1/8/14 Parks and Recreation meeting. PRC Commissioner and Treasurer Roger Schmidt questioned Parks Director Milos-Dale about \$160 for carpet cleaning, \$99 for contact security light battery replacement, and a \$550 legal bill. This can be seen starting at minute 180 of the Parks and Recreation Meeting tape for 1-08-14.

#9 – Selection of CPA firm for auditing services

After public interviews of three candidate firms, the Board selected Plante & Moran.

Some background and more detail:

Every year the Township must prepare a financial report, be audited, and send these reports to the State per this statute:

THE CHARTER TOWNSHIP ACT (EXCERPT) Act 359 of 1947

42.30 Annual audit of accounts; results, filing, public inspection; annual report of township business. Sec. 30.

An independent audit shall be made of all accounts of the township government at least annually and more frequently if deemed necessary by the township board. Such audit shall be made by qualified accountants experienced in municipal accounting. The results of such audit shall be on file in the office of the township clerk and available to the public for inspection. An

annual report of the township business shall be made available to the public by the township board in such form as will disclose pertinent facts concerning the activities and finances of the township government.

At the November 12, 2013 Board Meeting the Board authorized "...*the issuance of an RFP by the Board for CPA services for The Charter Township of Oakland and to have Treasurer Langlois as coordinator of the issuance.*" In layman's terms, "they put it out for bid". The board felt that the Township had been using the accounting firm PSLZ, LLC for a long time and an RFP was appropriate.

#10 – The Myth Golf Course Golf Cart Parking Building – Site Plan Review

The Board approved the site plan that had been thoroughly reviewed and recommended for approval under Township ordinances by the Planning Commission, who had reports recommending approval of the site plan from:

- Township Planning Consultant (Williams & Works),
- Township Engineering Firm (PEA)
- Township Environmental Consultants (ASTI),
- Parks and Recreation Commission Subcommittee
- Fire Dept.,
- Building Dept.,

A function of the Planning Commission is to relieve the Board of a possibly tedious and technical review of building plans such as these.

#11 – Mrs. Beth Markel – Freedom of Information Act Appeal (FOIA) Appeal

Mrs. Beth Markel entered an eight-page FOIA appeal asking for either more emails related to her request or a sworn affidavit from Parks Director Mindy Milos-Dale that what she was requesting did not exist. The Board voted to direct Township Manager to investigate and get written assurance from Director Milos-Dale.

See the FOIA appeal 48-55 in the Board Meeting packet at this link on our website:

<http://oaklandtownshipsentinel.files.wordpress.com/2014/01/misc-documents-board-of-trustees-2014-bot-packet-january-14-2014.pdf>

#12 - Community Block Grant

The Board approved grants as recommended by Administrative Assistant Elaine Leven

HAVEN	\$2,500
Public Service - Transportation Services	3,331
Mobile Home Repair Program - OLHSA	12,906
<hr/>	
Total	\$19,437

The complete memo can be seen at page 56 of the meeting packet at this link:

<http://oaklandtownshipsentinel.files.wordpress.com/2014/01/misc-documents-board-of-trustees-2014-bot-packet-january-14-2014.pdf>

#13 – No-Haz

Several times a year, if you pay a \$10 fee, you can take household hazardous waste to a nearby disposal site. To provide this service the Township Board must sign a contract (pages 69-85 in this meetings packet) with the county and provide volunteers who are coordinated by someone. Trustee Maureen Thalmann volunteered to be the coordinator, not a job anyone else was anxious to volunteer for.

#14 – Board of Review Appeal by Letter

The Board of Review meets with residents who appeal their property taxes for a variety of reasons. This was a routine but necessary decision to allow the appeal to be done by letter instead of meeting in person with the board. This accommodates people who cannot easily meet with the Board of Review, in person, for example if living in Florida, part-time.

#15 – Board of Review Hardship Guidelines

Laws allow the Board of Review to reduce property taxes for property owners with low income and low assets. Each year the guideline for income and assets are set. This year the guidelines are on pages 88-89 of the meeting packet.

#16 – Zoning Board of Appeals Alternate

Supervisor Gonser said an appointee is needed to be an alternate when some current ZBA members are on vacation early this year. This need will be communicated via the website. If interested you can apply with a self-nomination form found on the Township website.

#17 – Zoning Ordinance Amendment Funding

This item, to approve a proposal from Township Planning Consultants, Williams & Works was removed from the agenda. The reason is that the Board may consider other consultants for this work.

#18 – Lost Lake Caretaker

The Board voted to ask the Parks and Recreation Commission to review their proposed contract with new caretakers for Lost Lake Nature Park, Wombat, LLC. Board members concurred by this vote that they have primary responsibility to approve such contracts as they have various concerns including liability, tax accounting, etc. Supervisor Gonser said that repeated contacts with PRC on this matter had been ignored. The most recent contact was a January 7, 2014 letter from Township Attorney Dan Kelly to Parks and Recreation Attorney Steve Joppich (former Township attorney for many years before 2/26/13). Parks Commissioner Alice Tombouljian, who was present, disputed that, saying that they were complying with this new policy that had not been in force in the past.

#19 – Compensation Commission / Committee

Members of the Board of Trustees and various commissions have not had pay increases for as long as 12 years in some cases. Annual salaries go to only the Supervisor Terry Gonser (\$13,700), Clerk Karen Reilly (\$9,300) and Treasurer Jeanne Langlois (\$9,300). All other

members receive only a per meeting fee (per diem on the budget records) of around \$70-100 (Planning Commissioners, Zoning Board of Appeals Members, Historic District Commissioners, Parks and Recreation Commissioners.) Supervisor, Clerk, and Treasurer do not receive any per diem pay.

Pay can be changed by the Board in three ways:

- By direct action of the Board of Trustees
- By approval of the recommendation of a Compensation Commission appointed by the Board
- By approval of a recommendation an ad hoc committee created by the Board

The Board decided to delay decision on this matter.

#20 – Citizens

See #5 above.

#21Board Reports

Robin Buxar - Trustee

Commented on progress on millrace restoration project with ECT.

Had fun on the sledding hill recently; but got a big bruise – Terry Gonser’s granddaughter was there as well.

Mike Bailey - Trustee

Commented on progress on millrace restoration. Said “The bottom line is we are making progress.” Was complimentary of hands-on nature of the engineers from ECT. Said there will be another meeting at the site on Thursday. Trustee Buxar will fill in for him, as he cannot attend.

Karen Reilly – Clerk – no report

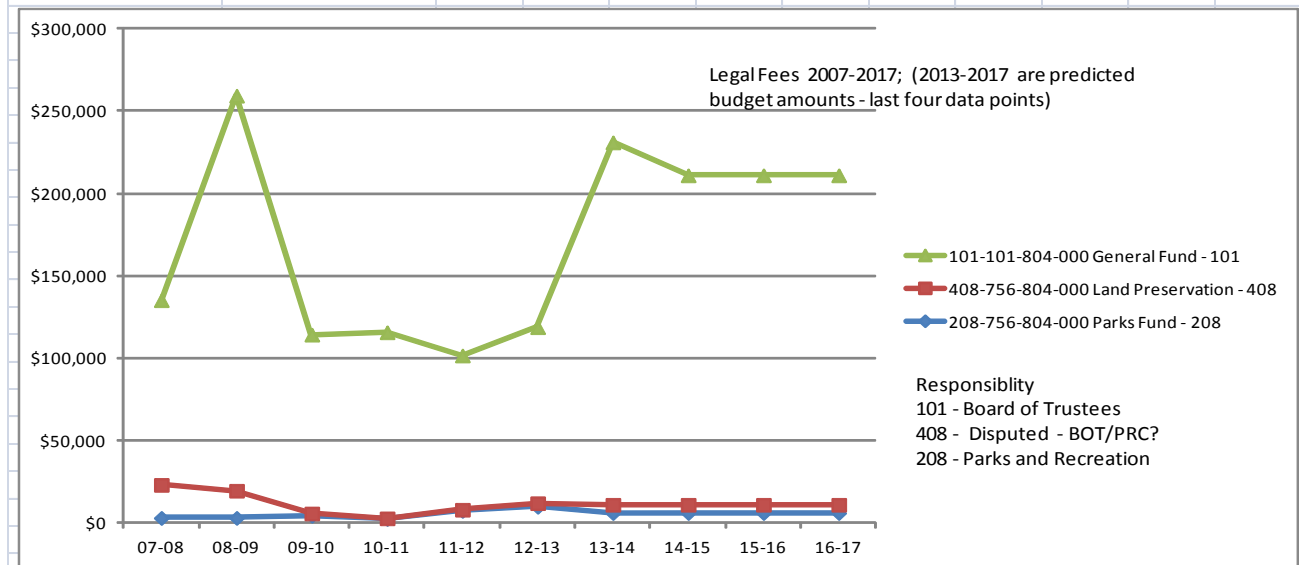
Maureen Thalmann, Trustee expressed her opinion that Parks and Rec is wasting money on legal fees by not using the same attorney as the Board of Trustees. Her verbatim comments, in total were:

“There’s a subject brought up a couple of times this evening that I’ve done a little research on and I wanted to talk to residents about. If you remember, just less than a year ago we signed a contract with the law firm of Giarmarco, Mullins and Horton and who is aptly represented by Dan Kelly. And this was to be our township attorney going forward. They would handle the

normal litigation for or advice from conference calls. review correspondence, go over contracts. Litigation and labor information was going to be handled separately. But monthly we pay a fee and all the departments are able to use Mr. Kelly's expertise and the depths of lawyers within that firm. When that was decided, the Parks and Rec mentioned that they had some contracts they wanted to finish out using the prior attorney, Steve Joppich. And I was in full agreement with that. There was an amount set in the budget, contracts were going to be completed, and then their work would then go through Dan Kelly. Looking through invoices today, there have been eight (8) invoices that I found from Parks and Recs dealing with Mr. Joppich and his law firm and it now is up to seven-thousand and over six-hundred dollars. I'm not sure that the residents are aware that they are paying double for attorney coverage. I think it's very unusual for a department within a Township to have its own attorney. And I really don't think the taxpayers know that they are paying twice for attorney coverage. And I know I think I'm preaching to the choir a bit in this room, but I hope that the message gets out there and more residents are aware of this waste of money"

Below is data taken from the Township website on legal expenses incurred by Parks and Recreation and the Board of Trustees. Fees incurred by the board are projected to rise from \$106,856 for fiscal year ending March 31, 2013 to \$220,000 for year ending March 31, 2014.

Legal Fees		Actual	Actual	Actual	Actual	Actual	Actual	Budget	Budget	Budget	Budget
Account	Fund	07-08	08-09	09-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17
208-756-804-000	Parks Fund - 208	\$3,019	\$3,052	\$4,374	\$2,363	\$7,302	\$9,832	\$6,000	\$6,000	\$6,000	\$6,000
408-756-804-000	Land Preservation - 408	\$20,035	\$16,480	\$1,368	\$393	\$708	\$2,109	\$5,000	\$5,000	\$5,000	\$5,000
101-101-804-000	General Fund - 101	\$112,143	\$239,833	\$108,530	\$112,949	\$93,604	\$106,856	\$220,000	\$200,000	\$200,000	\$200,000



Data source is Township website at this link to 2014-2015 proposed budgets on Board of Trustees page

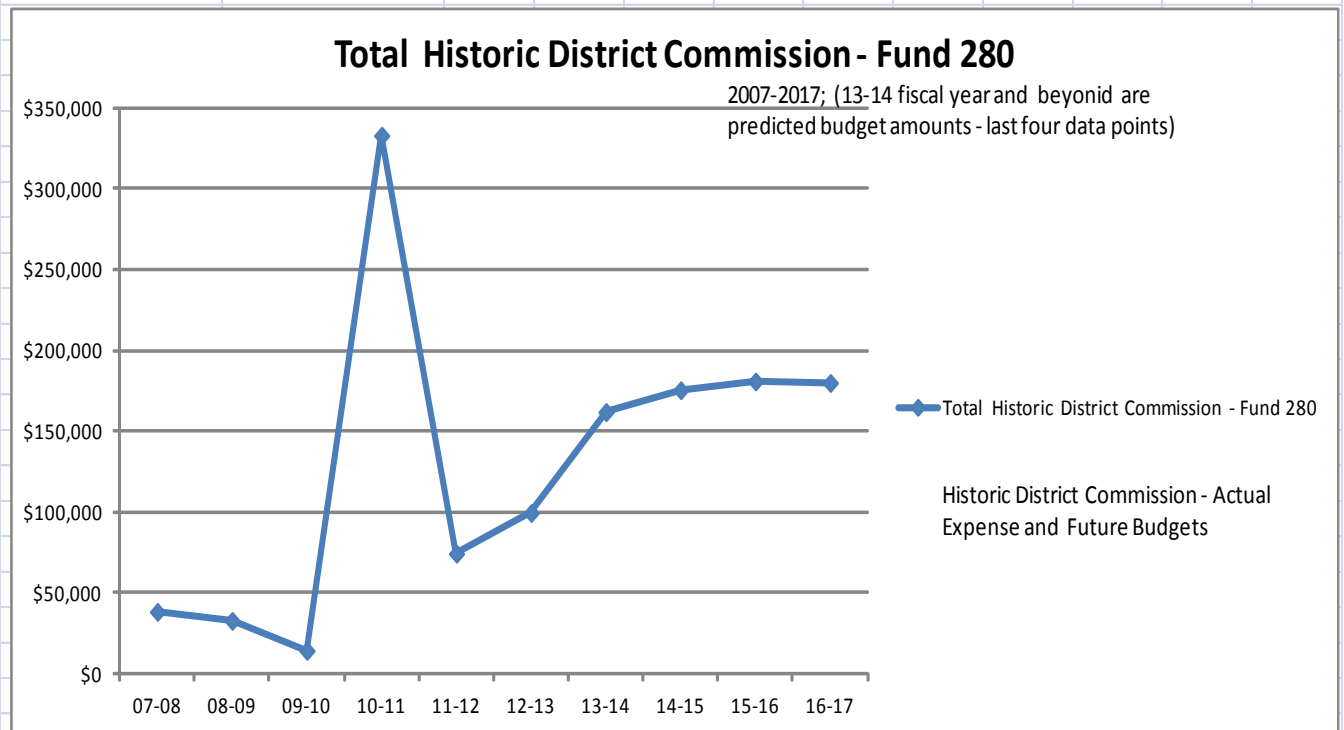
http://www.oaklandtownship.org/boards_and_commissions/board_of_trustees/docs/Draft_Budgets_2014_2015.pdf

Historic District Commission (HDC)

Link to Township website page:

http://www.oaklandtownship.org/boards_and_commissions/historic_district_commission/index.php

Account	Fund	Actual 07-08	Actual 08-09	Actual 09-10	Actual 10-11	Actual 11-12	Actual 12-13	Budget 13-14	Budget 14-15	Budget 15-16	Budget 16-17
Total	District Commission - F	\$38,537	\$32,977	\$14,453	\$332,851	\$74,438	\$99,623	\$162,000	\$175,500	\$180,935	\$180,000



Data source is Township website at this link to 2014-2015 proposed budgets on Board of Trustees page

http://www.oaklandtownship.org/boards_and_commissions/board_of_trustees/docs/Draft_Budgets_2014_2015.pdf

Summary of HDC Meeting January 15, 2014

Agenda Item #	Result (Black = discussion, Green = Approved Motion)
6	Paint Creek Mill new sign approved
7	B. Barber gave update from last night's BOT on millrace restoration status
8	New paint creek mill historic style lighting post needs more investigation by B. Barber to get total cost of options to choose from.
9	HDC elections postponed
10	2014-2105 Meeting dates set
11	B. Barber reported that she will meet with a subcommittee of Capela, Gonser, Thalmann to determine if BOT approves of idea of summer Historic Preservation Intern from Eastern Michigan University, reporting to her.
12a	B. Barber reports that Rochester Plumbing will assess best place to put replacement sewer line to avoid interference with foundations
12b	B. Barber reports more investigation is needed to determine what is needed for whole-house generator. Two completely separate service entrances complicate matters. Commissioner Sanderson recommends electrical contractor.
12c	Two square-dance events planned for 6/21/ and 9/13 with popular Glen Morningstar as caller. The Commission noted that he was able to involve novices and experienced square dancers. May be catered by new catering business now located in Goodison Station Plaza at Collins / Orion.
13	B. Barber reported the following:
13	progress on Paint Creek Mill National Register Nomination Progress;
13	Doug Caruso plowed snow at CLF – invoice \$170,
13	CLF – downed tree removed
13	Upgrades to website – photos, etc.
13	Mileage increased to \$0.56 for IRS
13	Grant writing seminar planned – may involve other boards
13	Descendant of 1920 D.U.R. / auto crash that killed five stopped in to chat. Victims were on their way to Flumerpflet Farm to learn to thrash.
14	Approved budget
15	Approved invoices – discussion about long-missing computer invoice for computer delivered in November. B. Barber checking with Township Hall. Also concern about missing DTE invoices
16	Dave Phillips collecting photos of Collins family to hang at CLF house
16	A commissioner received a call from a citizen concerned that her dogs were attacked by loose dogs at north end of Cranberry Lake Farm Park. Discussion about who to alert – Sheriff or PRC
16	Heidi Patterson's husband has an antique chair to donate to CLF house.

Parks and Recreation Commission (PRC)

Link to Township website page:

http://www.oaklandtownship.org/boards_and_commissions/parks_and_recreation/index.php

Special meeting, **January 22, 6 PM, Paint Creek Cider Mill** (review new Lost Lake Nature Park caretaker contract).

There are two underlying issues regarding this contract that may come up at this meeting.

Board of Trustees seems to think that Parks and Recreation should not use their own attorney, Steve Joppich (the former Township Attorney until Feb. 2013), but instead the new Township Attorney, Dan Kelly of GMH, PC.

Board of Trustees does not think Parks and Recreation Commission can make such contracts without referring them to the Board for review. They see a number of issues with this contract and have requested involvement via a letter from the Board Attorney, Dan Kelly to the Parks Attorney, Steve Joppich. (We have requested a copy of this via FOIA.)

Also a regular meeting Wednesday, **February 12, 2014, 7 PM**, Township Hall Board Room

Planning Commission (PC)

Link to webpage on Township website:

http://www.oaklandtownship.org/boards_and_commissions/planning_commission/index.php

Next **meeting** is Tuesday, **February 4, 2014, 7 PM**, Township Hall Board Room

Safety Path and Trails Advisory Committee (SPTAC)

Link to webpage on Township website:

[http://www.oaklandtownship.org/township_departments/safety_path_and_trail_network/index.p
hp](http://www.oaklandtownship.org/township_departments/safety_path_and_trail_network/index.php)

Next meeting date not known.

Zoning Board of Appeals (ZBA)

Link to webpage on Township website:

http://www.oaklandtownship.org/boards_and_commissions/zoning_board_of_appeals/index.php

Zoning Board of Appeals meeting originally scheduled for **January 21, 2014** has been
cancelled.

Next meeting is **Tuesday, February 18, 2014**

Editorials

None this week, maybe next.

Letters to the Editors

We welcome these, especially those that add missing facts or correct factual errors.
