

**CHARTER TOWNSHIP OF COMMERCE  
TOWNSHIP BOARD OF TRUSTEES MEETING**

**June 11, 2024**

2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Supervisor Gray called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Present: Larry Gray, Supervisor  
Melissa Creech, Clerk  
Molly Phillips, Treasurer  
Robert Berkheiser, Trustee  
Vanessa Magner, Trustee  
Rick Sovel, Trustee  
George Weber, Trustee

Also Present: Hans Rentrop, Township Attorney  
David Campbell, Planning Director  
Jim Dundas, Fire Chief  
Jay James, Building Official  
Alyson Lobert, Library Director  
Jason Mayer, Giffels Webster Engineers  
Mark Schoder, Maintenance Director

**APPROVAL OF MINUTES**

**MOTION** by Magner, supported by Sovel, to approve the May 14, 2024 Regular Township Board Meeting minutes, as submitted.

**MOTION CARRIED UNANIMOUSLY**

**PRESENTATIONS**

**A. Water Resources Commission (WRC)**

Present:  
Raphael Chiolla, Financial Services Manager WRC  
Gary Nigro, Manager/Chief Engineer WRC  
Amy Ploof, Chief Engineer Water WRC  
Drew Sandahl, Chief Engineer Sanitary Sewer WRC

A presentation was made on the FY 2023 Commerce/White Lake/Wolverine Lake WWTP final financial summary and the Commerce Township Water and Sewage Disposal Systems FY 2025 Budgets Proposals.

**ITEM 1:6-11 APPROVAL OF AGENDA**

**MOTION** by Phillips, supported by Creech, to approve the June 11, 2024 agenda, as presented. **MOTION CARRIED UNANIMOUSLY**

**ITEM 2:6-11 PUBLIC COMMENTS**

Supervisor Gray opened Public Comments and advised the public that speaking time is limited to 3 minutes. This is for public comments only.

Christine Long, Oakland County Commissioner District 12, 4200 Teal Ln., Wolverine Lake, MI, gave an update on the following:

- On the November 2024 ballot there may be an Oakland County Parks and Recreation millage increase from .35 to .65 for 20 years to replace the millage passed in 2020.
- There may be a 30% increase to The Oakland County Sheriff's contract in 2025.

Supervisor Gray closed Public Comments.

**ITEM 3:6-11 BOARD APPOINTMENTS**

- A. Jose Mirkin – Reappointment to the Downtown Development Authority for a 4-Year Term to Expire July 31, 2028**

Jose Mirkin was present.

**MOTION** by Gray, supported by Sovel, to Reappoint Jose Mirkin to the Downtown Development Authority for a 4-Year term to expire July 31, 2028.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 4:6-11 CONTRACT AWARD AND AGREEMENT**

- A. Oakland County IT Services Agreement**

Hans Rentrop, Township Attorney, said while there are differences between the current and proposed agreements, he has no significant concerns with any of these changes and there are no legal issues which would prohibit entry into this Agreement.

**MOTION** by Berkheiser, supported by Sovel, to approve the Oakland County IT Services Agreement.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:6-11 CONSENT AGENDA**

- A. Fireworks Permit – Edgewood Country Club**
- B. Fireworks Permit – North Commerce Lake**
- C. Fireworks Permit – Long Lake**
- D. Fireworks Permit – Lake Sherwood**

**ITEM 5:6-11 CONSENT AGENDA (continued)**

**MOTION** by Sovel, supported by Berkheiser, to approve the Resolution of The Township Board of The Charter Township of Commerce Approving Consent Agenda.

**AYES:** Sovel, Berkheiser, Creech, Phillips, Weber, Magner, Gray  
**NAYS:**  
**ABSENT:**

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:6-11 5 & MAIN SPECIAL ASSESSMENT DISTRICTS**

**A. Public Hearing for Roll Resolution – 5 & Main Water Main Infrastructure SAD**

Supervisor Gray opened Public Comments.  
There were no public comments.  
Supervisor Gray closed Public Comments.

**B. Public Hearing for Roll Resolution – 5 & Main Sanitary Sewer Infrastructure SAD**

Supervisor Gray opened Public Comments.  
There were no public comments.  
Supervisor Gray closed Public Comments.

**C. Public Hearing for Roll Resolution – 5 & Main Sanitary Sewer and Water Main Capital Charges SAD**

Supervisor Gray opened Public Comments.  
There were no public comments.  
Supervisor Gray closed Public Comments.

**D. Roll Resolution - 5 & Main Water Main Infrastructure SAD**

**MOTION** by Berkheiser, supported by Weber, to Approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated 5 & Main Water Main Infrastructure Special Assessment District.

**AYES:** Berkheiser, Weber, Phillips, Creech, Magner, Sovel, Gray  
**NAYS:**  
**ABSENT:**

**MOTION CARRIED UNANIMOUSLY**

**E. Roll Resolution – 5 & Main Sanitary Sewer Infrastructure SAD**

**MOTION** by Sovel, supported by Berkheiser, to Approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated 5 & Main Sanitary Sewer Infrastructure Special Assessment District.

**ITEM 6:6-11 5 & MAIN SPECIAL ASSESSMENT DISTRICTS (Roll Resolution – 5 & Main Sanitary Sewer Infrastructure SAD Motion continued)**

**AYES:** Sovel, Berkheiser, Magner, Weber, Phillips, Creech, Gray

**NAYS:**

**ABSENT:**

**MOTION CARRIED UNANIMOUSLY**

**F. Roll Resolution – 5 & Main Sanitary Sewer and Water Main Capital Charges SAD**

**MOTION** by Phillips, supported by Creech, to Approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated 5 & Main Sanitary Sewer and Water Main Capital Charges Special Assessment District.

**AYES:** Phillips, Creech, Weber, Sovel, Berkheiser, Magner, Gray

**NAYS:**

**ABSENT:**

**MOTION CARRIED UNANIMOUSLY**

**G. Agreement for Approval and Payment of Water and Sewer Contractor Between Continental 741 Fund, LLC and The Charter Township of Commerce**

Hans Rentrop, Township Attorney, said the Township Treasurer will have 25 days to pay the contractor upon receipt of the invoice from Giffels Webster Engineers.

**MOTION** by Sovel, supported by Magner, to Approve the Agreement for Approval and Payment of Water and Sewer Contractor between Continental 741 Fund, LLC and The Charter Township of Commerce.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 7:6-11 OLD BUSINESS**

**A. WRC Budget – Tabled 4-9-2024**

**MOTION** by Gray, supported by Berkheiser, to remove WRC Budget from the Table.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Gray, supported by Berkheiser, to accept the presentation by representatives of the Water Resources Commission and approve the Commerce Township Water and Sewage Disposal Systems FY 2025 Budget.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:6-11 NEW BUSINESS**

**A. Clays for a Cause, Inc. Charitable Gaming License Application**

Bryan Knight, President Clays for a Cause, Inc., is requesting the Board approve application for a raffle license sponsored by Clays for a Cause, Inc. A Sporting Clay

**ITEM 5:6-11 NEW BUSINESS (Clays for a Cause, Inc. Charitable Gaming License Application continued)**

Event in 2024 benefiting Michigan Disabled American Veterans (MI DAV) that will be held at Multi-Lakes Conservation Association, 3860 Newton Rd, Commerce Twp, MI, on September 19, 2024.

**MOTION** by Creech, supported by Phillips, to approve the Local Governing Body Resolution for Charitable Gaming Licenses for Clays for a Cause, Inc.

**MOTION CARRIED UNANIMOUSLY**

**B. Substitute Librarian Position and Job Description**

Library Director Alyson Lobert is requesting Board approval of the Substitute Librarian job description for the Commerce Township Community Library, as recommended by the Library Advisory Board at their May 22, 2024 meeting.

**MOTION** by Magner, supported by Creech, to approve the Substitute Librarian position and Job Description for the Commerce Township Community Library.

**MOTION CARRIED UNANIMOUSLY**

**C. Metro Act ROW Permit Resolution – Crown Castle Fiber, LLC**

Hans Rentrop, Township Attorney, recommends denial of Crown Castle's request to modify Exhibit A of its METRO Act Right of Way Permit. This recommendation is based upon Crown Castle's noncompliance with the terms of its METRO Act Right of Way Permit and the Township's Code of Ordinances. Specifically, Crown Castle's failure to obtain the required Township approval of plans prior to the construction of its existing network. It is our recommendation that approval be withheld until all as-built records are received and reviewed by the Township's Building Department to verify the existing network's compliance with all laws and regulations.

**MOTION** by Weber, supported by Creech, to approve the Resolution of The Township Board of The Charter Township of Commerce to Deny the Modification of "Exhibit A" to Crown Castle Metro Act Right of Way Permit. **MOTION CARRIED UNANIMOUSLY**

**D. Bank Depositories – Treasurer**

Treasurer Phillips would like to add Farmers & Merchants State Bank to the list of authorized depositories for Commerce Township funds.

**MOTION** by Sovel, supported by Magner, to approve the Resolution of The Township Board of The Charter Township of Commerce to add Farmers & Merchants State Bank to the list of authorized depositories for Commerce Township funds.

**MOTION CARRIED UNANIMOUSLY**

**E. Intention Resolution – Demarist – Barkley Street Maintenance SAD**

Jay James, Building Official, said this is a Maintenance SAD to be paid over 4 years for a 1-time project to clean roads, perform crack sealing, and pavement sealing. The cost is \$150 per year for each parcel.

**ITEM 5:6-11 NEW BUSINESS (Intention Resolution – Demarist – Barkley Street Maintenance SAD continued)**

**MOTION** by Sovel, supported by Creech, to approve the Resolution of The Township Board of The Charter Township of Commerce Tentatively Declaring its Intention to Establish a Special Assessment District to be Known as Demarist – Barkley Street Maintenance Special Assessment District. **MOTION CARRIED UNANIMOUSLY**

**F. Sale of Property – 17-03-433-014**

Supervisor Gray said letters were sent to adjacent property owners advising them the Township will accept bids until May 30, 2024 to purchase the parcel appraised at \$24,090.00. One offer to purchase was received in the amount of \$3,852.00.

**MOTION** by Weber, supported by Sovel, to accept the Offer to Purchase for parcel 17-03-433-014 in the amount of \$3,852.00 with the requirement the purchaser's property and this parcel shall be combined.

**Berkheiser voted no**

**MOTION CARRIED**

**G. Lakes Area Youth Assistance**

Supervisor Gray said Lakes Area Youth Assistance is asking the Board to renew funding of \$4,200.00 for the 2024-2025 budget year.

Treasurer Phillips advised the Board she attended the MMTA Education Seminar this year and one topic of discussion was public expenses donated to a charity is not allowed.

**MOTION** by Gray, supported by Berkheiser, to approve the Contract for Services by Lakes Area Youth Assistance for The Charter township of Commerce from July 1, 2024 – June 30, 2025.

**Phillips voted no**

**MOTION CARRIED**

**ITEM 9:6-11 ORDERS AND ADD ONS**

**MOTION** by Sovel, supported by Magner, to approve the Orders and Add Ons.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10:6-11 OTHER MATTERS**

Trustee Weber –

- Asked for the status of the cell tower behind Hickory Glen Park. Supervisor Gray said the Township Attorney is working on having the tower removed.
- Telephone poles around S. Commerce and Glengary Roads are leaning and ready to fall. Who is responsible for this? Jay James, Building Official, said The Road Commission for Oakland County is responsible because the poles are in the road right of way, although the Township may want to send a letter to the owner of the poles advising them of the poor condition of the telephone poles.

**ITEM 10:6-11 OTHER MATTERS (continued)**

Trustee Berkheiser –

- The step-by-step process for a SAD should be posted on the Township's website.
- Asked for the status on GFL's contract. Supervisor Gray said Priority will take over residential waste collection on July 1, 2024. Residents will continue to use GFL containers and pick up dates and times will not change.
- There are a few issues with people not adhering to the rules posted at the Pickle Ball courts. Emily England, Senior/Parks and Recreation Director, is working on this.

Treasurer Philips -

- The audit and review of financial statements are complete. We have a clean audit although there were comments such as 1) bank reconciliation statements did not get reviewed by someone other than herself last year, 2) there is no obvious second review of some of the journal entries that are made for transfers (debt payments, etc.). The auditors will be at the Township Board meeting on July 9, 2024 to review financial statements. Please forward me any questions you have.
- The Township has a \$5,000.00 capitalization policy. We should discuss changing it to a \$15,000.00 or \$20,000.00 capitalization policy.
- We currently have a Fire Fund Reserve Account for capital acquisitions that we have not put any money into for the last 4-5 years. At one time we were going to put \$250,000.00 - \$500,000.00 into the fund per year. As of this date, there is \$240,000.00 in the fund. If we are not going to use it, we can close the fund by Board approval.
- A resident's tax bills were stamped as paid by the Township but they received a delinquency notice from the County on two of the smaller bills. The Township only received \$3,100.00. The two smaller tax bills (\$455.31) were not paid by the resident, but stamped "paid in full" in error. He said he has three tax bills that were stamped "paid in full."

**MOTION** by Gray, supported by Magner, to pay Oakland County the penalty and interest due to a cash handling error in an amount not to exceed \$455.31. Money to come from the Treasurer's budget.

**Berkheiser voted no**

**MOTION CARRIED**

Trustee Sovel –

- Asked Fire Chief Dundas for an update on transporting and ALS experience for the first full month of operation. Chief Dundas said ALS is working out well. There were 212 transports during the first full month. There were 60 transports during the last full month before we made the switch. The paramedics and firefighters are working very hard and have a positive feeling about the improved service.

**ITEM 10:6-11 OTHER MATTERS (continued)**

Clerk Creech –

- Commerce Township will be holding a free residential shred event on Saturday June 15, 2024, 9 am - 1 pm at the Commerce Township Hall parking lot on the north side of the Township Hall.

Supervisor Gray –

- At the next Township Board meeting he would like to discuss holding a Bicentennial Celebration on June 14, 2025.
- He would like to discuss the 30% increase to The Oakland County Sheriff's contract in 2025 at the next Township Board meeting.

**ITEM 11:6-11 CLOSED SESSION**

**A. Discussion of Proposed Sewer Agreement Pursuant to MCL 15.2698(h)**

**MOTION** by Creech, supported by Berkheiser, to enter into Closed Session for the purpose of discussing Proposed Sewer Agreement Pursuant to MCL 15.2698(h).

**AYES:** Creech, Berkheiser, Phillips, Weber, Magner, Sovel, Gray

**NAYS:**

**ABSENT:**

**MOTION CARRIED UNANIMOUSLY**

Entered into Closed Session: 9:16 p.m.

Returned from Closed Session: 9:42 p.m.

**MOTION** by Creech, supported by Berkheiser, to adjourn from Closed Session and approve the Closed Session minutes. **MOTION CARRIED UNANIMOUSLY**

**ITEM 12:6-11 ADJOURNMENT**

As there were no other matters to come before the Board.

**MOTION** by Creech, supported by Magner, to adjourn at 9:43 p.m.

**MOTION CARRIED UNANIMOUSLY**



Melissa Creech, Clerk  
Charter Township of Commerce