

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

June 9, 2026

2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER Clerk Creech called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

At the request of Supervisor Gray, Clerk Creech would like the Board to appoint Trustee Rick Sovel as Interim Chairperson.

MOTION by Creech, supported by Berkheiser, to appoint Trustee Rick Sovel as Interim Chairperson for tonight's meeting. **MOTION CARRIED UNANIMOUSLY**

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

Also Present: Hans Rentrop, Township Attorney
Jason Mayer, Giffels Webster Engineers
Jim Dundas, Fire Chief
Emily England, Parks and Rec/Senior Director
Natalie Hiney, HR/Finance Assistant
Jay James, Building Official
Lt. Eric Hix, Oakland County Sheriff's Office
Katelyn Massey, HR/Finance Director
Mark Schoder, Maintenance Director

APPROVAL OF MINUTES

MOTION by Phillips, supported by Berkheiser, to approve the May 12, 2026 Regular Township Board Meeting minutes, and the May 19, 2026 Special Township Board Meeting minutes, as submitted. **MOTION CARRIED UNANIMOUSLY**

PRESENTATIONS

A. Molly Phillips

Trustee Weber read aloud and presented a Resolution to Molly Phillips honoring her for her dedicated service to the Township and its residents as the Commerce Township Treasurer for the past eleven (11) years.

PRESENTATIONS continued

B. Plante Moran Audit Report

Messrs. Keith Szymanski, Partner, and Philip Femminineo, Manager, gave an Audit Presentation for year ended December 31, 2025.

- General Fund Revenue (excluding transfers)
- General Fund Expenditures (excluding transfers)
- General Fund Fund Balance Trends (unassigned, excluding transfers)
- Broader Measure: All Governmental Funds – Modified Accrual Fund Balance Trends
- DDA Advance/Financial Guarantee
- Section I - Required Communications with Those Charged with Governance
- Section II – Legislative and Informational Items
- Sections I include information that we are required to communicate to those individuals charged with governance of the Township. Section I communicates significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process.
- Section II contains updated legislative and informational items that we believe will be of interest to you.

ITEM 1:6-9 APPROVAL OF AGENDA

MOTION by Weber, supported by Berkheiser, to approve the June 9, 2026 agenda, as presented. **MOTION CARRIED UNANIMOUSLY**

ITEM 2:6-9 PUBLIC COMMENTS

Interim Chairperson Sovel opened Public Comments and advised the public that speaking time is limited to three (3) minutes. This is for public comments only and not for comments regarding the public hearings on the agenda.

Fire Chief Jim Dundas, 9106 Lyniss Drive, Commerce Twp Michigan, on behalf of all Commerce Township firefighters, he presented Molly Phillips with a Fire Department job shirt.

Sean Lavine, a senior software engineer from West Bloomfield, Michigan, spoke about his concerns regarding the Township's use of Flock AI-powered surveillance cameras. He is raising awareness about privacy concerns associated with these surveillance systems. Flock cameras monitor and track vehicles, often used by law enforcement. They raise significant privacy concerns as they can collect detailed data about individuals' movements without their consent. Americans have the right to be free from unreasonable searches and seizures. The Flock cameras are unnecessary, unreasonable, threaten our privacy and civil rights, and a waste of taxpayer dollars.

Article I, Section 11 of the Michigan Constitution of 1963 provides a state-level counterpart to the Fourth Amendment of the U.S. Constitution, guaranteeing protection against unreasonable searches and seizures. He urges the Township Board to take action and remove any Flock cameras located in Commerce Township.

ITEM 2:6-9 PUBLIC COMMENTS (continued)

Interim Chairperson Sovel closed Public Comments.

ITEM 3:6-9 PUBLIC HEARINGS

A. Roll Resolution – Island Club Paving SAD

Interim Chairperson Sovel opened Public Comments.

There were no public comments.

Interim Chairperson Sovel closed Public Comments.

MOTION by Berkheiser, supported by Phillips, to approve the Resolution Amending Resolution Confirming Special Assessment Roll for The Special Assessment District Designated Island Club Paving Special Assessment District, post and publish according to law.

ROLL CALL VOTE:

AYES: Berkheiser, Phillips, Creech, Weber, Long, Sovel, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 4:6-9 ADOPTIONS

A. Code of Ordinances Amendment 1.077 – Water Cross Connections

Township Attorney Hans Rentrop said there were no changes made since Introduction.

MOTION by Berkheiser, supported by Creech, to Adopt an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be Known as Code Amendment Ordinance No. 1.077, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 5:6-9 CONSENT AGENDA

A. Establishing Temporary Polling Location for Precinct 9 – August 4, 2026

B. Edgewood County Club – Fireworks Permit Application

C. Lake Sherwood - Fireworks Permit Application

D. Long Lake - Fireworks Permit Application

E. North Commerce Lake - Fireworks Permit Application

MOTION by Creech, supported by Berkheiser, to approve the Consent Agenda.

ROLL CALL VOTE:

AYES: Creech, Berkheiser, Phillips, Weber, Long, Sovel, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 6:6-9 OLD BUSINESS

A. Pathway Plan Design

Giffels Webster Engineer Jason Mayer provided the Township Board with information to consider if the Township wishes to select a project or task(s) that could be started prior to the millage voting. The funds for this work would come from the Pathways Fund and be reimbursed by the bond proceeds if it passes in November.

Parks and Rec/Senior Director Emily England said the Township Board has had discussion in the past about starting the design process of those projects so that we can hit the ground running if the millage is approved in the November election. The projects listed are not in order of importance, but projects that have the least amount of obstacles.

MOTION by Weber, supported by Sovel, to approve up to \$270,000 for the top 3 projects, South Commerce from South Ethel to North Helmsford (Village of Wolverine Lake), Commerce Road from Huron Valley Hospital to South Commerce, Benstein Road from Glengary to Maple. Direct the Township Engineer to begin design and engineering work on the projects to make them shovel ready, provided the bond millage is passed in the November election.

Discussion:

Trustee Berkheiser - As I understood it, Jason Mayer said we would not be spending more than what is under preliminary design before the November election.

Jason Mayer - It is going to take our survey crews time to obtain and process the data, and, for a geotechnical engineer to acquire soil borings. I figured we could get most of that work done and that is why I added the preliminary design number for consideration.

Trustee Weber - The preliminary design does not get us shovel ready necessary to be able to apply for grants. That is the difference between design only and the design and engineering, correct? The design and engineering will ensure all of the prework associated with easements.

Jason Mayer – Correct, the total design would allow us to identify the easements that we need to start preparing for. I based this on what we could get done by November and if the bond millage passes, we could continue.

Trustee Weber – You're saying the only thing we can do between now and November would be \$95,000 worth of work for the top 3 projects.

Jason Mayer – Yes, we will get as far as we can, but it is going to take some time to get the topo survey and then we can design it over the winter, if the millage passes, and ready to go in the spring.

MOTION by Weber, supported by Sovel, to **AMEND** the previous **MOTION**, to approve up to \$95,000 for preliminary design only for the top 3 prioritized projects.

ITEM 6:6-9 OLD BUSINESS (Pathway Plan Design continued)

Discussion:

Trustee Berkheiser – I still have issues spending money before the public votes on it. What is the likelihood of getting grants?

Emily England – There are Ralph C Wilson, DNR, and Oakland County Transportation grants along with other grants that are available to apply for.

Trustee Long – If this does not pass, are we going to find money from the General Fund to go ahead and proceed with it anyway?

Trustee Weber – We have 1.3 million dollars in the Pathway Fund right now. If these are our highest priorities, then I think that is what we should put the money towards.

Trustee Berkheiser – The Pathway Fund was specifically designed and added to for maintenance of the current pathways. It was not to add new pathways.

Trustee Long – So if the millage fails, is it the intent to build the pathways without public approval and by Township Board approval with funds coming out of the General Fund, or by Resolution that will raise taxes? I agree with Mr. Berkheiser that we should not spend money before the public votes on it.

Trustee Weber – I think these projects to connect to Commerce Village and the Michigan Airline Trail are generally low risk. They are in our Parks Master Plan to connect these anyway, prior to the millage. So yes, we planned for that. I think it is more cost effective to do it now than later. The more we can have it shovel ready now, the lower the cost will be going forward.

Interim Chairperson Sovel – The overall plan that we are putting before the voters is an \$18 million dollar issue to do more projects. What projects would/could we do regardless if the millage passes or does not pass? I am comfortable with doing #1, Village of Wolverine Lake.

Trustee Weber – Correct me if I'm wrong, we received word from the Village of Wolverine Lake that if the millage did not pass, they will refund that amount.

Emily England – Yes

Interim Chairperson Sovel – Is this approved by the Village of Wolverine Lake Council? Did they approve a Motion to do this?

Emily England – They have not. They are waiting for a decision by this Board. The amount that was presented to them was \$64,000.

Trustee Berkheiser – But we will only spend \$20,000 by November. The amount, if you look further, to do those top 3 projects if you think the millage will fail, you're going to do

ITEM 6:6-9 OLD BUSINESS (Pathway Plan Design continued)

them anyway is almost \$3 million dollars. There is no way if the public says no, that I'm willing to take \$3 million dollars from the General Fund and build pathways that they said they did not want. I don't think we should put too many funds in this. I don't know if it's more economical to start now.

Trustee Long – Who made the verbal commitment from the Village of Wolverine Lake? Was it the administrator?

Emily England – Yes, the administrator made the verbal commitment when the Village of Wolverine Lake Council was present.

Trustee Long – What is the recourse if the Village of Wolverine Lake Council says no?

Interim Chairperson Sovel – This is on their Master Plan.

Trustee Weber – This is a fair comment, so I am going to make a second amendment.

MOTION by Weber, supported by Sovel, to **AMEND** the previous **AMENDMENT** to approve up to \$95,000 for preliminary design only, and the \$20,000 associated with the Village of Wolverine Lake project. This must be approved by the appropriate Village of Wolverine Lake authority, in writing, for reimbursement of \$20,000 if the millage does not pass in the November, 2026 election.

Discussion:

Trustee Long – That's a great idea, but there is still no way to enforce that. Just a suggestion might be if the Village of Wolverine Lake puts up the \$20,000 then, if the millage passes, we refund them and we are protected.

Trustee Weber – I guess for \$20,000, if we get something in writing from them, then I'm ok with that.

MOTION by Sovel, to Table Pathway Plan Design. **Motion died lack of support.**

ROLL CALL VOTE ON THE SECOND AMENDMENT:

AYES: Weber, Creech, Gray

NAYS: Sovel, Phillips, Berkheiser, Long

MOTION FAILED

B. Treasurer's Vacancy

MOTION by Sovel, supported by Weber, to schedule a meeting for the purpose of interviewing candidate #2 and #3 for the Commerce Township Treasurer position on June 17, 2026 at 6:00 pm for the first interview and 7:00 pm for the second interview.

ITEM 6:6-9 OLD BUSINESS (Treasurer's Vacancy motion continued)

Discussion: Township Attorney Hans Rentrop will attend the interview meeting. He will forward to Board members a list of questions that were used during previous interviews.

ROLL CALL VOTE:

AYES: Sovel, Weber, Creech, Berkheiser, Long,

NAYS: Phillips, Gray

MOTION CARRIED

ITEM 7:6-9 NEW BUSINESS

A. Resolution – Pathway Construction Bond and Millage Reimbursement

Township Attorney Hans Rentrop said the Township Board does not have to take action on this.

No action taken.

ITEM 8:6-9 ORDERS AND ADD ONS

MOTION by Berkheiser, supported by Sovel, to approve the orders and add ons.

MOTION CARRIED UNANIMOUSLY

ITEM 9:6-9 OTHER MATTERS

Building Official Jay James advised the Township Board it has come to our attention that the Intergovernmental Agreement with the Village of Wolverine Lake for sanitary sewer service requires Commerce Township to maintain the portion of sanitary sewer which is connected to our system, as part of our maintenance and operation. This means when we switched from Oakland County to F&V, F&V should be maintaining portions of the sewer system that are within the Village of Wolverine Lake. Even though the sewer system extends into the Village of Wolverine Lake, it is considered our system. That was unbeknownst to myself, anyone here, to F&V, and to the Village of Wolverine Lake. The Village of Wolverine Lake actually asked for a proposal from F&V to maintain their system. In the meantime, they signed an extension with WRC to continue maintenance of the sewers that were in the village. Within the last month, the Village of Wolverine Lake received their first bill from WRC for the first quarter, which triggered an investigation into this on my end as well. Then the Village of Wolverine Lake came to us saying they thought we were supposed to maintain the system. We, in error, probably did not need to have an extension with WRC. It should be maintained by Commerce Township, which would be F&V because that is who our sewer contract is with. I spoke with F&V and they were not aware they were to maintain the Village of Wolverine Lake system; therefore, it was not included in the contract price. The Village of Wolverine Lake system was shown on the map that is in the contract as being in the district, but not stated in writing in the contract. I know that F&V was not aware of this because at the request of the Village of Wolverine Lake, F&V were actually providing a proposal to the Village of Wolverine Lake to maintain their system. The Village of Wolverine Lake asked us to reimburse them \$21,000 for the first quarter. In addition,

ITEM 9:6-9 OTHER MATTERS (continued)

they would like to be reimbursed for the second quarter because they will be billed for that also. It is our responsibility to maintain the system, as per the Intergovernmental Agreement. I sent Supervisor Gray a letter indicating this, and my recommendation is to reimburse the Village of Wolverine Lake. F&V will be amending their contract to include the cost to maintain the Village of Wolverine Lake sewer system. This will have to be done fairly quick because WRC's extension expires the end of June 2026.

Trustee Berkheiser – Do the residents of the Village of Wolverine Lake pay into our sewer fund?

Jay James – Yes. They are paying for the maintenance costs.

Trustee Long – In the contract language, was it specifically excluded or is it ambiguous?

Jay James – It calls out to maintain the Commerce Township system. The sewer system is extended into the Village of Wolverine Lake and is considered a part of the Commerce Township system.

Interim Chairperson Sovel – Did we send WRC a formal letter terminating our contract with them and did that include the Village of Wolverine Lake?

Jay James – Yes, we sent WRC a formal letter terminating our contract with them. The Village of Wolverine Lake sewer system is considered our system.

Trustee Long – The contract language just says Commerce Township system, and the map shows references that these connections are the Commerce Township system. I don't understand the problem. If F&V claim that they oversee it, when you build, it kind of gets you when you make change orders. They missed it. I don't understand where the ambiguity is.

Trustee Berkheiser – I don't want to get into a disagreement with F&V over this because we want to use them as a long-term service provider. I don't know if we should reimburse the Village of Wolverine Lake because they signed the extension.

Interim Chairperson Sovel asked Supervisor Gray if he wanted any action taken on this.

Supervisor Gray – No action.

This will be discussed during the Special Township Board Meeting on Wednesday, June 17, 2026.

Trustee Long –

- He would like to recognize that today is Mr. Berkheiser's birthday.

ITEM 9:6-9 OTHER MATTERS (continued)

Treasurer Phillips –

- Thanked everyone for the support they have given her during her tenure as Treasurer for Commerce Township for the past 11 years.

Trustee Berkheiser –

- Will we add firework insurance discussion to the July Township Board Meeting agenda? (Yes)
- We are using the Commerce Township Community Library as precinct 9, is that also the early voting site? Is early voting open on election day? Clerk Creech said that early voting ends on Sunday, August 2, 2026 and the library is the early voting site.

Trustee Weber –

- The Heart of the Lakes Festival will be this Saturday, June 13, 2026. The weather forecast looks good. He plans on attending and offered his help, if needed. He asked if everything is all set for the festival. Emily England said everything is set and set up will be on Friday.

Interim Chairperson Sovel –

- Asked Maintenance Director Mark Schoder if he received the garbage cans from Priority Waste? Mark said Brett was out and he will look into this. He has not received cans.
- Asked Township Attorney Hans Rentrop if we should consider joining the lawsuit filed by other communities regarding increases for Oakland County Sheriff services by Oakland County. Mr. Rentrop said he is not familiar with the lawsuit so he cannot speak to the specifics. If the township has an interest in doing so, let him know and he will explore what the options are.

ITEM 10:6-9 ADJOURNMENT

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

MOTION by Sovel, supported by Long, to adjourn at 8:13 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce