Whitewater Township Board
Minutes of Regular Meeting held March 14, 2017

Call to Order/Pledge of Allegiance
Supervisor Popp called the meeting to order at 7:00 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance.

Roll Call of Board Members
Board Members present: Benak, Hubbell, Lawson, Popp
Board Members absent: Goss
Others present: County Commissioner Carol Crawford, MMR Director of Northern Operations Nick Bernelis, Recording Secretary Lois MacLean, and 4 others

Set/Adjust Meeting Agenda
Popp proposed to add the Grand Traverse County Road Commission brine agreement to the agenda.

It was agreed that this topic will await the full board's attendance.

Popp also proposed adding review of the Kalkaska County Road Commission construction cost share agreement for Baggs Road.

Added as New Business #5.

Declaration of Conflict of Interest
None

Public Comment
None

Public Hearing
None

Reports/Presentations/Announcements/Comments
County Board of Commissioners Report
Carol Crawford gave the following report:

- She attended the National Association of Counties in Washington DC, learned about some things they are doing wrong, some things they are doing right. A lot of insight was gained.
- Tomorrow evening they will discuss a policy on property acquisition and sale.
- They will also discuss the new Park Place development; the county is the last step for this brownfield project.
- They will discuss a resolution adopted last January which gave the county administrator sole control over hiring and firing and staffing decisions. Some of the commissioners feel that the BOC might like to have some of that control back, at least advice and consent.

- There is an odd situation the last few days with hiring of a whole bunch of people for positions which could not previously be filled, including HR director. This will be discussed also on Wednesday.
- They will have an update about progress on the dams.

There were no questions for Crawford.

County Road Commissioner Report – No one is present from the Road Commission.

Mobile Medical Response Report
Nick Bernelis gave the following report:

- There were 14 calls in February. The busier days were Saturdays and Sundays. Nature of the calls was described.
- The extended response time of 45 minutes was due to failure of the crew to call on scene. The extended response time of 17 minutes was due to bad weather. There were two calls with the crew forgetting to call on scene.
- Taking the exceptions out for failure to call on scene, the response times are at 100%, not 79%.

There were no questions for Bernelis.

Planning Commission Report
Lloyd Lawson gave the following report:

- The public hearing on Zoning Amendment No. 68 at the March meeting went well. There were people in attendance. One written comment was in favor of the amendment. No one spoke in opposition to it. The resolution was passed to send it on to the board.
- The zoning administrator brought up the issue of event barns. This will be on the PC's agenda soon.
- The PC will be looking at setbacks in all the districts, Article 15 regarding sanitation, Article 36 on mobile homes, and Article 3 definitions.
- Next meeting is April 7.

Parks & Recreation Advisory Committee Report – Goss is not present.

<u>Consent Calendar</u>

Receive and File

1. Supervisor's Report for February 2017
2. Clerk/Parks & Recreation Administrator's Report for February/March 2017
3. Zoning Administrator's Report for February 2017 (none)
4. Mobile Medical Response February 2017 Activity Reports
5. Grand Traverse Rural Fire Chief's Report March 2017
6. Approved 01/09/2017 Parks & Recreation Advisory Committee Minutes
7. Approved 02/01/2017 Planning Commission Regular Meeting Minutes
8. Approved 02/06/2017 Planning Commission Special Meeting Minutes
9. Approved 02/08/2017 Historical Society Minutes

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Correspondence
1. Grand Traverse County Sheriff Department Statistics February 2017
2. Grand Traverse Rural Fire Board DRAFT Minutes 02/15/2017
3. GTRFD Officers' Meeting Minutes 03/01/2017
4. Charter Communications Letter 03/07/2017 re: New Channel Addition

Minutes
1. Recommend approval of 02/14/2017 and 02/28/2017 regular meeting minutes and 02/16/2017, 02/20/2017, 03/02/2017, and 03/09/2017 special meeting minutes

Bills for Approval
1. Approval of Alden State Bank vouchers # 41460 through 41515
2. Approval of First Community Bank Miami Beach vouchers # 1186
3. Approval of First Community Bank WMDLS vouchers # (none)

Budget Amendments

Revenue & Expenditure Report

Regarding page 5, paragraph 4, of the 02/15/2017 Grand Traverse Rural Fire Department minutes, and the reference to equipment on Brush #3 being owned by GTRFD, Popp noted that the skid unit on the back of the truck is owned by Whitewater Township.

Motion by Lawson, second by Hubbell, to approve Consent Calendar items as presented. There was no further discussion. **Roll call vote: Benak, yes; Goss, absent; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

Unfinished Business

Emergency Services Building Renovation/Addition Project

Popp noted the contract for the engineer is still at the attorney's office.

Ordinance 28 – Miami Beach Sewer Project

Popp stated there are only a couple sections we need to be aware of regarding closing down.

Benak inquired if the primary reason for looking at Ordinance 28 is to determine where the money is going to go.

Popp replied no, the primary reason is that we no longer collect special assessment district (SAD) from Miami Beach. We own it, but there is nothing that carries beyond the SAD definition of time of who maintains it or who pays for it.

Benak stated she thinks the real question is what do we do with this. There are three choices, (1) we take on the utility and we bill it out, monitor it, pay for the repairs, collect fees for it; (2) we turn it over to the people on the sewer system and they assume that responsibility; or (3) we turn it over to the DPW and they handle it, just like they do other people's sewer systems.

Benak reminded Popp that he previously said that he was going to have someone from the DPW come out and tell us what that would entail if they took it over.

Popp said what is important is to understand who owns it, why we own it, what gave us the authority to say that we own it, and we need to invite the people of the special assessment district in to see what they want to do. Maybe they do not want to be a servant to the county. Maybe they want to maintain it.

Lawson suggested a special meeting be held with the county and the people in the SAD.

Benak suggested that, since Popp already has a contact at the DPW on this issue, maybe we can get something from him before the meeting so that our board members understand what the options are. Benak stated that, honestly, she sees this going to the DPW; she does not see this township managing a utility; we are not set up for that, and she does not see the people at Miami Beach wanting to do it either. She believes they will choose, and we will choose, to go with DPW because they are the professionals that handle it.

Lawson also questioned, since we are not a charter township, whether we have the authority to do that.

Discussion followed.

There are two questions: What to do with the residual money left over from the SAD, and what to do with the infrastructure.

It was agreed that Benak will contact Attorney Axe, and Popp will handle the infrastructure side of it. Popp will get information from the association and find out when people are scheduled to return, and will update as needed. Attorney Patterson will handle the infrastructure; Axe will handle the bond.

Baggs Road 2017 Construction Project Update

Popp noted that Attorney Patterson has reviewed the contract that Grand Traverse County Road Commission provided to us. He brought up a couple points about work scope. Kalkaska County Road Commission has submitted their version with proposed changes in red.

Various paragraphs of the proposed agreement were discussed, as well as the bid amounts and what each party has committed to pay.

The wording to be inserted in the two blanks of the following paragraph was discussed:

"Whereas, the Grand Traverse County Road Commission agrees that it will reimburse Kalkaska County Road Commission for an amount not to exceed $75,000 of the project amount, and whereas, Clearwater and Whitewater will each reimburse Kalkaska County Road Commission for an amount not to exceed _____ and _____ respectively."

The first blank applies to Clearwater Township. The second blank applies to Whitewater Township.

It was agreed that $75,000 will be the number inserted in the second blank.

There was no objection to paying 50% of the amount at the time of commencement, assuming "commencement" to be the time the contract is signed.

The funds will be provided directly to the Kalkaska County Road Commission.

Construction on the north end of the road by Grand Traverse County, if it is done, should be done before or at the same time that the rest of the construction is done.

It was agreed that we need an answer on paragraph 2, yea or nay. At that time, it will come back to the board.

Progress Update on Personnel Administration Policy 3.0, Section 3.10
Popp stated this is a status update so the board can see what he has been working on. The application for appointment form has the changes the board asked him to make, and he has follow his word to the board that we would apply the employment policy that is already written for Whitewater Township to the appointment process. Popp stated it is up to us to go through and delete those things that we do not believe apply to the appointment process. The document shows that there are a number of statutes that apply to appointments and at least three different documents that provide direction on the same thing. Popp stated his goal tonight is just to show the board how this is shaping up.

Discussion followed.

Motion by Benak, second by Hubbell, to approve the application form as presented. There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Goss absent. Motion carried.**

There was discussion as to how applications should be handled.

Popp claimed there is no policy, no guideline for received applications, even in existing policy.

Lawson suggested Popp make a recommendation and let the board decide.

Benak inquired of Popp if he was going to require that Tim Shaffer fill out the application, noting that Shaffer wrote a letter back in August.

Popp asked if we are going to make an exception for one person.

Benak stated there is no exception; he turned in his letter long before the board even started talking about this.

Lawson stated it is not fair to Shaffer to wait.

Popp stated his direction is not to begin the process until December anyway.

In response to Benak's question that if someone puts in an application for the planning commission, Popp is going to let it sit there and not do anything with it, Popp answered: That is correct.

Popp stated this is the first time the board denied a recommendation.

Benak stated just putting a name out there, with no background, is asking a lot of a board member to rubberstamp it. It is not fair to us to ask us to do that.

Lawson stated that was his objection, too. He did not know the person, they were never at any meetings, was not at the meeting for the nomination, we did not know who they were, and that is why it got turned down.

Hubbell said he does not see why we have to change it this drastically when it was working all these years; we are getting way too technical on this thing.

Benak stated the application with the questions was going to give us the information that we wanted, which was normally in the letters of request.

It was agreed that the process will consist of applications being submitted to the board, along with the supervisor's recommendation. It is recommended that the applicant appear at the appointment meeting.

Motion by Lawson, second by Benak, that applications will be provided to the board, and that it is recommended, but not required, that applicants show up at the appointment. There was no further discussion. **Roll call vote: Goss, absent; Hubbell, yes; Lawson, yes; Popp, no; Benak, yes. Motion carried.**

<u>New Business</u>

Zoning Ordinance Amendment No. 68

The changes detailed in Zoning Amendment No. 68 were discussed. It was agreed that there was no need for an additional public hearing.

Motion by Popp, second by Lawson, to adopt the recommendation of the planning commission as published in the affidavit of publication. There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, absent. Motion carried.**

Popp noted that it will be adopted so many days after publishing.

2017 Poverty Guidelines
Popp stated we are required to have a policy to allow for poverty exemptions. We had an application form but no guidelines on how to use it. Popp has submitted Resolution #17-02 for board approval tonight prior to the upcoming Board of Review meeting on Thursday. Goss will fix the grammatical corrections.

Discussion followed regarding asset eligibility, i.e., how much value of personal property can someone have and still be eligible for a poverty exemption.

Motion by Lawson, second by Hubbell, to adopt Resolution #17-02, with grammatical corrections as needed. There was no further discussion. **Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, absent; Hubbell, yes. Motion carried.**

Summer Maintenance Bid Form
Popp asked what do we want to require as far as spring and fall cleanups.

Benak noted that the 2016/2017 Fiscal Year Budgeted Transfers agenda item has been skipped.

2016/2017 Fiscal Year Budgeted Transfers
Motion by Lawson, second by Benak, to transfer $15,000 from the General Fund to the Road Fund, as budgeted. There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Goss absent. Motion carried.**

Motion by Benak, second by Lawson, to transfer $100,000 from the General Fund to the Road Repair/Replacement Fund. There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Goss absent. Motion carried.**

Motion by Popp, second by Lawson, to transfer $58,000 from the Fire Fund to the Fire Capital Improvement Fund. There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Goss absent. Motion carried.**

Motion by Hubbell, second by Benak, to transfer $100,000 from the Fire Fund to the Fire Capital Improvement Fund. There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Goss absent. Motion carried.**

Summer Maintenance Bid Form (continued)
Hubbell stated that it would be nice to have all five members of the board here for this agenda item.

There was consensus that this topic will be brought back on the next agenda.

Review of Kalkaska County Road Commission Construction Cost Share Agreement for Baggs Road (added)
It was noted that this topic got mixed in with Unfinished Business #3. No further discussion was held.

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Tabled Items

Review Administrative Policy Section 5 (tabled 10/14/2014)
This agenda item will remain tabled.

Review Ordinance 22 Pension Plan (tabled 10/25/2016)
This agenda item will remain tabled.

Review Whitewater Township Planning & Zoning Fees (tabled 02/28/2017)
This agenda item will remain tabled.

Board Comments/Discussion
None

Announcements
1. The next township board meeting is a special meeting on March 21, 2017, at 6:00 p.m.
2. The next township board regular meeting is on March 28, 2017, which includes the budget public hearing.

Popp stated that he intends to put the brine agreement on the 3/28 agenda.

Hubbell suggested that there be discussion of tree removal at the fire station on 3/28, if there is time.

Public Comment
Glenn Savage, 9833 Pineneedle Lane, asked if Baggs Road is going to be asphalt or tar and chip.

Popp replied asphalt.

Savage also stated that he will be glad to fill out an application for the planning commission.

Adjournment
Motion by Lawson, second by Popp, to adjourn. There was no further discussion. On voice vote, all those present voted in favor, none opposed, Goss absent. Meeting adjourned at 9:08 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk
(minutes prepared from Recording Secretary MacLean's notes and the digital audio recording)

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