

**Whitewater Township Board  
Minutes of Regular Meeting held April 9, 2013**

**Call to Order/Pledge of Allegiance**

Supervisor Popp called the meeting to order at 7:04 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance. Popp requested that everyone silence their electronic devices.

**Roll Call of Board Members**

Board members present: Benak, Hubbell, Lawson, Popp, Walton

Board members absent: None

Others present: 11

**Set/Adjust Meeting Agenda**

Walton noted that the Rural Fire Board minutes of 03/07/2013 should be added under Receive & File.

**Declaration of Conflict of Interest**

None

**Public Comment**

None

**Public Hearing**

None

**Reports/Presentations/Announcements/Comments**

**County Board of Commissioners Report** – Commissioner Inman is ill and will not be present.

**Grand Traverse County Sheriff Department Report** – No officer present.

**Battalion #3 Fire Captain Report** – Captain Arbenowske is ill and will not be present.

**Ambulance Coordinator Report** – Dawn Martin is not present.

**Consent Calendar**

Regarding Correspondence #2, Supervisor Popp started the Michigan Public Policy Survey, spent an hour working on it, e-mailed that there were too many questions. There is no way to save progress and return to it at a later time.

Regarding NWMCOG, Popp stated Kalkaska County has a Parks/Recreation plan on their website and encouraged the board to take a look at it.

**Motion by Lawson, seconded by Hubbell, to approve Consent Calendar items as follows:**

Receive and File

1. Supervisor's Report for March 2013 – Budget is approved – End of Report.
2. Clerk's Report for March 2013
3. Zoning Administrator's Report for March 2013
4. Ambulance Coordinator's March 2013 Activity Report
5. Approved minutes of 03/06/2013 Planning Commission meeting
6. Draft minutes of 03/11/2013 Parks & Recreation Advisory Committee meeting
7. Approved minutes of 03/18/2013 Planning Commission meeting
8. Draft minutes of 03/19/2013 Zoning Board of Appeals meeting
9. Grand Traverse Rural Fire Board minutes of 03/07/2013

#### Correspondence

1. Grand Traverse County Sheriff Department Statistics for March 2013, plus updated ticket info for February 2013 and 1st Quarter Totals January-March 2013
2. Email 03/12/2013 from Debra Horner re: Local Leaders' Views on Citizens as Responsible Participants in Local Governance, from the U-M Michigan Public Policy Survey (MPPS)
3. NWMCOG 03/21/2013 eNews
4. Grand Vision Update: March 2013
5. Michigan Freedom to Work in the Public Sector information from the Department of Licensing and Regulatory Affairs
6. Betsy Coffia 04/01/2013 email invitation to Zero Tolerance Event April 28

#### Minutes

1. Recommend approval of 03/12/2013 regular meeting minutes and 03/14/2013 and 03/20/2013 special meeting minutes

#### Bills for Approval

1. Approval of Alden State Bank vouchers # 36803-36865
2. Approval of Alden State Bank WMDLS voucher # 1020

#### Budget Amendments (none)

#### Revenue & Expenditure Report (none)

**Roll call vote: Lawson, yes; Benak, yes; Hubbell, yes; Walton, yes; Popp, yes.**

#### Unfinished Business

None

#### New Business

##### **Lossie Trail Centerline Approval**

Popp noted there is now a written proposal to get the centerline marked. Money for this was set aside in the budget process. Centerline of original easement will be marked. In addition, at western edge or intersection with Cook Road, traveling east 660 feet (where all complaints are coming from), 33-foot offsets north and south of the centerline will be marked. Hubbell suggested T stakes should be used, probably every 30 feet. Popp stated the centerline should be

rodded. Discussion followed. **Motion by Hubbell, seconded by Lawson, to approve the expenditure of \$5,500 for surveying and marking of Lossie Road Trail, per the 03/04/2013 proposal from Eagle Land Surveying. Roll call vote: Benak, yes; Popp, yes; Lawson, yes; Hubbell, yes; Walton, yes.**

#### **Noah Moothart – Water Ski**

Popp stated that he was approached by Noah Moothart near the beginning of the year concerning his request to continue using the southern end of Elk Lake for a water ski slalom course. Popp brought to the board's attention that there were a number of folks at the previous decision time that were against use of the lake in this fashion. Popp has received no current complaints. However, complaints previously were addressed to the township and the DNR. Moothart does not know of any complaints after the DNR issued the permit. Sarah Pierson was introduced as Noah's teacher. She would like to remind the board that the curriculum encourages challenge projects. In 2011, students were given an opportunity to research projects that would impact change in the community. Noah would like the rest of the community to be able to use the course as well and is asking that the buoys be allowed to remain in the water.

Noah addressed the board and reiterated the history of his request for a letter of no objection from the township board in 2011. The DNR officer who issued the permit in 2011 stated the location was "the perfect spot" for a slalom course, but he was concerned with the letters of objection. The permit was issued with the limitation of having to bring the buoys out when they are not in use. There are 26 buoys. Concerns 2 years ago included environmental and that it would become a party spot and be congested. However, the DNR stated at that time there was no "natural reason" for the course not to be there. Noah now requests that the board provide a letter to the DNR stating that the township has no objection to the use of the water in front of the Battle Creek Natural Area for a slalom course, including a recommendation that the buoys stay up all the time. There were several questions and comments from board members.

Popp stated he used the previous letter as a sample for approval tonight. Popp is in favor of leaving buoys up but would like to have the right to have them removed in case an unforeseen concern develops. There was consensus to have Supervisor Popp have authority over removal of the buoys if a concern arises, without the need for board action. **Motion by Hubbell, seconded by Benak, to revise the proposed letter of no objection and submit it to the DNR, with the additional recommendation that the buoys be allowed to remain in for the season. On voice vote, motion carried.**

#### **Planning Commission – Township Board Representative Appointment**

The appointment of Lloyd Lawson in November 2012 as interim Planning Commission member until March 31, 2013, has expired. Hubbell feels Lawson is doing a great job and has the time to devote to it. Popp recommends Lloyd Lawson, Whitewater Township Trustee, 5671 Mabel Road, Williamsburg, to a representative position on the Whitewater Township Planning Commission, term to coincide with his term in office. **Motion by Hubbell, seconded by Walton, to confirm the recommendation of the Supervisor appointing Lloyd Lawson to a representative position on the Whitewater Township Planning Commission. On voice vote, motion carried.**

### **Interim Zoning Administrator Hourly Rate/Appointment**

Popp offered to step in to carry out the duties of the Zoning Administrator last November, with no additional compensation. Popp is still available to perform those duties. A draft ad is being prepared. Benak does not have a problem with Popp continuing but wants a time limit set. Discussion followed regarding where ads should be placed and the length of time it may take to hire someone to fill the position. **Motion by Lawson, seconded by Hubbell, to appoint Ron Popp, Whitewater Township Supervisor, residing at 6237 Elkview Drive, Williamsburg, to the post of Interim Zoning Administrator for a term of 60 days, consistent with terms outlined in Popp's memo of 04/04/2013.** Roll call vote: Walton, yes; Hubbell, yes; Lawson, yes; Benak, yes; Popp, yes. Motion carries.

### **Request to Remove Tree on Township Property (Ray Korson)**

South and east of the corner of Elk Lake Road and Cram Road, there is a dead tree which township resident Ray Korson would like permission to take down. The tree is on township property and is in the road right-of-way. Discussion followed regarding liability for potential injury, signing of hold harmless agreements, cost of paying for removal, and the possibility it might fall in the road. There was also discussion whether the County Road Commission should remove the tree. Discussion followed. The possibility of retaining a percentage of the wood as payment was also discussed. It was agreed there would be no "fee." Consensus was reached that Popp will call the Grand Traverse County Road Commission to see whether they will take the tree down. If they decline, Popp will inquire of them what the next step should be, i.e., whether Whitewater Township can have someone of their choosing do it, and then move forward.

### **Appointment of Historical Society Recording Secretary**

Public Act 212 of 1957 provides authority to the township to "foster any activity or project that, in the opinion of the board, tends to advance the historical interests of the township." Benak inquired whether the minutes of the Historical Society would be published. Walton stated the minutes are produced every month but have not been put in the board packets or on the website. Discussion followed that those minutes should routinely be placed in the board packets and on the website. **Motion by Lawson, seconded by Hubbell, to confirm the recommendation of the Supervisor appointing Luann Snider to a Recording Secretary position for the Whitewater Township Historical Society. On voice vote, motion carried.**

### **Shepherd Letter re: Park Reservations**

Popp stated we have it on extremely good authority that we are conducting business precisely as it has been done in the past. Discussion followed regarding the voice mail system retrieving messages in reverse chronological order, as well as the volume of calls. Popp noted that no action needs to be taken; the letter should have been listed under Correspondence.

### **Tabled Items**

None

### **Board Comments/Discussion**

Benak inquired about the brining contract, stating there is a time limit. Popp stated there should be an analysis of the brine, number of gallons per mile, width that will be brined, and concentrate

level. He asked the board to provide additional questions. This issue will be taken up at the next meeting.

Benak would like to make everyone aware of an e-mail from Heidi Scheppe (Grand Traverse County Treasurer) about PRE audits. The state is conducting an audit for Principal Residence Exemption. If you do not fill out the form and send it back, you will lose your PRE for at least a year. The notice of this was not received in time to get it into the Spring Newsletter. Walton suggested an article be put on the township website to inform the public. Benak has suggested Scheppe do a press release to let people know about it. The first wave of the audits have gone out.

Benak also stated 1,462 newsletters were mailed today. She would like to do an article in the July newsletter about Noah Moothart and the slalom course. Also, the Parks & Recreation Advisory Committee was happy with the article and survey in the newsletter. Results should be put on the township website.

Benak noted the April MTA newsletter has an article regarding the draft DNR management plan. The state is selling land because it has been determined that they have too much land (4.6 million acres).

Benak states the letter from Carol Hockin should have been in Correspondence and should be addressed. Accusations have been made and should be looked at. Popp is willing to bring it up, states it was wrong for township property to be removed from the building by a person who had no authority to do so; it was wrong for park employees to be told to look for other work; it was wrong for campers to be contacted and told the park might not open because horrible people got elected; people who come to the park are happy that is over. Hubbell suggests it be put in Correspondence and be left alone. Walton states she did not intentionally leave it out of Correspondence; it was addressed to Supervisor Popp and should be responded to by him. Popp states he will address it.

Benak asked if the Shepherd letter will be given to the Parks & Recreation Advisory Committee. Popp stated we are lacking a township board representative on the P&RAC, so we are lacking a format to send our wishes out to them. Discussion followed regarding the park reservation procedure. Benak stated P&RAC should be kept in the loop. Discussion followed regarding an automated reservation system or lottery system for park reservations.

Hubbell states he has not had an opportunity to get training on his new laptop but would like to get it accomplished soon.

Lawson reported that the PC has completed a couple more sections of the Master Plan and might come close to hitting their deadline to get it to the board. A site plan review was done for Grand Traverse Plastics. A building is over the property line, so the line will need to be shifted and resurveyed.

Brief discussion followed regarding Planning Commission information in the newsletter. There is another opportunity for information to go out with the July tax bills.

Brief discussion occurred between board members concerning the proposed sign at Mr. C's Pub & Grill and the target opening date. The proposed sign will be on the Planning Commission agenda.

Regarding the ZBA administrative workshop on April 24, Benak has turned in registration forms. Matt Lyons, Kim Halstead, and Benak will be attending. Popp plans to attend as well and will call Skip Lake to find out if he is attending.

Popp has received 3 phone calls concerning the question of locating a greenhouse on agricultural property. The sole purpose is to sell retail potted plants. Discussion followed. Popp will take the issue to the Planning Commission.

### **Announcements**

The next Township Board meeting is April 23rd.

### **Public Comment**

Steve Donkers, 6754 Skegemog Point Road, asked if the county cuts down the tree on township property, should the wood be offered to the park first.

Hubbell responded that it was decided that no one will be using chain saws at the park this summer. Popp added that there have been injuries related to cutting and moving wood, so the board has eliminated that function at the park. Discussion followed.

Tim Shaffer, 5309 Moore Road, is curious what is going on in regard to a future fire station building, if there have been any communications from the tribe. Also, he would like to have an update on changes at Rural Fire.

Popp directed Shaffer to the Supervisor Report in the public packet for information about Rural Fire. Popp has a meeting on Friday, April 19, with Robert Kewaygoshkum (GT Band). Meetings with the tribe were on hold during the budget process.

Kim Halstead, 7923 Cook Road, states there are large chuckholes in Cook Road. He does not know who to talk to about it.

Various board members responded to Halstead's comments. Discussion followed. Popp requested Halstead send him an e-mail concerning the chuckholes.

### **Adjournment**

**Motion by Hubbell, seconded by Lawson, to adjourn.** Meeting adjourned at 9:17 p.m.

Respectfully submitted,

Cheryl Walton  
Whitewater Township Clerk