

**Whitewater Township Board
Minutes of Regular Meeting held May 28, 2013**

Call to Order

Supervisor Popp called the meeting to order at 7:01 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

Roll Call of Board Members

Board members present: Benak, Popp, Lawson, Walton

Board members absent: Hubbell

Others present: 15

Set/Adjust Meeting Agenda

Popp requests consensus to move the Kerry Wieber presentation to Reports (#4). Popp also stated that he neglected to place the township insurance agent, Paul Olson, on tonight's agenda and would like to add this as Item #2 under New Business. No objection to either agenda change.

Declaration of Conflict of Interest

None

Public Comment

None

Correspondence

1. 04/17/2013 Letter from Heidi Scheppe re: Purchase of Foreclosed Properties in Accordance with Act 123, PA 1999
2. 05/07/2013 E-mail from Thomas and Vickie Emerson
3. 05/16/2013 Memo from Clerk to Township Board Members
4. Undated MTA Letter to Township Board (received 05/20/2013)

Popp noted there was only 1 foreclosed property in our area.

Public Hearing

None

Reports/Presentations**Planning Commission Report (Lloyd Lawson) – Master Plan Progress/PC Absences**

Lawson stated the PC met on 05/15/2013. Members present were Mangus, Bowerman, Link, Lyons, and Lawson. Dean and Miller were absent. Mangus was acting chair. The PC worked through Part 3 of the Master Plan, with great input from all members. Luann Snider (Historical Society Chairperson) has put together a timeline of township history from the 1830s to 2010. Some of those points will be included in the historical section of the Master Plan. Next PC meeting is June 5th at 7:00 p.m.

Parks & Recreation Advisory Committee Report (Bill Mouser) – One Item/How to Get TB Liaison

Popp stated that Mouser had inquired about getting a Township Board representative to the Parks & Recreation Advisory Committee (PRAC). Mouser would like to have a liaison or some method of communicating directly to the board the recommendations of the Parks & Recreation Committee. Benak volunteered to fill this role.

Mouser reported there was a public input offering at the last meeting, but not a lot of response was received. However, a number of the newsletter surveys were returned. They have established the June meeting for a public comment period as well. The PRAC's goal is to finalize the Recreation Plan by the July meeting and then move on to reviewing Whitewater Township Park policies. They would like to seek funding for improvements at the parks.

Popp inquired how the survey returns would be preserved. Benak has been collecting them and making copies. Once all have been received, they can be scanned into an electronic copy. Mouser reported that a walking path around Hi Pray Park seems to be strongly desired.

Road Commission Report (Bill Mouser)

Mouser reported that the idea of obtaining a bond in concert with the County is currently in the discussion stage. A \$6 million bond is being discussed, \$4 million for road repairs and improvements and \$2 million for badly needed equipment upgrades. The fleet of trucks is aging.

The Grand Traverse County Road Commission is also working on an asset management plan, which the Road Commission has not previously had.

They are reviewing their budget. This process starts in April.

Also, the County Road Association of Michigan is keeping their eye on the state legislature's proposed disposition of several hundred million dollars which have become available.

Popp inquired whether part of the proposed bond would be set aside for the 25/75 matching funds at the township level. Mouser advised that the bulk of the funds will be used for 38 miles of roads which are in bad shape, mainly corridors. Supply Road is set to have some work done on it next year.

Benak stated the condition of Williamsburg Road is atrocious, much worse than Supply Road. General discussion followed. Popp reported that he has had an open dialogue with Road Commission Manager Jim Cook over the last month. Cook has offered to come to a Whitewater Township Board meeting.

Strombolis Lake Presentation (Kerry Wieber)

Wieber stated she is a DNR Forest Land Administrator working out of the Roscommon office. Wieber provided documents entitled Payments in Lieu of Taxes and Public Acts 603 and 604 of 2012. She is here to talk about the Strombolis Lake property in Whitewater Township. The DNR has submitted a Michigan Natural Resources Trust Fund (MNRTF) grant application to

seek funding to pursue the acquisition of this property. Grand Traverse County previously provided a resolution in support of their application. The DNR is now seeking township support.

Wieber introduced David Lemmien and Steve Sutton from the DNR, as well as Matt McDonough from the Grand Traverse Regional Land Conservancy.

Dave Lemmien indicated the parcel in question is 160 acres. He described the physical characteristics of the property. This land is valuable to the State because of its recreational value, wildlife habitat, and forestry value. Recreational is the highest value the parcel holds.

Benak noted that no priorities are marked on the Land Proposed for Acquisition form except forestry management. She inquired if the DNR is planning to clear-cut the property. Lemmien replied absolutely not. Wildlife and Fisheries Divisions have added comments to the form since Lemmien prepared it. Lemmien acknowledged there is potential to do forestry management on the parcel, but an inventory has not been done. Benak stated she is concerned the land will be clear-cut. Lemmien stated there will probably be more mortality from oak wilt than from the DNR's forest management on the parcel.

Walton inquired who was developing the mineral rights on the parcel and who will own them. Lemmien stated there is an abandoned well site on the property. Wieber noted that if the mineral rights are available, they will be acquired by the department because that is a requirement of the Michigan Natural Resources Trust Fund. However, the landowner cannot be forced to sell the mineral rights to the department.

Walton inquired whether the State has plans to acquire the Grand Traverse County owned 162-acre parcel to the north of the parcel in question. Wieber replied that the county is no longer interested in selling their parcel. Additionally, Sutton advised that MNRTF monies are not available to purchase land already owned by another unit of government.

In response to a question from Walton, Wieber explained that the MNRTF has reached its \$500 million cap on the corpus; hence, state oil and gas revenue now goes to the Park Endowment Fund. Current MNRTF projects are funded with interest on the corpus.

Wieber explained that the tax revenue on this parcel (purchased land as opposed to tax reverted land) would be very close to the ad valorem tax rate. Value of the land would be based on the per acre price of agricultural land. Local assessors will work with Treasury to make sure the values are where they should be. The properties are also now subject to special assessments. Payment goes to the local taxing authority (the county). It does include school debt but not school operating. Sutton added that the intent of the 2 new statutes is to level the playing field for state-owned land.

Wieber also noted that consolidation of state-owned parcels is another high priority of the department.

Lawson inquired whether they had looked at sale of any splintered parcels of state land in Whitewater Township. Wieber replied that they are awaiting approval from the Governor to begin looking at surplus land.

Popp stated the following concerns/observations:

- The high valuation of forestry for this parcel is inconsistent with the township's master plan.
- In conversations with the DNR with respect to public access sites, he was told there is no money to maintain what we already have. Hence, the township is spending money to maintain state-owned public access sites.
- PILT goes quite a ways, but how do we protect what we already have? Popp inquired why the state would want to increase this burden.
- School revenue.
- The current value of this property is much higher than the value of agricultural property. Average value of agricultural land in Grand Traverse County is around \$2200 to \$2300 per acre. Even though there is encouragement to negotiate with Treasury, we are still bound by Headlee. It will be 2.5 lifetimes before we get close to the value we are at today.
- It is good that the property is subject to special assessment.
- In case of emergency, State will share the burden.
- Existing trail systems do not come in contact with the property in question. The recreational value is perceived.

Lemmien views the property as a top priority for the department based on consolidation of ownership, new habitat, and recreation value (turkey and deer hunting), not necessarily looking at the timber value. Wieber stated the property is not going to be managed just for forestry.

Popp inquired which fund (trust fund or school aid) the local debt service would come from. Sutton replied that the trust fund would pay the entire bill on this acquisition.

Popp then invited public comment on this issue.

Jim Heffner, 9764 Pineneedle Lane, states he moved here for the quality of life, especially the recreational opportunities. He was very involved with the development of the VASA trail. One of the biggest obstacles was the checkerboard of ownership between private and state forest. This parcel is surrounded by state forest. A couple VASA trails go right by this property. A new trailhead is needed to spread the use around. He would strongly urge support for the proposal.

Julie Clark, 415 South Union Street, stated she is the Executive Director of TART Trails. She would ditto Heffner's comments. They groom for the DNR. They are concerned about management and maintenance. Funding is needed. The trail is a great economic development tool. The state forest offers a lot of recreational opportunities. Access is important. She highly encourages and supports this purchase.

Kurt Bard, Field Road, Long Lake Township, stated he is with the Grand Traverse Area Snowmobile Club. They lend their support to this project in order to increase access to state land.

Matt McDonough states he would ditto everything that has already been said. User conflict is a concern. There is an economic benefit. The Land Conservancy would not support the parcel being clear-cut.

Dave Soper, Long Lake Township, adds that the property has a good road to it. Development might happen. The area would be hard to replace. There are not a lot of parcels like this parcel.

Mike Jacobson, Skegemog Point Road, stated he does not know enough about it to say he supports or does not support it. He stated it takes all types of terrain to keep the wildlife we have in our region. He urged the board to not base its decision on whether trees would be cut.

Steve Sutton inquired what the local master plan called for.

Popp replied that the master plan calls for a utopian vision of rural character. How do you define rural character? He stated that, almost without exception, this area is pointed to because of the mature growth, as well as the agricultural section to the north. He stated those 2 areas are used by the Planning Commission to define what we consider to be rural character.

General discussion followed regarding the DNR listening to local government's vision for its property, as well as the lack of funding available to maintain a local public water access site. Wieber offered to set up a separate meeting to discuss concerns.

Kim Halstead, 7923 Cook Road, feels things change quickly with the state government and promises made do not always get done, and cited the example of the local septage treatment plant as an instance of promises not kept.

Walton inquired whether the State or the Land Conservancy is acquiring the property. Wieber stated the State will be the owner. McDonough states the Conservancy will enter into a long-term option agreement, which is assigned to the State when they are ready to close. Sellers are offered a cash consideration for the agreement. Wieber stated the Conservancy is just securing the property so the landowner cannot sell it to someone else.

Popp noted the current SEV is around \$385,000.

Popp inquired of Benak if she was in agreement with the language stating that "each assessing district will remit one single invoice for all PILT payments." Benak stated this happens automatically.

Walton asked for clarification of the following language from the Payments in Lieu of Taxes document: "The new formula that was instituted effective January 1, 2013 bases property valuations on the greater of the valuation provided under the prior formula and the taxable value of the property calculated under the General Property Tax Act."

Wieber explained the prior formula was per acre of agricultural land in the county for a given year. Sutton stated Treasury would be able to answer specific questions.

Popp recited the proposed resolution. “Whereas, Whitewater Township supports the Department of Natural Resources’ submission of an application titled Strombolis Lake Property to the Michigan Natural Resources Trust Fund for the acquisition of 160 acres of land located Town 27 North, Range 9 West, Section 29, Whitewater Township, including rolling terrain, surrounded by state land on 4 sides; Whereas the location of the proposed project is within the jurisdiction of Whitewater Township, and Whereas, the resolution of support acknowledges that Whitewater Township is not committing to any obligations, financial or otherwise; and Now, Therefore, Be It Resolved that Whitewater Township hereby supports submission of the Natural Resources Trust Fund application for the Strombolis Lake Property by the Department of Natural Resources.”

Popp stated the County has fulfilled the DNR’s need to have a local jurisdiction provide this resolution and the application has been submitted. Popp inquired why the DNR came to the township.

Wieber stated the DNR wants to know the position of the township.

Popp stated a resolution from the township is not required.

Walton stated she has numerous reasons why she does not support the resolution. Popp indicated he does not support the resolution. Benak stated the owners have a right to sell it to whom they choose, so she would be in favor of it. Walton went on to state her concerns, namely, there are already plenty of recreational opportunities in the township, other more pressing needs in the township (roads, fire station), and expenses associated with recreational opportunities (fire/ambulance expenses for VASA, Iceman) for which there is no reimbursement. Walton also feels user conflicts are not a huge issue, and cited disagreement with the policy of the state in acquiring more land.

Popp sees deferred maintenance costs mounting; also states that the township is spending 20 times the amount of money on parks as it is on roads. Popp feels those commitments need to change. Popp stated that it is not that we are not in support of recreation, but we are “park poor.”

Lemmien stated the DNR open house is June 25th from 3:00 p.m. to 7:00 p.m. at the Traverse City field office. The DNR forest management plan will be presented. They have developed a management plan for an area in Whitewater Township south of the Sand Lakes Quiet Area. The public is invited to review the plan online and comment on June 25th.

Unfinished Business

Lossie Road Nature Trail

Not addressed.

New Business**Municipal Underwriters of Michigan (Paul Olson)**

Olson has been writing the insurance for Whitewater Township for the past 28 years. He presented an overview of his agency's staff, various coverages, etc., and answered all questions.

Benak would like the risk manager to inspect stairs at Whitewater Township Park. Popp stated the stairs are closed by prior decision of the board. Discussion followed.

Popp would like to see some training regarding volunteer indemnification. Olson will provide the waiver forms.

Popp would also like assistance regarding employer issues.

Olson advised the board of the Michigan Township Participating Plan Risk Reduction Grant Program and provided some details of the program.

Discuss Zoning Administrator Resumés

Consensus was reached to move this agenda item to Unfinished Business at the June 11th meeting.

Tabled Items

None

Board Comments/Discussion

Lawson wants everyone to start looking at Facebook and Twitter for Whitewater Township.

Benak referred to a complaint e-mail from someone who stayed at the park. Popp replied there have been some employment issues at the park, schedules were not followed, and he did not intend to leave the park shy of people. Discussion followed.

Announcements

Next meeting of the Township Board is June 11, 2013.

Public Comment

None

Adjournment

Motion by Lawson, seconded by Benak, to adjourn. Meeting adjourned at 10:19 p.m.

Respectfully submitted,

Cheryl Walton
Whitewater Township Clerk