

**Whitewater Township Board
Minutes of Regular Meeting of August 13, 2013**

Call to Order/Pledge of Allegiance

Supervisor Popp called the meeting to order at 7:01 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: Goss, Hubbell, Lawson, Popp

Board members absent: Benak

Others present: 15

Set/Adjust Meeting Agenda

Popp would like to pull out of the Consent Calendar the 06/10/2013 Parks & Recreation Advisory Committee minutes, Correspondence Item #6 (DEQ permit), as well as a couple check questions. No other adjustments. Agenda set.

Declaration of Conflict of Interest

None

Public Comment

Larry Inman, 8971 Crockett Road, Williamsburg, announced his decision to run for state representative in 2014. He has represented Whitewater Township for 21 years.

Public Hearing

None

Reports/Presentations/Announcements/Comments

Grand Traverse County Sheriff Department Report – No one is present from the Sheriff Department.

County Board of Commissioners Report

Commissioner Inman gave the following report:

- Regarding the GT County Road Commission ballot language, this issue will be back in front of the BOC tomorrow because a mistake was made in the dollar amount of the levy. This 1 mill 3-year levy for road maintenance will be on the November ballot.

Popp inquired how 2 brownfield projects and 1 DDA project got on the ballot.

Inman stated that Prosecutor Cooney ruled that the county must include that language on the ballot. Inman states this will be confusing to voters. He has suggested that those entities be asked to voluntarily exempt themselves from getting any of the millage money.

Battalion #3 Fire Captain Report – Captain Arbenowske is not present. Goss advised that Arbenowske reported earlier in the day that he would likely not be present due to working overtime this morning.

Ambulance Coordinator Report

Ambulance Coordinator Martin gave the following report:

- There were 21 runs in July.
- The EMS auxiliary put on a very nice annual picnic for the fire/EMS membership.
- Ambulance personnel participated in the Harbor Days parade on August 3rd, passing out candy to children and adults. They had new neon green T-shirts this year.
- The department had to use the Lucas CPR device recently and Martin is thankful to have this device for the community.
- Whitewater Township has gotten good notes on compliance times and patient care from the Northwest Regional Medical Control Authority.

Supervisor Popp asked if any auxiliary members were present and thanked them for everything they do. (Audience applause)

Consent Calendar

Popp referred to the Parks & Recreation Advisory Committee minutes of 06/10/2013 and quoted the following language under New Business referring to seasonal campers, “They can bring their camper in any time after May 10 and only pay for the nights they are actually there (usually on the weekends).” Popp noted this is directly opposite what the current board has discussed. Goss pointed out that the Township Board agreed at the 07/09/2013 meeting that the written policy would be followed for 2014, which does not allow for early arrival.

Popp then referred in the PRAC minutes to Consensus Item C, “Create a plan for a “lottery” just in case the need arises in the future.” Popp feels this is way too preemptive and will reaffirm to PRAC board representative Benak where the Township Board is at on this issue.

Under Consensus Item E, Popp quoted, “Stick with the same rates but add \$10 a day that the seasonal campers are on site but not in use . . . after the designated season.” Popp states this is completely off base. Goss feels we need to bring these issues to the township board’s agenda.

Popp also quoted under Boat Launch, “Designate additional funds” – a raise from \$5 to \$8 – “to be used for bathroom and launch improvements.” Popp stated this would be a nightmare to track. Goss stated it would not be impossible; however, it would be a board decision what any additional funds would be used for.

Referring to the DEQ permit (Correspondence Item #6), Popp quoted the language stating “to create a 100 feet of vertical seawall,” and noted it should say “horizontal” rather than “vertical.”

Popp raised a question about the BS&A software support check, Check # 37281 in the amount of \$1,265.00. Goss stated this is an annual fee for assessing and tax software. A similar fee was

paid 2-3 months ago, which was for special assessment and personal property tax modules in the BS&A software.

Goss would add to her Clerk's Report that July 2013 park revenue totaled \$16,035, down 6.3% from 2012, and year-to-date park revenue is \$93,384, down 4.23% from 2012. However, as of August 11, revenue is up a little over August 2012 revenue. Goss believes the decline is mostly weather related.

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

Receive and File

1. Supervisor's Report for July 2013
2. Clerk's Report for July 2013
3. Zoning Administrator's Report for July 2013
4. Battalion #3 Fire Captain's July 2013 Activity Report
5. Ambulance Coordinator's July 2013 Activity Report
6. Approved 06/10/2013 Parks & Recreation Advisory Committee Minutes
7. Approved 06/12/2013 Historical Society Minutes
8. Approved 06/19/2013 Planning Commission Special Meeting Minutes

Correspondence

1. Grand Traverse County Sheriff Department statistics for July 2013
2. 07/11/2013, 07/18/2013, and 07/23/2013 letters from Terry Witt
3. 07/10/2013 MTA letter to Township Board re: Renewal of Membership for 2013/2014
4. 07/18/2013 e-mail to Township Board re: Consumers Energy Rate Case Update
5. 07/19/2013 NWMCOG eNews
6. 07/22/2013 Michigan Department of Environmental Quality Water Resources Division Permit Issued to James Dustin, 9991 Miami Beach Road, Williamsburg
7. 07/24/2013 letter from State of Michigan Department of Treasury re: Water Pollution Control Exemption Application
8. 08/01/2013 letter from Federal Energy Regulatory Commission re: Elk Rapids Hydroelectric Project
9. 08/06/2013 DEQ Notice of Authorization – Revised Permit # 12-05-0012-P re: Fish Shelters in Elk Lake

Minutes

1. Recommend approval of 07/09/2013 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 37184 – 37331
2. Approval of Alden State Bank Miami Beach vouchers # 1137 – 1138

Budget Amendments (none)

Revenue & Expenditure Report (none)

Roll call vote: Hubbell, yes; Popp, yes; Lawson, yes; Goss, yes; Benak, absent.

Unfinished Business: None

New Business

Emergency Services Building Rental Agreement

Popp noted that Mr. Lucsy is here tonight. The lease on the Moore Road building is nearing the end of its term. Mr. Lucsy has offered to lease the entire building to the township. Ambulance Coordinator Martin feels this decision should be left to Captain Arbenowske. Arbenowske is not present this evening. Additional space would consist of a 40 x 40 area and would cost an additional \$400 per month. If the office space were included, it would be an additional \$800 per month. The lease ends October 14th. Popp would like to have the lease rewritten as handwritten notes have been made on the original lease and it does not clearly express the agreement regarding electrical and heat. October through March, an additional \$100 is paid for heat, with a reconciliation period at the end of March. Electricity is a flat fee of \$30 per month. Agreement was reached to bring this item back as Unfinished Business #1 at the 8/27 or 9/10 meeting. Supervisor Popp will bring back the new document.

Lossie Road Nature Trail

Supervisor Popp updated the board and audience on efforts to mark the easement. For safety reasons, an 8-foot post will be needed, as well as a greater number of posts. Also, for sensitive areas, an aluminum rod with aluminum cap is proposed, 25 needed. There is a terrific volunteer group helping to install the posts; 100 have already been installed. Additional cost is about \$1,100. Discussion of monies originally allocated to this project. Hubbell stated the Petobego project needs to be completed.

Motion by Lawson, seconded by Goss, to amend expenditures for the marking of Lossie Road Nature Trail to a total of \$2,210.00. Roll call vote: Lawson, yes; Popp, yes; Hubbell, yes; Goss, yes; Benak, absent.

A budget amendment and budget transfer will be needed. Goss will bring both to the August 27 township board meeting.

METRO Act Contract

The current METRO Act permit expires December 31, 2013. A proposed lease extension has been received from AT&T Michigan. METRO Act fees are deposited in the Road Fund and used to pay for street lights.

Motion by Hubbell, seconded by Popp, to authorize the Supervisor to sign the permit extension. Roll call vote: Goss, yes; Lawson, yes; Hubbell, yes; Popp, yes; Benak, absent.

Revisit WWT Park Rule 3.3, Fee Schedule & Related Policies - "Seasonal Camping" End Date

The Township Board discussed Rule 3.3 last month, including the opening date of seasonal camping. The closing date for seasonal camping was not discussed. Popp believes the written

rule should be supported with no changes with respect to both opening and closing dates. Goss inquired whether this would be effective in 2013 or 2014. Consensus was reached that it be effective in 2013. Other items, such as allowance of storage, boat trailers, will need to be addressed in Rule 3.3 before next season.

Review and Discuss WWT Park Rules, Especially Rule 16

Rule 16 states each unit will be charged a camping fee, with the exception of a tent for children living in the same household. Prior meeting discussion focused on tents used as additional storage. Popp wished to revisit Rule 16, stating we are only licensed for 2 units per site. Ranger Edie Deveneau clarified that it is 2 sleeping units per site. Popp believes the current written rule should be supported with no changes. Goss has reviewed the Public Health Code regarding campgrounds, which states that, "A campground owner shall ensure that a site is occupied by not more than 8 persons and by not more than 1 recreational unit." Goss quoted the definition of "recreational unit," (basically, a tent or vehicular type structure). Discussion followed. Popp would like to see the original grant for the park. Lawson provided a Department of Natural Resources memo to Campground Owners/Operators dated 02/26/2010. The subject of the memo is "Structures on Licensed Campground Sites." Consensus reached to bring back the issue of the number of units allowed per site as Unfinished Business #3 after additional research.

Discuss Disposition of Decks at WWT Park – Seasonal Camper Hold Harmless and Indemnification

Supervisor Popp indicated this item should also be brought back as Unfinished Business #4 after reviewing the document provided by Lawson.

Tabled Items

None

Board Comments/Discussion

None

Announcements

The next Township Board meeting is August 27, 2013.

Public Comment

Jim Galligan, 9125 Ayers Road, Williamsburg, commented that the minutes for last night's Parks & Recreation Advisory Committee are not on tonight's agenda and asked when the Township Board would discuss those.

Popp responded that will likely occur at the August 27 meeting.

Galligan also stated there is a family project to get a stone marker placed on the end of Lossie Road to commemorate Edra (Mickey) Galligan's interest in getting the trail started. A design has been created. There will be no cost to the township.

Popp stated he has asked Goss to look into how the township should deal with this gift.

Lois MacLean, 5919 Linderleaf, Williamsburg, referring to the 06/10/2013 Parks & Recreation Advisory Committee minutes, stated the committee is under the impression that they were instructed to come up with something for 2014. She recommends that Supervisor Popp speak to PRAC Chairperson Bill Mouser about this issue.

Popp stated that, to his knowledge, the completion of the Recreation Plan is the committee's only assignment at this point.

Phil Garno, 7431 M-72 NW, Williamsburg, commented on Rule 3.3 and the earlier discussion requiring seasonal campers to remove their campers after Labor Day or pay to keep them in the park. He stated that this year the seasonal campers are under the understanding that they only pay a fee when they are actually at the park. He feels they should be allowed to finish out this season on what they originally agreed to.

Goss states she does not have a problem with not enforcing additional payment by seasonal campers this year because it is short notice. However, it definitely needs to be changed for 2014.

Hubbell stated there appears to be a lot of concern. He feels the fair thing to do for this year is to let it be. Next year, the new policy will be made known.

Popp feels the policy has been posted and should be followed.

Lawson asked whether there are any rental agreements for the seasonal campers.

Goss stated the 2013 permits say June 27th to September 2nd. Reservations are signed when the campers check in.

Discussion followed related to what seasonal campers may have been told, various policies that need to be tightened up, and revisiting the issue.

Popp called for the suspension of Public Comment for a moment.

Popp inquired how to revisit an item already decided. Goss pointed out that the earlier action was by consensus, not by motion.

Popp asked whether the board wants to revisit the effective date of the earlier decision to follow Rule 3.3 as written as it pertains to the length of stay for seasonal campers. There was no objection.

Discussion followed related to reduction of ranger hours in September, closing date of park (October 15), enforcing policy versus upsetting people, enforcement of written contracts, giving relief without voiding contracts.

Popp will open up the discussion for suggestions.

Irene Vasquez, 203 Ames Street, Elk Rapids, stated she works for Whitewater Township Park. She commented that if the seasonal campers are allowed to stay on their sites, it is more revenue for the park. If they leave, they will not come back and revenue will be lost. Other sites are available for other campers.

John Keuvelaar, 1701 Borton Avenue, Essexville, commented this is his 50th year at the park; he is not a seasonal camper. He misses being able to be on Site 18 (currently a seasonal site). He states he would not make a big deal about the contract. There are not that many people camping after Labor Day weekend. He recommended the season be finished out as is and make changes effective next year. Whitewater Township Park is a great place.

Kim Halstead, 7923 Cook Road, Williamsburg, suggested a flat fee be charged for seasonal campers who leave their units.

Popp stated air conditioners and refrigerators are running when people are not there, and inquired whether a utility fee should be adopted.

Edie Deveneau, 4410 Buttercup Lane, Traverse City, stated the Clerk handled all reservations for seasonal campers before April 1 and she had nothing to do with talking to seasonal campers.

Goss stated Edie came in on February 15 and called all seasonal campers to make their reservations. Also, Goss stated she did not tell any seasonal campers that they could bring their units early.

A female voice (no name given) states she was told by someone here at the township that nothing was changing for this year, we are going to go ahead with the seasonals, a reservation person is coming in, and everything is pretty much going to stay the same.

Goss stated that if she is the one that said nothing was changing, she was referring to the written policies.

Popp explained difficulties he encountered at the beginning of the season with removing trees with camping units in the way.

Edie stated that all the seasonal campers were told by her that their checks had to be here by April 1, everything was going to be the same, the board was going to evaluate things and 2014 would be different.

Hubbell feels it should be left alone for this year. If seasonal campers want to donate something, that would be a suggestion. Hubbell states there is a lot of stuff that is not clear.

Goss feels this is a big lesson learned for the board. To save the grief, she feels it should be let go for this year. However, after Labor Day, the park should continue to be audited every evening to make sure everyone is paying. Also, total daily ranger hours in September and October should be cut to less than 8. A review of September 2012 park revenue reveals there were only 8 days in September where revenue would justify paying a ranger for 8 hours. Goss

would like to see it left as is for 2013, i.e., allow the seasonals to pay only when they are in the park, but expenses should be decreased.

Popp called for a voice vote concerning a 2014 effective date for Rule 3.3.

Goss stated there are other sections of Rule 3.3 that she does not want to be on record as supporting, namely, the payment policy at the bottom of the first page.

Popp believes 3.3 is a posted rule and it is a contract. He supports the contract as previously stated.

Motion by Goss, seconded by Hubbell, that the seasonal campers be allowed to keep their units in the park until October 15 and that the unwritten policy of only paying when they occupy their unit be continued until October 15, but that the policy be changed for 2014. On voice vote, 2 in favor (Hubbell, Goss), 2 opposed (Lawson, Popp), Benak absent. Motion failed.

Motion by Popp, seconded by Hubbell, that this issue be brought back as Unfinished Business #1 at the October 8, 2013, meeting. On voice vote, all 4 present in favor, none opposed, Benak absent. Motion carried.

Popp called for the resumption of Public Comment.

A male voice (no name given) inquired when trailers would have to be off the sites. Popp responded that he would be informed of that sometime after the October 8 meeting.

Mary Windom, 5083 Olde Saybrooke Road, Grand Blanc, states they come here to spend their summers. What she sees as a camper is that, while the rules are very important, there are broken toilets, shower fixtures are spraying everywhere, the park rangers that used to be a team are not one. She feels the board should pay attention to the little things that are keeping them there before worrying about which campers are in the park after the holiday weekend.

Adjournment

Motion by Hubbell, seconded by Popp, to adjourn. Meeting adjourned at 9:08 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk