

**Whitewater Township Board  
Minutes of Regular Meeting held October 22, 2013**

**Call to Order**

Supervisor Popp called the meeting to order at 7:00 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

**Roll Call of Board Members**

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

Board members absent: None

Others present: 8

**Set/Adjust Meeting Agenda**

No changes.

**Declaration of Conflict of Interest**

None

**Public Comment**

Robert Durga, 2021 East 8th Street, Traverse City, is speaking on behalf of Debra Jenkinson, a parcel owner on Linderleaf. He has concerns about the private road that Linderleaf is on. Ordinance 32 was passed in 2003 and has superseded the private road that was created when the subdivision was created. In 1999, seven parcels were created on Linderleaf. The drain commission approved a private road. In June, Miss Jenkinson came in to get a Land Use Permit. Supervisor Popp stated they were unable to get the LUP because of the 2003 updated ordinance. A variance was suggested. This is a 9.6 acre parcel. There was an easement created for that parcel in 2006. After more investigation, it was learned that a variance is not possible because Ordinance 32 is a general ordinance. It would cost a quarter million dollars to bring the road up to current standards. This is a hardship for his client. This is a \$69,000 parcel.

Mr. Durga asked the Board to bring Ordinance 32 to light, that it is an ongoing problem and has created hardships for others. Mr. Durga would like to see Ordinance 32 amended or abolished. Putting this burden on single property holders is unconscionable. He asked the board how this can be resolved to move forward and make this a buildable parcel.

**Correspondence**

Popp inquired if there were questions on any item of Correspondence. There were no questions.

**Public Hearing**

None

**Reports/Presentations****Planning Commission Report – Lloyd Lawson**

Popp stated this report was given during the first meeting of the month.

### **Parks & Recreation Advisory Committee Report – Bill Mouser**

Bill Mouser stated the committee reviewed the verbiage of the Recreation Master Plan at their last meeting and approved it as their final draft. They also reviewed the maps and attachments that were part of the previous document. They will choose which ones to replace or update. They will review the entire package at their next meeting, adjust the Table of Contents, insert a capital improvements wish list, and then submit the plan to the Board and the public.

Mouser also commented that the stone to be placed on Lossie Road Nature Trail is ready. Popp and the family are to meet at the site and make a decision on location of the stone.

Popp added that the family would like the stone to be placed on the Cook Road side of the trail.

Hubbell inquired of Mouser if the fence had been put up at Petobego yet. Mouser said no, but they are ready. Popp stated he will forward information from the Disability Network. There are rules on non-motorized trails.

### **Road Commission Report – Bill Mouser**

See New Business.

### **Unfinished Business**

None

### **New Business**

#### **Grand Traverse County Road Commission Ballot Information**

Deb Hunt, Grand Traverse County Road Commission employee, provided information to the Board and the audience regarding the request for a 1 mil 3-year levy for “road improvements and maintenance” on the 11/05/2013 ballot. She and Road Commissioner Bill Mouser answered numerous questions from audience members and the Board.

#### **Review Personnel Policy – Possible Driver Responsibility Clause**

It was recently brought to Popp’s attention by Fire Captain Arbenowske that the township should have some type of driver responsibility clause in the Personnel Policy. Popp provided a document from Rural Fire on this topic, which addresses the number of points on a driving record. This is not currently addressed in the Whitewater Township Personnel Policy. Goss located Policy 109 of the Whitewater Township Ambulance Service Policies, Guidelines & Procedures Manual, which focuses on the number of moving violations rather than the number of points. Popp would like to know if the Board wishes to have a driving policy in the Personnel Policy. He would also like to bring the Whitewater Township Ambulance Service manual into the Whitewater Township Policy & Procedure Manual as a subsection. Discussion followed. Hubbell feels a driver responsibility clause should be pursued. Popp will provide the entire ambulance policy to Board members. Goss stated the ambulance service policy has been adopted. Captain Arbenowske stated he brought this up because there was a liability issue. He also commented on lights and sirens on personal vehicles and would like this addressed as well. Discussion followed. Benak inquired at what point our personnel policy would override Rural Fire’s personnel policy. Lengthy discussion followed. Goss stated the specific situation we are discussing here has been handled by Rural Fire; the reason it is being brought up here is because

it has not been handled through Whitewater Township Ambulance Service. Goss stated the policy requires her to be notified of this type of situation by the Ambulance Coordinator. Popp commented that we do not know that it was not handled under the previous administration. Goss stated that should be verified, as well as finding out what the determination was from the insurance carrier. Discussion followed. Popp will accept input from the Board as to a driver responsibility clause. Lawson suggested the insurance carrier be asked to provide guidelines for any new policy.

Arbenowske stated he is just looking at liability; it is nothing personal. Popp questioned why Arbenowske offered to sign a contract 6 months ago and then hid it from this administration. Arbenowske stated because Rural Fire dealt with it. He went to the Ambulance Coordinator and the individual and offered to go with them to help them out; this never happened. This administration was just new. He found out about it in January 2013; it happened in June 2012. Rural Fire contacted Arbenowske. The Ambulance Coordinator was supposed to come to the board. Arbenowske does not think the previous board knew about it. Benak stated she did not know.

Popp asked the Board for guidelines as to where they think the ambulance policies and procedures belong. He would also like direction on whether the driver responsibility policy is a good policy to have. Benak would like to review the whole ambulance policy and will provide a thumb drive for copying of the file.

#### **Tabled Items**

None

#### **Board Comments/Discussion**

Popp stated there are now 4 people being affected in a similar way by Ordinance 32, the Private Road Ordinance. They have purchased a lot created after an initial subdivision. People find out they cannot build because of the prohibitive cost to bring the road up to the standards in the ordinance. Lengthy discussion followed.

#### **Announcements**

The next Township Board meeting is on November 12.

#### **Public Comment**

Jim Galligan, 9125 Ayers Road, stated that 2 of his daughters recently walked the Lossie Road Nature Trail and determined a spot for placement of the engraved stone. A spring installation would be nice.

Kim Halstead, 7923 Cook Road, inquired if there was any information available from the meeting with the tribe about the fire station.

Popp indicated that he and Benak met with the tribal members. Popp does not know when there will be a full board meeting, possibly around the first of the year. There is a deadline of 11/1 to have all of the tribal information.

Benak stated she has received information from Rod Kuncaitis and that she, Popp, and Chuck Stewart will put together a cohesive package from both boards. Discussion followed. Popp stated all information will be rolled out to the public when it is available.

Rod Kuncaitis, 6204 Elk Lake Road, stated the township is about 2 years away from losing the ball diamonds and asked that the Board make that a priority in the Parks & Recreation budget next year.

Discussion followed.

Bill Mouser commented that grants were written for 2% money for improvements at the ballfield and he has that information.

Goss reminded the Board of the upcoming 12/31/2013 application deadline for 2% grants.

Popp needs the Board's comments regarding Parcels 80 and 82. At Goss's request, he will forward the County's opinion to Board members.

Benak inquired whether the 2% grant application should be on the November agenda. Discussion followed. Board members can bring their ideas. Mouser stated the criteria should be reviewed.

### **Adjournment**

Motion by Hubbell, seconded by Lawson, to adjourn. Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk