

**Whitewater Township Board
Minutes of Regular Meeting held October 14, 2014**

Call to Order/Pledge of Allegiance

Supervisor Popp called the meeting to order at 7:02 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, Goss, Hubbell, Lawson, Popp

Board Members Absent: None

Others Present: 23

Set/Adjust Meeting Agenda

No adjustments.

Declaration of Conflict of Interest

Regarding the Baggs Road agenda item, Popp stated his mother-in-law lives off of Hoiles, so he will remove himself from that conversation.

Popp further stated that he was informed the Kalkaska County Road Commission (KCRC) will be here at approximately 8:15 p.m. Grand Traverse County Road Commission (GTCRC) will not attend because of illness.

Public Comment

Vance Stringham, Grand Traverse 911 Supervisor, presented each Board member with a fact sheet regarding the upcoming proposal at the November 4th election. This is a proposed surcharge increase. He stated he will leave some copies for the public. He stated 911 is growing into new technologies, including the capability to send videos, texts and pictures to 911. Grand Traverse 911 currently does not have that technology. Also, a lot of their equipment is quite aged and at end of life. The current budget only covers operating expenses. He listed the line surcharges in other local counties. Grand Traverse County's current surcharge is 80 cents per line. The proposal requests an increase up to \$1.85. He stated this would provide enough funding to replace old equipment and bring in new technologies. Grand Traverse 911 presently takes approximately 130,000 calls and dispatches approximately 55,000 calls for service per year.

There were no questions for Mr. Stringham.

Edward Ascione, 8208 Lakeside Trail, stated he accesses his home off Baggs Road and owns property that is accessed off Baggs Road. He does not have a proposal or presentation but stated it is no secret that Baggs Road, Hoiles, and Lakeside Trail are in dire straits. Elmer's put together a bid to do some professional patching, and Payne & Dolan has submitted one through Kalkaska County. He stated they really hope the Board can take some action and get some relief coming into winter. The road is unsafe, borderline impassable. February through April, the potholes get even worse, extremely sharp. Many people have had vehicle and rim damage, been swerved off the road. Some action needs to be taken in the next couple weeks before winter sets

in. He stated they are interested in the temporary option on the table as well as a permanent solution next year. Hundreds of thousands of people from all over the state use the public access, and the residents and taxpayers are carrying the freight for that.

Michael Wyers, Troop 115, Williamsburg, stated he is here to thank the Board for approving his Eagle Project proposal and to let the Board know how it went. He stated he and his helpers met on September 27th and worked from 2:00 to 6:00 p.m. There were 21 volunteers to help with the project. He stated he gave the volunteers instruction on how to correctly clean the headstones, gave them safety measures, and reminded them to show respect. They washed over 400 headstones and were able to identify over two dozen pieces of information that were missing from the Find a Grave website. That information was added to the website. He stated the best part of the project was being able to recover some of the birth and death dates on some of the unknown stones and hearing other scouts say how cool it was to unearth that kind of information. The worst part of the project was having the scrub brushes wear down and break in half and having to run to the store to buy more brushes. The project was completed and they fed the hungry crew with pizza, cookies, and lemonade. He again thanked the Board for allowing him to do the project.

(Applause)

Goss mentioned that she has a meeting with Michael tomorrow to sign off on the project.

Popp thanked Michael on behalf of the Board.

Tim Shaffer, 5309 Moore Road, stated it seems in the last year or so there has been an increase in the number of discussions/arguments/statements made by the Supervisor in regard to rearranging what is being told to him by misconstruing words. At the September 23rd meeting, there was real strong dissension between Board members and an argument came out of that. He stated he is real concerned about the stewardship of this township based on this and the fact that this is not just one issue; this has gone on through the ambulance service, the ambulance board, the fire department, the fire board. He has heard comments in this room regarding the county road commission, the parks and rec department differences, and finally get down to the tribal agreement and what has come out of that. He stated from what he is gathering, they don't want to have anything to do with this township anymore.

Tony Dean, 7421 Baggs Road, stated the road is brutal. He stated he lived on Mabel before that got done; we pretty much funded that one, so he left the worst dirt road in the county to go to the worst paved road in the county. He stated he would like to bring up the millage thing. He doesn't know that we have sent a millage through and doesn't want to raise his taxes, but it's match money. It is a long time since we have done anything with that. He doesn't know if the people know that. He is not sure of the last time we have matched money or had funds to do so. It should be brought up. He stated he will throw a dollar in to get a dollar back. He doesn't get why the township is not bringing that up to the people, that we are not getting a dollar of state-funded money coming to us, and it has been 30 years since John Amos paved Munro Road. That was the last time we had any millage for match money on the state, and then we end up with roads that are just like that and they are junk. That road (Baggs) is junk. Boats going down it,

tires coming off; they are in his driveway more often than he would like to say. He sees three or four boats a year pulling in his driveway changing tires. The road is that bad. Again, where are you going to get the funds? We ought to look at adjusting that long term, trying to save a little money. He has talked with Ron, thinks the Board does a pretty solid job getting it done, but he thinks the millage thing should be brought up. He asked if it was true if, other than for primary roads, we are getting no money from the county.

Popp confirmed that basically that is right.

Dean stated he found it out 10 years ago and still sees nothing coming at us saying if we put a dollar in, we get a dollar back. Without it there, you don't get that money. So the other 13 townships receive that money and we get none of it. We are already paying taxes; we should at least get some of that back.

Steve Voss, 7458 Hoiles Drive, asked who is responsible for Baggs Road. He sees a Kalkaska County sign on one side. Is it a split road? He stated he is the new kid on the block and would like to know who is responsible. With it being a DNR launch, maybe they are part of the problem, too.

Popp stated that, by agreement, the road is maintained by the Kalkaska County Road Commission, so they receive the federal gas tax dollars for that road to make the necessary repairs to it.

Dean inquired if there was something in the works for anybody to fix the road.

Popp stated there has been lots of discussion.

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:

- He thanked the Board for allowing him to take some time off from his responsibility of attending our meeting to get through the surgery and the recovery time. Things are progressing.
- The County Board of Commissioners' concentration right now is to come up with the 2015 budget. They are having challenges with a number of items in the budget. Last year, the board transferred approximately \$1 million of their fund balance to cover operations if needed. The county administrator and the chief financial officer will report next Wednesday on whether they have spent any of the fund balance. They think they have not spent the majority of that money. The BOC is projecting another \$1 million shortfall next year. The biggest thing they are facing is the cost of healthcare. In 2014,

their healthcare insurance went up 14%. They spend approximately \$4.5 million on healthcare for their employees. Higher copays and employees paying 10% of their premium were instituted. Despite those same formulas being used for the bid process for 2015, premiums came up 20% higher. Right now, the BOC is assuming they will not increase the employee contribution in 2015 and that is causing the projected shortfall. If that trend continues, they will have to make substantial cuts or do something very different for Grand Traverse County to maintain any level of health coverage for their employees. He stated he should be able to report next month on how to balance the budget.

- Regarding 911, they do have aged equipment in the 911 center. The biggest problem is the infrastructure. In parts of the county, it is very difficult to telecommunicate with the public safety officials. The system needs to be improved. The surcharge would generate \$2 million next year. He feels for the next several years we are going to have to make major capital improvements in the 911 system to make sure all factors of public safety have proper equipment and can communicate and respond to emergencies in a timely fashion. He would encourage folks to think about voting for the ballot proposal.
- Regarding Baggs Road, he has been aware and is continuing to get communications from the residents on Baggs Road. He met with the road commission manager, Jim Cook, and had a detailed discussion with him on the history of the road. A section of the road is Grand Traverse, a section is Kalkaska, and there are historical agreements about who is going to do what.

(Microphone check for the podium)

- Inman reiterated that he has been representing Whitewater Township for 22 years and has been well aware of the challenges and the deterioration of Baggs Road and the frustration from the residents who live on the road and the communication back and forth between the road commission, the county commission, Whitewater Township, and Kalkaska County and Clearwater Township. It is a complicated road because that is where the county line is. There are historical agreements as to who is responsible for which part of the road and for plowing, grading, and patching. Inman stated he had an extensive discussion with Jim Cook last week about the “semi-stalemate.” His last understanding from Jim Cook is that they have decided that Baggs Road is not on their priority list. Inman stated he has come here to try to advocate a solution and he has asked Jim Cook to get personally involved in it. At the last Resource Management and Administration Committee meeting, Inman asked Cook to brief the whole BOC on the history of the road, condition of the road, and challenges of the road. He stated he challenged the road commission and Cook (before the meeting) to come up with a solution because the road is a danger to public safety and the folks driving there. He stated he asked Cook if it was possible to help out with some relief funding, because the county does have a millage in place. He stated that he suggested to Cook that he take the lead on this, to get a permanent fix, to get the KCRC, the GTCRC, Clearwater and Whitewater Township folks in a special meeting, notify all residents, and come out with an agreement of how the road will be permanently fixed and how all will share in the cost. There is a possibility that, with some strong influence, some money could be pulled out of the Grand Traverse County budget to fix what is going on right now. Inman stated he hopes

Cook is in the process of trying to put together an invitation to all parties for a meeting to find a solution. Inman reported that Cook is willing to put the time and effort into it. Inman stated he is going to meet with Cook next week on it.

- In Acme Township, the farmland preservation millage renewal is on the November 4th ballot. Some private citizens are doing an informational mailing.

Goss passed down to Inman a copy of the Elmer's proposal for emergency repairs to Baggs Road in the amount of \$18,350. She stated one of the reasons the county-wide road millage did not pass in Whitewater is because the road commission would not promise that any funds would come back to Whitewater Township. Goss stated she and Popp have had plenty of people in their offices asking about Baggs Road and they do not want more meetings; they need some emergency road repairs now. Goss requested that Inman take the Elmer's proposal to the meeting with Jim Cook next week and ask him for the \$18,350 out of the road millage money to get the repairs made within the next 30 days.

Inman stated that repairs funded by the road millage money are being proportionately spread around the county and not necessarily in high density areas. He stated he has not reviewed the project list lately, but he is hopeful there is something in this region that is being planned. Inman further stated that Cook is willing to extend some funding for Baggs Road.

Goss stated it would be nice if Grand Traverse County and Kalkaska County would each come up with half of the money for the emergency repairs. Goss would like to know why we cannot get money from the state because there is a lot of traffic going to the boat launch.

Inman stated he will talk to Cook.

Hubbell asked Inman what his vibe is on the farmland preservation passing or not passing.

Inman stated it has not been controversial. There are a ton of people already involved and it has gone really well. It has kept open space and farmland, and Inman thinks people want to see that rather than commercial development. Especially with the shoreline clearing, he thinks the residents of Acme are going to want to have the open space, open view, agricultural concentration. He has not heard anything negative about it.

Battalion #3 Fire Captain Report – Captain Arbenowske is not present.

Ambulance Coordinator Report

Ambulance Coordinator Martin gave the following report:

- As of today, they are up to 158 runs. In September, they missed one call, down from four. The duty and on-call crews have been activated. There are no missed calls yet this month.
- This month, Wendy Dawson from Allied in Bellaire did medical training consisting of patient assessment and pediatric spinal motion restriction. There were 8 in the group.
- Martin went to the UP-EMS conference in Marquette from 10/2 through 10/5. She attended classes on self-defense, geriatrics, helicopter landing zone.

- She will be attending an EMS leadership workshop on 10/23 and 10/24 to learn leadership skills and management.
- The Halloween party is coming up. They would love to have help with apple cider.
- When she began the coordinator job, she thought it was a great opportunity to make the ambulances known. Out of her pocket, she has bought candy to pass out in the subdivision off Cook Road, to kids and adults. They will do that again this year.
- She attended the Med Control meeting this morning. A lot of the conversation was about the Ebola virus. They were given a packet of information about the signs and symptoms and the importance of hand-washing. They were also trained on how to provide personal protection equipment for the providers (eye shield, mask, gloves, gowns, leg protection and booties).

There were no questions from the Board.

(Applause)

Planning Commission Report

Lawson gave the following report:

- The PC met 10/1. The final draft is not quite complete. It is still in for editing, picture insertion and maps. All discussion is complete. Chairperson Dean said it should be ready for the Board's November meeting. If it gets approved by the Board, the PC will send it out to the local communities for the 63-day review. They are discussing having a public hearing around March.
- Other PC discussions concerned the Zoning Ordinance, how they are going to tackle reviewing the ordinance, perhaps dividing it up into smaller groups for review, linking ordinances together that reference one another.
- They are also waiting for direction from the Board on whether they want the PC to dig into Ordinance 32.

Popp noted that Ordinance 32 is on tonight's agenda and he will wait for the outcome of that discussion for anything going back to the PC.

Parks & Recreation Advisory Committee Report

Benak gave the following report:

- All members attended last night's meeting.
- Bill Mouser announced that he is going to be moving out of the township; they sold their home.
- The committee and Benak are requesting that the Board add the Parks & Recreation Master Plan to the Unfinished Business section on a permanent basis. The plan was handed out in April and has not been addressed.
- The committee members are reaching out to a few people to send letters of interest to be appointed to the PRAC. If anyone knows of anyone else who would like to be members, encourage them to send letters of interest to the supervisor.
- Steve Donkers will be coming in to see the Supervisor concerning the Petobego drawing and the last few markers that need to be put in on Lossie Trail.

Hubbell inquired how it would work, if Mouser is moving out of the township, as far as our representative for the road commission.

County Commissioner Inman stated they do not have geographical representation on the road commission, but one of the reasons he was appointed was that they wanted that geographical representation in this area. If he moved out of the county, they would replace the position, but the fact that he has moved would not cause them to replace the position until he is up for renewal.

Consent Calendar

Receive and File

1. Supervisor's Report for September 2014 – No Report Submitted
2. Clerk's Report for September 2014
3. Zoning Administrator's Report for September 2014
4. Battalion #3 Fire Captain's September 2014 Activity Report – No Report Submitted
5. Ambulance Coordinator's September 2014 Activity Report
6. Approved 08/06/2014 Planning Commission Minutes
7. Approved 08/11/2014 Parks & Recreation Advisory Committee Minutes
8. Approved 08/13/2014 Historical Society Minutes
9. Approved 09/03/2014 Planning Commission Minutes
10. Approved 09/10/2014 Historical Society Minutes
11. 08/20/2014 Grand Traverse Rural Fire Board Special Meeting Minutes
12. 08/20/2014 Grand Traverse Rural Fire Board Regular Minutes Revised
13. 09/17/2014 Grand Traverse Rural Fire Board Minutes Draft

Correspondence

1. Grand Traverse County Sheriff Department Statistics for September 2014 and 3rd Quarter Totals (July – September 2014)
2. Letter 09/22/2014 from Rich Hargreaves re: Fire/Ambulance
3. Letter 09/22/2014 from Charter Communications re: Franchise Renewal
4. Email Comments 09/30/2014 re: Proposed Shooting Range
5. Letter 10/01/2014 from Rich Hargreaves re: Fire/Ambulance
6. Comment Page 10/01/2014 from Rich Hargreaves re: Ambulance
7. Email Comments 10/09/2014 re: Ambulance Millage

Minutes

1. Recommend approval of 09/09/2014 and 09/23/2014 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers #38688 through 38853
2. Approval of Alden State Bank Miami Beach voucher #1154
3. Approval of Alden State Bank WMDLS voucher #1024

Budget Amendments (none)

Revenue & Expenditure Report – 04/01/2014 through 09/30/2014

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

Unfinished Business

Master Plan Review – Possible Approval for Distribution

Popp stated the review is still hopeful for November.

Discuss Storage Options for Spare Ambulance, Expedition, Kubota and Rescue Cart

Popp has contacted a couple people. Tony Dean has some space available, as does John Lucsy. Popp asked for the Board's thoughts.

It was clarified that the Dean space is off Park Road. Regarding price, Dean said to talk to Mickey on the price. It is plowed and cleaned. Dean stated he doesn't really want it there, but he will put it there.

Popp stated he would entertain a motion to spend up to \$300. Lucsy has a 12 x 40 space available for \$300 a month, cold storage, to house the ambulance and the Kubota. The Expedition would likely still be outside.

Hubbell stated there was discussion that the ambulance should not be stored where it was cold.

Popp stated at the last meeting the only heated space available was turned down. Does the Board want to look for heated space?

Martin stated she is opposed to cold storage.

Popp inquired if it would be better to leave it outside in the interim, till something heated is found.

Martin stated it needs to be inside when the weather turns nasty. Two ambulances are there for the community. Putting it into cold shelter is going to keep us from using that ambulance. They were both used about three weeks ago.

Goss noted the lease is up today and inquired whether the Dean and Lucsy options are available immediately.

Dean stated he could get it in there probably tomorrow or put it somewhere else temporarily but would like another three or four days. He stated it would have its own space, overhead door, electrical. It will be plowed.

Hubbell inquired what has to happen to the ambulance if it is put in cold storage. The people of Whitewater Township need to know what we will have to do if we have to store the ambulance in cold storage.

Martin stated it will have to be stripped down, equipment removed that does not tolerate the cold, the Lucas, the suction, sterile water, any type of medical stuff they use, blood pressure cuffs, pulse oximetry machine. Then it puts it out of service. If 3A would break down, then there is no backup ambulance to serve the community. She stated she has requested for it to be inside.

Rich Hargreaves, Glendenning Trail, asked if there is any ability to provide some heat.

Dean stated he is sure you can get heat to it. It is an uninsulated building. You would have to build a shelter around the ambulance and heat that, to make it efficient.

Hargreaves asked how long we expect to have to keep the ambulance in a separate storage area.

Popp replied that will depend on the tribal facility that is supposedly being built next spring; for sure through the spring of the year.

Hargreaves asked if there were any heated facilities that might become available between now and then.

Popp stated there was an offer of a heated facility at the last meeting, but the Board rejected it. Popp stated he is willing to revisit that facility if it is still available.

Lawson stated he can ask.

Popp inquired of Benak if she would like to do that.

Benak stated no.

Popp asked Benak what her ideas are.

Benak stated she is willing to listen to Popp's and inquired if he has any besides that.

Popp stated he is not sure what is wrong with that facility.

Benak stated it is not in our township. She stated her real problem with it is that there was no declaration of a conflict of interest when it was brought forward and that should have happened and she feels like it was dishonest and she does not want any part of it, and it was not mentioned in the meeting minutes the way that it actually occurred.

Goss stated the conflict of interest is in the minutes.

Benak stated it is in the minutes, but it is not in the minutes the way it occurred.

Goss stated Benak could have asked to have the minutes modified.

Benak stated to Goss: You're right; I could have.

Popp stated to Hubbell: Paul, what about Brandon?

Hubbell replied that he can ask him one more time. Hubbell stated he feels like Dawn does, and he thinks a few others that probably aren't here tonight, that ambulance needs to stay in where it is warm so if we need it we have a backup, and it needs to stay close by.

Goss inquired whether Hubbell has a place for it.

Hubbell stated: Not heated I don't.

Brief discussion followed regarding the feasibility and cost of building a wall around the ambulance for heating purposes.

Dean stated he is a good last resort for cold storage. The one cold storage building is a good location. It is already plowed out and it could be pointed out the door, ready to rock. Dean does not want the liability if it becomes unheated. He does not mind helping getting the heat to it, but it would be time and a couple grand before it's done.

Benak inquired what items are staying in the fire station.

Popp replied that currently it is the pumper, engine/rescue, and the brush rig.

Benak stated in years past both ambulances have been in there and other vehicles were put into more of a cold storage. Why is that not an option?

Popp stated it could be. He stated that is how he thought this was actually going to take place, that both ambulances would be at the fire station. It was not until the last minute that Chief Weber indicated that we would be reducing fire protection if we did not have the brush rig available for use in the wintertime. Popp stated he believes that was always drained in the past, and it was in a semi-heated facility, around 50, last year. If the Board desires, we could request that that happens again.

Benak stated she prefers that option.

Lawson stated we will still be looking for heated storage for the brush rig.

Popp stated the brush rig would be drained and put in cold storage, but it is a Rural vehicle.

Benak inquired how difficult it would be if we needed to take it out and put the liquid back into it.

Popp stated we are treading into Rural Fire's territory. Chief Weber may not want to put that vehicle into cold storage. It would be up to him. From his email, he would remove it from the township and he would keep it in heated storage.

Hubbell stated it is our building. He wonders about the possibility of having Weber take it out and put it in heated storage somewhere for the winter. It seems like that would make more sense, and keep two ambulances in there in case something happens.

Popp inquired: What makes reducing our fire protection a better choice than taking an ambulance that we only have responders for one ambulance? Why would we keep an ambulance that likely we cannot staff 70% of the time?

Benak replied that they just said that three weeks ago they needed both units, and life trumps buildings.

Popp stated we also have mutual aid. He asked Martin if it was correct that in the case where we are already out on a run, we would not be tagged or issued a missed call scenario.

Martin stated we would not, but the goal is to go forward and use both of them, and we are getting the personnel we need to staff the other ambulance if need be.

Benak stated we have mutual aid on the fire side also.

Popp asked if there is a motion.

Motion by Benak that we put the second ambulance back in the emergency services station and ask Theo to move whatever equipment that he feels would be better to move to another location.

Goss re-read the motion.

Popp inquired if there was a second.

Goss asked for clarification and asked Benak: How quickly are you picturing that this would happen? What is the time frame that you want in your motion?

Benak stated she is not putting a time frame in there as she cannot account for how long it will take Theo to make the decision or to get back to us.

Goss reiterated that the lease is up today and the ambulance needs to be moved. Is there going to be another meeting before we talk about this again? From Goss's understanding, the people renting from Lucsy now are expecting to have full use of the building tomorrow.

Hubbell asked how many times the brush rig was actually used, and acknowledged that they are both very important to the township; it's a tough decision to make.

Popp stated we have a motion without a second, but he has potentially another idea.

Benak stated we have never needed a motion in the past to move our ambulance; I don't understand why we need it now. Why can't we just move our equipment into our township building?

Popp stated this is a very touchy subject and inquired what would happen if we protect ourselves both ways. We could design a motion that allows us to authorize up to \$300 a month rent to store the ambulance, Kubota and rescue cart. If Mr. Dean has something that is a better value, then we can choose that. We've got some time before freezing weather hits. If we don't find a heated facility for the brush rig or the secondary ambulance, then at least we have protected our equipment and our residents. It allows Hubbell to extend the contact period to Brandon and would give Theo some time.

Motion by Popp that the Board authorize up to \$300 per month to be used for auxiliary storage, housing the ambulance, Kubota and rescue cart.

Hubbell stated, by doing that, it buys us time and protects our ambulance from vandalism from sitting outside.

Popp stated it might be one month or it could be six months.

Dean stated he can temporarily store the ambulance in a different facility, at his house. He could get it inside, with heat.

Jim Galligan, Ayers Road, asked: What is the possibility of an electric heater system that could keep the inside of the ambulance warm; then once you got it on the road to take it out, it would be preheated.

Hubbell stated that is a good option.

Brief discussion followed concerning electricity in the proposed Park Road location and a possible power outage.

Hubbell stated he will second Popp's motion, for right now, till we can find out these options and keep it out of the weather.

Hubbell stated he still thinks we should have built a pole barn three years ago.

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

Goss inquired what the next step is.

Hubbell stated his understanding of the motion is that it is going to buy us time. Everything has to be brought out of the (Lucsy) building and it is going to go, within the next couple days, into Dean's building for a month or maybe for the rest of the winter. It gives Hubbell time to talk to

Brandon (Hubbell), and he would declare a conflict of interest when it is brought back to the Board.

Popp noted it would also give Chief Weber time to respond.

New Business

Baggs Road Temporary Repairs

Popp stated he will leave the board table because there is a potential conflict of interest.

Goss stated she thinks Popp can introduce the topic, and when it gets to the discussion part and any motions, then Popp needs to remove himself from the table.

Popp stated that Mr. Ascione got a proposal from Elmer's with respect to some emergency repairs. Popp noted that Mr. Rogers from the Kalkaska County Road Commission has been able to join us.

Edward Ascione stated that as far as taking it to a meeting next week or the following, we are out of time; the asphalt plants are going to close in three or four weeks, and they have a week of rain now, so hopefully a decision can be made tonight. Ascione would like to see some temporary repairs to relieve some of the troubles they will have in February.

Popp noted the Clearwater Township Supervisor is also here, Mr. Niederstadt.

John Rogers stated he did look at the proposal and he took it to his board. Putting 100 tons or 1000 tons on the road will not waste asphalt. The road is by far not the worst road in our (Kalkaska) county. If a proposal came to them for a small amount, like the \$18,000 quote, he is not opposed to entertaining the possibility of paying 25% of that, because it is a good deal. He stated, in the future, if you think that Kalkaska County Road Commission is going to be in a position to say, hey, let's do this for now and next year let's put \$300,000, or \$75,000 on your part, if you will, he doesn't think you're going to see that happen; he doesn't think you're going to see it entertained.

Mr. Rogers made further points regarding other roads in need of repair in Clearwater Township, the fact that 65% of the roads in Kalkaska County are in equal, if not worse, shape than Baggs Road with high volumes of traffic and a \$3.2 million budget, previous Grand Traverse County estimates of \$49/ton on asphalt, and Mr. Ascione's price of \$73/ton. He stated he sees the condition of Baggs Road every day and is aware of Ascione's concerns, but at this point, because of finances, all he can do is sympathize. He would not recommend grinding it back to gravel because of the dust, grading requirements, washouts, and chatter bumps.

Rogers explained that skip patching is like putting a coat of bondo on the road; you are not disturbing the base. Skip patch is hot mix asphalt. He explained the application process of skip patch versus cold patch.

Other points were discussed as follows:

- Clearwater Township has taken the wedging and overlay approach with the millage funds.
- Rogers recommends doing a skip patch, maybe a quarter crown wedge and an overlay on Baggs Road, and not disturb the existing base.
- Kalkaska County Road Commission can only do cost share if the money exists.
- Funding differences between Kalkaska County and Grand Traverse County.
- Rogers has met with the DNR and the DEQ regarding the boat landing. He suggested that residents of Baggs Road contact the residents of Aarwood Trail, who have a similar situation with the Torch Lake boat landing.

Rogers stated his board has given him authorization to pay 25% toward Baggs Road repairs, if the other 75% is found.

Rogers stated he would not use Elmer's; he would not use the 1100T product at \$73/ton. He would use 4E1 at \$67/ton, which has a larger stone that supports more weight and is not so quick to rut. The beginning of November is the paving deadline in Northern Michigan.

General discussion followed.

Mike Ascione, 8176 Lakeside Trail, inquired whether Clearwater is able to assist.

Larry Niederstadt stated Clearwater Township has a meeting tomorrow and he will present it to the board. He will ask the board if they can take up to \$5,000 out of their regular fund balance. They have put \$300,000 over their millage in three years to do the roads they have done. They have no fund equity left. They have two more years to go on the millage and they have already committed to do approximately a mile on Aarwood Trail and another mile on Morrison. The only way they got the millage passed was to name the roads ahead of time. He stated they would not be able to do anything again on Baggs Road until after the millage expires and they go for a new one.

Tom McElwee, 8016 Lakeside Trail, asked if there is legislation as to which governmental entity is responsible for Baggs Road.

Rogers replied that Kalkaska County Road Commission is responsible; they receive the Act 51 dollars for Baggs Road. Townships are not obligated for any roads. Baggs Road is a primary road; the road commission is responsible for it. On local roads, townships are not responsible per se, but road commissions are only responsible for up to 50% of the cost.

James Lindner, 7968 Hoiles Drive, asked why Baggs Road is so low on the priority list; nothing has been done there in 40 years.

Rogers replied it is by far not their worst road.

Brief discussion ensued between Lindner and Rogers.

Mary Lou Baggs, 7995 Baggs Road, stated there is a traffic jam on the road when there is a bass tournament or a holiday weekend. The entire access is full and they are lined up on the side of the road. You know they are bringing revenue to Kalkaska and Grand Traverse counties. The road really needs to be fixed.

Rogers stated he does not see any of that revenue; all of his revenue is based on the gas tax. Kalkaska County gets \$3.2 million. Regarding the high traffic for bass tournaments, he stated Aarwood Trail also gets high traffic during the 4th of July.

Lindner asked if they could get a traffic count on Baggs Road.

Rogers stated he respects and sympathizes with the concerns, but he has a bigger picture having to deal with 850 miles of road. 277 miles are asphalt. 64% of the asphalt roads are in equal to or worse condition than Baggs Road. He stated he is here agreeing to spend \$5,000 on Baggs Road because it could use the asphalt.

Impassioned discussion ensued between Lindner and Rogers.

Popp stated he has come to understand that it is important to implement some type of funding source locally to begin to bank some money and cost-share some roads. Not too many townships have stepped up like Mr. Niederstadt has. He stated he does not think we can look to one source, county road commission, for all of our needs. It is going to have to be something addressed at the board level with cooperation from the road commission. Popp stated he has started a conversation with Cook and he is taking a tour on 10/22 of potential projects for Whitewater Township in 2015. Baggs Road likely will not be on that, but we are beginning to think about how we can make this situation better.

Edward Ascione asked why Baggs Road will likely not be on the Grand Traverse County list.

Popp replied only because it is so far gone that it requires so much money, that 15 miles of road can be done in another place. The PASER system that is used tells where the money is best spent. Popp thinks the Board would look at a Baggs Road project, but knowing that two other contributors can't do anything until 2017, putting off other road repairs waiting for Baggs would not be a great decision. But we can be prepared in 2017 for a Baggs Road project; it's up to us to plan for.

Hubbell stated a special assessment could be done.

Popp stated he has offered that option. A special assessment would affect just the users of that road, but it is an option for more immediate repairs. Popp stated he is not in favor of a special assessment district (SAD). He is involved in one right now, pays for it every year, and it hurts horribly.

Lindner stated that lets everybody else off the hook, and once the county and township get used to it, they'll keep right on doing it.

Popp stated he understands Kalkaska County Road Commission may have up to 25% of \$20,000, round numbers. He does not hold out hope for Grand Traverse. He believes they would consider this a routine repair and the intergovernmental agreement says Grand Traverse does not get involved with it.

Commissioner Inman stated his discussion with Jim Cook is that he told the BOC that if we could come up with an agreement among the parties to share this expense, they would go forward with it. We have everybody here. If we can come to an idea that everyone is going to try to pursue 25%, he will go to Cook tomorrow and see if they can fire off a letter.

Niederstadt stated he will know tomorrow if the Clearwater Board would go for that amount, but he thinks they would.

Popp stated if one of the four members fell out of the group, we could possibly entertain donations.

Rogers stated November 1 is the paving deadline, but it can be extended by two weeks.

Goss stated that this Board established a Road Repair and Replacement Fund a couple years ago. In the first budget, \$3,500 was put into the fund. Another \$4,100 was budgeted to go into that fund in the second year. The second year transfer has not been made, but when it is, Whitewater Township would have \$5,000 available.

Popp stated at this point he will step away.

(At 9:11 p.m., Popp removed himself from the Board table.)

Board discussion followed.

Motion by Hubbell to set aside \$5,000 to spend on repair of Baggs Road if we can bring the other parties in on it.

Goss suggested the motion be worded as follows: **Motion to contribute 25% to the cost of emergency repairs to Baggs Road in an amount not to exceed \$5,000.**

Lawson seconded the motion.

Discussion followed regarding the suggestion of another 100 tons and a \$6,000 contribution.

Goss stated she would like to add to the motion, if everyone is agreeable, that those funds will come from the Road Repair/Replacement Fund.

Lawson and Hubbell agreed.

There was no further discussion.

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

Lindner stated he would like to thank the Whitewater Township Board for being so willing to help.

(At 9:18 p.m., Popp returned to the Board table.)

Additional Time for Zoning Administrator

Popp stated that he and Habedank have been looking at the amount of work in front of him with respect to the zoning ordinance, verifying the document. With the building season, he is further behind than he would like to be. He has asked to work additional hours at home reviewing the zoning ordinance. He is currently capped at 24 hours a week.

Popp stated he would make a motion that we temporarily extend his 24 hours a week potentially to 40, with a budget review, and if that budget is short, Popp would recommend we use contingency money.

Hubbell seconded the motion.

As far as dates, Popp would like to make it effective for the next pay period. Goss suggested it be effective with the current pay period since a new period just started, so it could be effective today. Popp stated Habedank uncovered no less than three different copies of the zoning ordinance with differences. There is not a signed copy of the zoning ordinance in the Clerk's office. Habedank is creating a verifiable true record. Goss suggested the extra hours be authorized until the end of the fiscal year, with a budget review, i.e., effective 10/14/2014 through 03/31/2015, if needed.

Motion by Popp that we temporarily extend the Zoning Administrator's 24 hours a week potentially to 40 hours a week, with a budget review, effective 10/14/2014 through 03/31/2015, if needed. Lawson seconded the motion. There was no further discussion. Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, yes. Motion carried.

Is Veterans Day a Work Day and Meeting Night for Whitewater Township?

Popp stated Chris Cramer from Grand Traverse County wants to know if we are going to maintain Veterans Day as a work day and a meeting date for Whitewater Township.

Goss stated she thinks it should be maintained as a meeting date; otherwise, it will have to be re-noticed.

Brief discussion followed.

Consensus was reached to keep November 11th as a Township Board meeting date.

General Ordinance 32

Popp stated that Ordinance 32 says that a driveway services two or less residents; three or more is a private road. Is that a concern for the Board; do we want to limit the number of residents on

a private drive? Currently, Ordinance 32 requires a private road to be designed by a civil engineer.

Popp stated he believes the PC is requesting direction as to what the Board sees as important in Ordinance 32 right now.

Benak stated she trusts ZA Habedank's judgment to go through and tell the Board what he sees as the legal pitfalls. Benak would like the ZA to do it and then bring that to the Board.

Goss stated her first question is: Why is the township regulating private roads? Also, is Popp saying he is going to come up with a list? Goss does not want a list to limit the PC.

Lawson stated one of the biggest concerns that most of the PC members have is the cost to engineer a road for three houses.

Popp stated another concern is the requirement of a maintenance agreement; who enforces it?

Hubbell suggested the Planning Commission critique the whole thing and let them give the Board the pros and cons, along with Zoning Administrator input.

Lawson stated he thinks the PC is looking for general direction; do you want us to start on it for sure; if so, where do you want us to start? Rewrite it? Take out what is bad in this one?

Hubbell would like to see the pros and cons of it.

Goss stated she thinks the PC is looking for permission because it is a general ordinance; it is not in the zoning ordinance. The ZO's recommendation is that road standards should be part of the zoning ordinance.

Motion by Hubbell that the Planning Commission look over Ordinance 32 and give the Township Board the pros and cons of the document.

Benak stated they want us to give them permission because it is a general ordinance.

Popp asked if we are in consensus that it should be a zoning ordinance, not a general ordinance.

Benak, Hubbell, and Popp agreed.

Goss stated we are not really asking them to write an ordinance; it would be a section of the zoning ordinance, if the Board's desire is to eventually eliminate Ordinance 32 by having road standards in the zoning ordinance.

Brief discussion followed.

Motion by Goss, seconded by Lawson, that the Planning Commission be directed to develop road standards to be incorporated into the Whitewater Township Zoning

Ordinance. There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

Review “Do Whitewater Township Residents Want Continued Ambulance Service?”

Popp stated Fahey did not like one section of the document, the paragraph copied from Munson.

Benak clarified that Fahey is suggesting we take out that section in any future documents or posting on the web.

Popp stated it is item 10(d).

Motion by Popp, seconded by Goss, to eliminate section 10(d) from the ambulance millage fact sheet, in accordance with Attorney Fahey’s opinion. There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

Review Administrative Policy and Procedures Section 5.0

Popp stated Goss brought up use of the township hall (by outside groups) during the special meeting. This policy spells out building use, keys, etc. If we pay someone to open the building on a weekend for a committee or homeowner association, should we amend this policy to pass the fee along to that association?

Benak stated she is not sure we can do that, because they are taxpayers and it is a public building. She thinks we can say they need to use it during normal business hours.

Popp asked how we make arrangements for the ones who are not going to use it during normal business hours.

Benak stated a lot of them are retired; they plan their meetings many months in advance.

Goss stated they are not all on Saturdays; some of them are during the week. Goss thinks it should not always fall to the clerk to have to do it. If no other board members want to do it, then we should pay Lois (MacLean) or Luann (Snider), or someone who has a key, to do it. The policy says a township official or employee must be in the building when an outside organization is using it.

Hubbell stated he is not going to volunteer; he is on four or five other boards, but he thinks something needs to be done.

It was agreed to table this discussion until we can come up with a plan. Popp stated it will not go under Tabled Items. Goss will let everyone know when it comes up again.

Turning to Section 5.4(b) and 5.7, Popp stated he was recently witness to storage being carried into the fire station that is not township property. He stated he is currently fielding a call from a township resident whose tenant used an Elk Rapids School district van for three days to move out, and this lady wants to know how she can use the school van to move her stuff. Popp stated WESA moved some stuff into the fire station for storage.

Benak stated they moved township items, equipment used for the tree lighting ceremony. Nothing else is up there. This is something the auxiliary has done since its inception and the township has allowed it. They store their auxiliary equipment upstairs in the loft area and have done it since the early 70's.

Popp stated it was moved from Moore Road.

Benak asked Popp: Are you saying you do not want the Williamsburg Emergency Services Auxiliary that supports your emergency services personnel to have space in the building to store their equipment?

Popp stated his concern is about security and asked Benak who let her in to the Moore Road building.

Benak replied: I want to think it was one of the auxiliary members. We have our stuff stored up there.

Popp asked: Why would an auxiliary member have the code to our fire station?

Benak replied it is a public building, and the auxiliary works closely with the ambulance and the fire department personnel. The auxiliary is the one that brings the water, food, hot coffee on runs. Are you saying you don't think that is an appropriate place to store our stuff?

Popp said he is saying if we are going to allow it, we should include them in this section.

Benak suggested, when you put something on the agenda, could you include a memo saying what it is you are planning to talk about so the Board can read it and know what it is we are going to be discussing, instead of waiting for an explanation when you get to the meeting.

Goss reminded Benak that she declined to provide any documentation for the February 4th board packet and Goss got the claim of malfeasance five minutes before the meeting started.

Benak replied that she would like to see supporting documentation for agenda items. She believes that requirement might even be in the policies and procedures.

Popp stated he is merely suggesting that we add WESA under 5.4(b), because he does not want another township resident, particularly a neighbor, wanting to store stuff there.

Popp suggested we table #6 completely and then discuss how to man the township hall and then determine how to best fit WESA into this, or their equipment, or the township equipment. Maybe it's all township equipment, so then there is not an issue.

Benak stated on the security issue, when there is a house fire and they are on scene for more than an hour, there is a call tree. The equipment for the emergency services is kept there. They have

to be able to get in the building to grab the tubs, water and Gatorade. They are going to have to have access.

Popp stated he does not have an issue with that, but somehow our code got to the postmaster.

Discussion followed, including addressing Section 5.7.

Popp noted this will be tabled until November 11th.

Tabled Items

None

Board Comments/Discussion

None

Announcements

The next Township Board meeting date is October 28.

Benak reminded everyone the Halloween Party is October 25th. They will be doing the cider press the Wednesday or Thursday before at Clare Ray's on Baggs Road. Hubbell donates a box of apples. Setup is on October 25th at 10:00 a.m.

Public Comment

Tim Shaffer, 5309 Moore Road, stated the old fire truck is taken care of. It is not township property or insured by the township. He asked, now that the fire department is paid through the Rural system, what happens to the funding that was set aside for wages; where is that going?

Popp stated the truth of the matter is that Rural reimbursed us all this time. When it came time to pay out points, Rural would cut Whitewater Township a check for whatever points had been assigned to Red 3 folks. Now the township is completely out of it.

Popp added that, since the agreement in 1996, the local firemen were not township employees. Payment by the township continued, according to Captain Arbenowske, by the responders' request; they did not want to be paid once per year. Now Chief Weber has demanded that he does it.

Adam Shaffer, 5309 Moore Road, stated they are being told they are not volunteer, so they do not know if they are getting paid. His understanding is every run is \$15; it doesn't matter how many hours you are there. Being he is not a firefighter II with MFR, he is considered a volunteer, so he is not getting paid. He is going through the schooling; he will get it. It's his understanding all the pay he was getting just flew out the window.

He also stated that it got on his nerve when he heard the comment no representation for this township on the road commission. He saw a whole lot of pissed off people here talking about one road. Imagine what happens when the rest of the township finds out nobody is representing us.

Goss stated it is her understanding that Mouser is assigned to come to our meetings. This is what we were told by Jim Cook.

Hubbell stated Jim Maitland never came to meetings either. People should call and tell the road commission that we never see our representative at any of our meetings.

Brief discussion followed.

Adjournment

Motion by Hubbell, seconded by Lawson, to adjourn. Meeting adjourned at 10:17 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk