

**Whitewater Township Board  
Minutes of Regular Meeting held August 11, 2015**

**Call to Order/Pledge of Allegiance**

Supervisor Popp called the meeting to order at 7:00 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: County Commissioner Carol Crawford, Road Commissioner Marc McKellar (arriving at 7:36 p.m.), Parks & Recreation Advisory Committee Chairperson Melissa Melton, and 4 others

**Set/Adjust Meeting Agenda**

Benak stated she would like to talk about the Supervisor's Report when it is appropriate.

The Supervisor Report was added to the agenda as New Business #5.

There were no other adjustments.

**Declaration of Conflict of Interest**

None

**Public Comment**

None

**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**

Carol Crawford gave the following report:

- She expressed kudos to the supervisor, who has done an excellent job with storm recovery and efforts at the brush site. This comes from the County Emergency Manager, State Emergency Management, and the Governor's office.
- The Governor has declared a state of emergency (sic) in our county. That will help with debris management, technical and operations assistance. Drop-off sites are located on Skegemog Point Road and Rasho Road. If anyone needs help cleaning up their property, they can call Team Rubicon. The Salvation Army is helping to feed volunteers. There are daily press releases at [www.grandtraverse.org](http://www.grandtraverse.org).

- In July, the County Board of Commissioners approved the proposal to upgrade the 911 center consoles and purchase 800 MHz radios for all county public safety agencies. They also voted to join the Michigan Public Safety Communication System.
- During the August 2nd storm, Grand Traverse County's 911 was out, and so was everyone else's. All 911 calls went to Petoskey first.
- The County Health Department passed a recent accreditation.
- The county audit report was clean; the numbers are right. They are awaiting some analysis to be completed before formulating strategies to get out of debt (pension debt, dam removal, retiree health benefits).

Brief discussion followed regarding how to apply for disaster funds (Crawford will find out and let us know) as well as a report of 150 to 200 trees down on Cal Nagy's property, which borders Petobego. Team Rubicon should be contacted.

**Fire Captain Report** – Captain Arbenowske is not present.

**Ambulance Coordinator Report** – Popp noted that Doug Straughen will put together a report next month.

#### **Planning Commission Report**

Lawson stated he did not attend the most recent PC meeting.

#### **Parks & Recreation Advisory Committee Report**

Goss stated she did not attend the last PRAC meeting, but Melissa Melton requested earlier in the day that Goss print copies of the Recreation Plan update. Goss also printed copies for the PRAC of the DNR inventory package.

#### **Consent Calendar**

Receive and File

1. Supervisor's Report for July 2015
2. Clerk's Report for July 2015
3. Zoning Administrator's Report for July 2015 (none)
4. Fire Captain's July 2015 Activity Report (none)
5. Ambulance Coordinator's July 2015 Activity Report (none)
6. Treasurer's Reports – April 2015, May 2015, June 2015
7. Approved 04/13/2015 Parks & Recreation Advisory Committee Minutes
8. Approved 05/11/2015 Parks & Recreation Advisory Committee Minutes
9. Approved 05/20/2015 Planning Commission Special Meeting Minutes
10. Approved 06/03/2015 Planning Commission Master Plan Open House and Regular Meeting Minutes
11. Approved 06/08/2015 Parks & Recreation Advisory Committee Minutes
12. Approved 06/17/2015 Planning Commission Special Meeting Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for July 2015

2. Grand Traverse Rural Fire Department DRAFT 07/15/2015 Regular Meeting Minutes and 07/20/2015 Dispute Resolution Meeting Minutes (Contacted Rural Fire on 08/07/2015 to obtain minutes; Adrienne not in; no one else in office can provide them.)

#### Minutes

1. Recommend approval of 07/14/2015 regular meeting minutes (Due to 2-day power outage at township hall, 07/28/2015 regular meeting minutes are not yet available.)

#### Bills for Approval

1. Approval of Alden State Bank vouchers # 39751 through 39861
2. Approval of First Community Bank Miami Beach voucher # 1166

#### Budget Amendments (none)

#### Revenue & Expenditure Report (none)

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

#### Unfinished Business

##### Review PRAC Recreation Plan Update 07/14/2015

Popp inquired how the board would like to go through the plan.

Goss stated she made notes on her copy of the plan and will copy those for the PRAC, rather than go through them one by one.

Benak stated she wants to know what a do-hickie is.

(Laughter)

Discussion followed regarding the plan not being in the order that the DNR checklist calls for.

Popp stated he has a couple of key points. Page 3, the last bullet point states, "All Whitewater Township owned property and parks will be consistently and continuously maintained to insure (sic) enjoyable user experiences for all . . . ." Popp is concerned that this becomes a mandate and the township does not have the resources, especially after the August 2 storm.

Benak stated you can ask for grants. With the massive amount of tree damage and blockage in Petobego and Battle Creek, will we get funds to clean it up? If this language is left in, that is another reason why we can say we need the money; it is in our plan.

Goss suggested it be re-worded to say: To consistently and continuously maintain all Whitewater Township owned property to ensure enjoyable user experiences for all. Then it is a goal, not a promise.

Lawson noted the language in the first paragraph (on page 3), “To protect and preserve for all future generations . . . the cleanliness and purity of its water . . . panoramic views, ridge lines, wildlife habitat . . . ,” is going out beyond the scope of the park by what they are saying there. That is zoning. The first two paragraphs (on page 3) are zoning.

Popp’s recommendation is to add that it is the goal to maintain all of these things “as financial resources are available.”

Goss noted the language “as funding becomes available” appears in other places in the plan.

Next, on page 4 of the plan, under Community Description, Popp noted the numbers should be verified and something about 49% state land should be added.

Goss stated it looks like the PRAC converted the square miles of the township to an acreage figure. The water percentage is correct. Goss agrees that the percentage of public land should be added.

Benak stated she agrees with adding the percentage of public land.

On page 5 of the plan, second paragraph, Popp wondered if the language therein is a departure from the vast parks to a more centralized central park.

Melton stated that was not the intent of that statement and it has not varied from the original plan.

If it is left in, Benak stated maybe funds can be acquired for a walking trail at Hi Pray.

Brief discussion followed.

Popp noted the third paragraph (on page 5) is out of place and should be relocated or dropped altogether; it is repetitive.

Page 6, last paragraph, Popp thought the last badger in Michigan died.

Discussion followed.

On page 7, first paragraph under Transportation Systems, Popp inquired if anyone else found the last sentence confusing to someone who might not know that Williamsburg Road and Elk Lake Road are the same.

Second paragraph, revitalizing the railroad tracks/convertting them to bike trails, Popp recommends the two not use the same track at the same time.

Brief discussion followed.

**Audience member Kim Halstead** noted that there will be problems with using old railroad grades where ownership has reverted to the nearby property owners.

Referring to page 8, the top three paragraphs, Popp inquired if anyone found it confusing when talking about two different funds.

Goss's suggestion is that the second paragraph, referring to Whitewater Township Park, say "Revenues for this fund come exclusively from user fees," and to delete the sentence referring to transfers from the General Fund.

In the next paragraph dealing with the Recreation Fund, Goss's recommendation is to delete the sentence which says "other revenues come from fees and charges collected" and to insert "there is minimal revenue from user fees."

Discussion followed as to what the board sees as the assets of the Recreation Plan and whether a listing of non-township-owned property belongs in the plan.

On page 18, the Capital Improvements Schedule, Popp inquired whether there were records of the two public input meetings and the survey. Popp stated he hopes to not repeat statements (the first two sentences on the page), but maybe that is the best way to say it.

Benak stated she would like to see some of the numbers be more realistic. The \$64,000 figure for number 5 seems high, as well as the \$80,000 for a paved walking trail.

Brief discussion followed.

There was consensus to turn in the reviews to the Parks & Recreation Advisory Committee and let them go over it.

### **Grand Traverse County Road Commission (added)**

With Road Commissioner Marc McKellar's arrival, Popp suggested he be allowed to provide a Road Commission report.

Marc McKellar gave the following report:

- On the afternoon of 8/2, the day of the storm, the Road Commission had crews out on the road. Their primary focus areas were Whitewater, Peninsula, and Acme townships. Their crews encountered a lot of impassable roads with utility lines tangled up in trees. They coordinated with utility companies to clear the lines and then cleaned up and hauled debris. Jim Cook has been in an emergency manager meeting every day.
- Last night, at a special meeting, the Road Commission allocated \$85,000 out of their general fund for continued cleanup. The Road Commission does not have the crews or capacity to take care of the heavy debris from the storm. They have hired a group with commercial equipment, who started last Friday. Right now, they are at \$150,000 of unallocated money to remove brush and trees. By Friday, they should have all the right-of-way safety issues dealt with. They will now focus on the leaners.

- They are asking the public not to place debris from their property in the right-of-way. If debris is placed in the right-of-way, it will be the property owner's responsibility to remove it. Property owners may have contractors stage debris in the ROW, but at the end of the day, that debris needs to be removed from the ROW.
- Final phases are going in for the road maintenance for the year and they are turning an eye toward winter maintenance.

Benak reported that Bunker Hill Road is atrocious and asked when it will be graded.

McKellar stated he will e-mail Jim (Cook) to find out what is going on and will report the timetable. He reported the Road Commission is looking at an additional grader, but they do not have a grader operator on the crew.

Lengthy discussion followed, including a brief discussion of the width of Broomhead Road.

**Audience member Kim Halstead** voiced his concern about the lack of a left-turn signal at M-72 and U.S. 31. People are going through red lights to make the turn.

McKellar stated we would need to petition MDOT because that is a state highway; the Road Commission has no authority.

Discussion followed.

#### **Review Ordinance 22 Pension Plan**

This agenda item was not discussed.

#### **Review Whitewater Township Planning and Zoning Fees**

This agenda item was not discussed.

#### **New Business**

##### **Debris Site Agreement**

Popp stated he was asked by Emergency Management on Monday to identify a spot as close to Skegemog Point as possible. Preliminary numbers appeared to indicate that was the hardest hit area of the county. Popp identified three spots, one of which was the Ashmore gravel pit. Mr. Ashmore was hesitant because the property is up for sale, but he did agree to allow use of a portion of the gravel pit as a debris collection site. Popp stated he has been running a loader since Saturday morning, trying to keep the debris site clean and staffed, and explained the volume of debris being brought to the site. Popp stated there have been less than five people from outside the township. The site is listed as a county-wide drop-off.

Popp provided further details of debris disposal. With the Governor's disaster declaration, local control is removed; the state will actually run the site.

Popp would like authorization from the board to sign the agreement provided by Grand Traverse County, which holds the property owner not liable for the cleanup of their property. Mr. Ashmore wants \$600 per month for use of the property. Popp anticipates the site will be used for

two months. Popp stated he has obtained a purchase order for a porta-potty at the site for \$95 per month.

Popp also contacted Savage Excavating and Alpers Excavating. Both wanted their operator to run the loader, which would have entailed operator plus machine costs. Dupuie's Masonry in Kalkaska gave permission for Popp to use their loader.

Grand Traverse County Emergency Manager Gregg Bird asked Popp to assess what the wood could be used for and recommended different piles for different uses.

Popp stated he has not been to Petobego. He had people go to Lossie Road, who reported it is rough from Skegemog Point Road to the creek and is gone from the creek to Cook Road. Mike Jacobson got lost after the bridge, could not find the trail, and was only able to navigate from the posts. Popp stated he has been into Battle Creek about 200 yards from the parking space; there is a 100-foot wide path that goes to the lake where there are no trees (standing).

Goss stated there are trees down at Cedar Rapids Cemetery but it is unknown if there is damage to headstones. Circle Hill Cemetery was spared. There is also a large tree down behind the fire station.

Discussion followed regarding Team Rubicon's efforts.

Goss inquired what will evidence the \$600 per month payment to Ashmore.

Benak suggested we use the motion in the meeting minutes as documentation.

Popp stated that Bird advised him we should create an account for disaster relief funds.

**Motion by Benak, seconded by Lawson, to give authorization to the supervisor to sign the emergency management agreement for Earl Ashmore's property at 7304 Skegemog Point Road for debris collection and processing. Brief discussion followed. On voice vote, all those present voted in favor, none opposed. Motion carried.**

**Motion by Goss, seconded by Hubbell, to approve payment of \$600 per month for a period of two months to Earl Ashmore for the use of property at 7304 Skegemog Point Road. There was no further discussion. Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

Popp stated he will have Dupuie Masonry bill us.

Discussion followed.

**Motion by Hubbell, seconded by Goss, to pay Dupuie Masonry up to \$800 for use of a loader, including fuel and fluids. There was no further discussion. Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

### **Other Storm-Related Discussion**

There was no further storm discussion.

### **Rural Fire Station Lease**

Benak stated she is not sure why we are looking at this when we do not know what the very near future of Rural Fire is going to be.

Hubbell stated he is not interested in doing anything until he knows what they are going to do.

Popp stated he brought it forward because it was requested from the Rural Board.

**Motion by Hubbell, seconded by Lawson, to table it until we know what is going to happen with the future of Rural Fire.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

### **Ambulance Contract Discussion**

Popp inquired, in his absence, whether there have been any additional questions about the ambulance contract, e-mails he missed, or anything that needs to be discussed. Popp stated he forwarded an e-mail from Doug Straughen requesting a Monday meeting.

Benak asked what Straughen believes are the issues between EMS and the board.

Popp stated Straughen sees things differently and some members see things differently with the change in management. Popp stated he does not really know what Straughen wants to talk about. He felt that EMS deserved a chance and wanted the board's ear. Popp acknowledged that Straughen is awaiting a proposal from Green Lake and noted that he has been at this station for 15 years.

Hubbell stated the e-mail said "to prevent MMR from taking over." Where was he when we have been discussing this at all these meetings, if he is so concerned about it now? Hubbell stated we have made a decision and he thinks we are moving forward in the right direction for the betterment of this township, and does not think we need to waste our time on something like that.

Popp stated his feelings differ from the rest of the board; he believes in cross-trained personnel and has tried to save Rural because it offers a command structure of one, and he truly believes that Rural can survive two townships leaving.

Further discussion followed.

Goss stated she has not seen anything as far as an ambulance contract. There was an e-mail on August 3 from Holtcamp requesting the address of our EMS facility, which was provided.

Goss stated she finds the e-mail from Doug Straughen to be completely puzzling. Why has he not been at any of the meetings with his concerns? To Popp's assertion that MMR is not a one-stop shop, Goss noted that neither is Rural; they do not provide ambulance service. Goss stated

she is not going to wait around for Rural to get in the ambulance business; they are in turmoil right now and it will be a lengthy process for Rural to reorganize itself, maybe with EMS. Goss stated she does not think it is a good use of our time to call a special meeting for Doug Straughen to come here and tell us what he thinks. It was April 14 that MMR was first here. It is now almost August 14. Where have these concerns been?

Hubbell stated it has been said that there are other members of the ambulance service that believe the way Doug does. Where have they been? They have not been seen in the last three meetings.

Goss noted there has been plenty of opportunity for ambulance employees to come to a meeting, to send a letter to the board, to send an e-mail to the board members, or to call board members.

Lawson agreed.

Benak suggested maybe MMR should be having a meeting with them so they can answer the questions and alleviate any of the fears.

Goss noted a memo was prepared advising ambulance employees how to contact MMR.

The answer to the special request is no.

**Supervisor Report (added)**

Referring to paragraph 4 under Meetings, Benak read aloud the paragraph having to do with Josh Vey and inquired what Popp is talking about here.

Popp explained that (zoning) documents did not agree with one another or with what the boards had passed. Popp stated he is comparing the language printed in the newspaper with the documents.

Benak asked why Popp is doing it and who told him to do it. It belongs in the zoning administrator's office.

Popp stated Vey does not have the time to do it. Habedank volunteered to do it. Popp stated he believes that is where it belongs, but Vey is overwhelmed and he asked Popp to continue doing it.

Benak said she still believes it belongs in the zoning administrator's office. Benak does not have a problem adding more hours or allowing Vey to do it at home.

Popp stated Benak can take work out of his plate all day long because he is not getting paid for it. It is not something Popp wishes to do. We might as well put Vey on full time.

Goss stated she was hoping the verification of the zoning ordinance was going to be done article by article as that is how it previously appeared on the township website. Goss noted Vey cannot be full-time because he also works in Torch Lake Township.

Lengthy discussion followed, including Benak's suggestion that this would have been an easier process to hire someone to come in and do it, and that at the time it was given to Habedank to do, the board had not been notified that it needed to be done. Benak stated when there are issues like this, she would like them brought to the board.

Goss noted extra hours were approved for Habedank to complete this task.

Benak stated that would have to be pulled out (for her to see).

Popp stated he will do that, but Benak may have been absent. His recollection is that up to 40 hours per week were approved.

Hubbell stated he has two more things concerning the zoning administrator. He stated he has heard that Vey is getting frustrated, that Popp told him maybe we should look at your future employment with Whitewater Township on an issue. The other issue is that Popp did his evaluation early and a raise was given. Hubbell stated personnel evaluations or expenditures of money have always been brought before the board. Hubbell stated he heard about it through the grapevine, and he thinks that is wrong. Hubbell also stated it is not right to threaten Vey with his job. The board is his boss, not one person. The last thing Hubbell wants to see is losing a zoning administrator. We should get this straightened out now.

Popp stated he would be happy to put that on an agenda.

Hubbell added that, from what he is being told, Vey is doing a good job.

### **Tabled Items**

#### **Review Administrative Policy Section 5 (tabled 10/14/2014)**

This agenda item was not discussed.

#### **Review Graded Wage Scale (tabled 04/14/2015)**

This agenda item was not discussed.

### **Board Comments/Discussion**

Goss mentioned that there was an e-mail from Attorney Fahey today regarding the Hill matter stating that a response now needs to be filed.

Lengthy discussion followed.

Popp stated he will call Fahey tomorrow.

### **Announcements**

The next township board meeting is Tuesday, August 25, at 7:00 p.m.

### **Public Comment**

**Melissa Melton, Chair of the Parks & Recreation Advisory Committee**, thanked the board for taking time to review the plan. The PRAC is concerned with the amount of debris and

damage that has been done and, for liability and safety sake, perhaps there should be temporary signs put up at Battle Creek and Lossie Trail saying due to the storm the park is temporarily closed until it is deemed safe. The PRAC made that formal recommendation to the board in their minutes.

The PRAC did begin to address the DNR inventory. Their next meeting will be at the Whitewater Township Park Pavilion to address the DNR checklist. Melton noted that the DNR would like to see the inventory checklist at the same time they get the 5-year updated plan. The September 14 meeting will be at 6:00 p.m.

Goss noted a special meeting notice will have to be prepared for the 9/14 meeting.

Popp stated he recommends that we close the parks temporarily.

Discussion ensued, resulting in the following motion:

**Motion by Benak, seconded by Lawson, that we temporarily close Petobego Natural Area, Battle Creek Natural Area, and Lossie Road Nature Trail until the storm damage can be cleaned up and the parks made safe, and that we order “Park Temporarily Closed” signs and post them at trailheads, one at the BCNA beach, one at the BCNA parking lot, two at Lossie Road Nature Trail, and one at Petobego. There was no further discussion. Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, yes. Motion carried.**

#### **Adjournment**

**Motion by Lawson, seconded by Popp, to adjourn.** Meeting adjourned at 9:40 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk