

**Whitewater Township Board
Minutes of Regular Meeting held October 13, 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, MMR Director of Operations Matt Holtcamp, and two others

Set/Adjust Meeting Agenda

Benak would like to add the junk complaint that the zoning administrator is asking about to New Business

Goss would like to add Ambulance Housing and very briefly on the AD Assessing contract.

Junk Complaint will be added as New Business #5. Ambulance Housing will be added as New Business #6. AD Assessing will be added as New Business #7.

Hubbell suggested that the ambulance conversation be moved up to accommodate Holtcamp's lengthy drive.

Ambulance Contract will move from New Business #4 to #1, and Planning Commission will move from New Business #1 to #4.

Popp would like to pull out of the Consent Calendar all GT Rural Fire Department minutes, Correspondence #s 3 through 5.

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

County Commissioner Carol Crawford gave the following report:

- Tom Menzel has been hired as the new county administrator. He will start sometime in November.
- Budget meetings will start next week. They need good numbers about their obligation for the dams. They were presented last week with an offer that the U.S. Army Corps of Engineers will remove the Boardman Dam and put in the \$8 million required to do that, without any local match. To get that deal, the county must also agree to remove the Sabin Dam and to provide the local match for that. The total local match required is \$1.7 million. Crawford stated she has some concerns about what the \$8 million includes. The Conservation Resource Alliance has already gotten \$2.5 million, some federal dollars, some local. A financial timeline is also needed.

Discussion followed regarding removal of the dams.

Fire Captain Report – Captain Arbenowske is not present.

Ambulance Coordinator Report – Coordinator Straughen is on vacation.

Planning Commission Report – Lawson stated he did not attend the last PC meeting due to illness.

Hubbell suggested that later in the meeting Popp shed some light on his report comments about Rural Fire.

Popp stated it would be appropriate under the Rural Fire agenda item.

Parks & Recreation Advisory Committee Report

Parks & Recreation Administrator Goss gave the following report:

- Goss attended the PRAC meeting last night and provided the PRAC with some information about the Disaster Assistance Application. The PRAC asked if the bid prices included the contractor receiving the cut timber.
- PRAC spent the rest of the meeting going through the Recreation Plan. They have some things to revise. Their timeline includes having the plan adopted by the township board by 03/01/2016, a deadline they must meet in order to apply for grants next year.

Brief discussion followed regarding the DNR checklist setting forth the steps required for adoption and whether it is time to log some of the Rec Fund parks.

Consent Calendar

Receive and File

1. Supervisor's Report for September 2015
2. Clerk's Report for September 2015
3. Zoning Administrator's Report for September 2015 (none)
4. Fire Captain's September 2015 Activity Report (none)
5. Ambulance Coordinator's September 2015 Activity Report (none; AC on vacation)
6. Approved 07/08/2015 Historical Society Minutes
7. Approved 08/05/2015 Planning Commission Regular Meeting Minutes (not available)

8. Approved 08/10/2015 Parks & Recreation Advisory Committee Minutes (not available)
9. Approved 08/26/2015 Planning Commission Master Plan Open House Minutes (not available)

Correspondence

1. Grand Traverse County Sheriff Department Statistics for September 2015 and 3rd Quarter 2015 Totals
2. Invitation to Grand Traverse County Planning Annual Awards Banquet
3. GT Rural Fire Department DRAFT 09/10/2015 Special Budget Meeting Minutes (removed from CC)
4. GT Rural Fire Department DRAFT 09/16/2015 Regular Meeting Minutes (removed from CC)
5. GT Rural Fire Department DRAFT 09/17/2015 Special ADR Session C Minutes (removed from CC)

Minutes

1. Recommend approval of 09/08/2015 and 09/22/2015 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 39973 through 40087
2. Approval of First Community Bank Miami Beach voucher # 1168

Budget Amendments (none)

Revenue & Expenditure Report (none)

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

Unfinished Business

Review Ordinance 22 Pension Plan

This agenda item was not discussed.

Review Whitewater Township Planning & Zoning Fees

This agenda item was not discussed.

New Business

Ambulance Contract

Popp noted there was late correspondence from Fahey and inquired if anyone has questions.

Goss noted that due to the fact that there is no diagram available of the space that MMR will be occupying or sharing, Fahey indicated that a description of the space could be substituted. Goss prepared a description for page 13.

Brief discussion followed.

Popp stated he has expressed several concerns previously about the agreement. Those still exist, but they are not shared by the rest of the board. Popp stated he has no additional objections.

Brief discussion followed.

Hubbell inquired if the call time is still 80%.

Goss replied yes, MMR did not agree to the 90%, which was a suggestion by Fahey.

Brief discussion followed regarding the current response time of the Whitewater Township Ambulance Service and the use of fractile or average response time criteria.

Holtcamp explained the fractile response time criteria, which is a higher standard than using average response time.

Goss stated she does not have any further issue with exclusivity in light of the fact that MMR is not insisting on it.

Motion by Hubbell, seconded by Lawson, to enter into the 2015.10.12 version of the Ambulance Service Agreement, Real Estate Lease Agreement, and Motor Vehicle Lease Agreement with Mobile Medical Response, Inc., including the added language on page 13, and to authorize the supervisor and clerk to execute those agreements on behalf of Whitewater Township. There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, no; Benak, yes. Motion carried.**

Popp stated his no vote does not mean a lack of confidence in MMR; he fully believes they will do a terrific job for us.

Brief discussion followed concerning:

- Inventory of equipment.
- Storage of medical records.
- Assurance by Captain Arbenowske (through Popp) that what he needs to maintain secure is already in a locked filing cabinet and there should be no issue in sharing the space.
- Date and time of transition to MMR will be Monday, November 2, 2015, at 6:00 a.m.
- Supervisor will inform Jason Torrey (Central Dispatch) in writing now of the 11/02/2015 6:00 a.m. transition,
- Letter will be sent to Michigan Department of Community Health, EMS Division, regarding the date of transition and that Whitewater Township will no longer be operating under their license and has contracted with Mobile Medical Response.
- North Flight will be informed of the transition as it affects the ALS Intercept Agreement and the Billing and Accounts Receivable Management Agreement.

Adoption of 2015 Master Plan

Popp noted the document was not included in the packet and inquired if the board wants more time to consider it.

Brief discussion followed.

Motion by Popp, seconded by Hubbell, to adopt the 2015 Master Plan as presented by Planning Commission Secretary Kim Mangus to the Township Board via letter dated September 15, 2015. There were no additional questions. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

With the arrival of GT County Road Commissioner Marc McKellar, Popp inquired if he could be granted floor time now. There was no objection.

Grand Traverse County Road Commission

Marc McKellar gave the following report:

- The Road Commission is going through their budget now for 2016. They have matching funds for township projects. They are encouraging everyone to look at special assessment districts and they have money for those as well.
- Their OPEB (Other Post-Employment Benefits) unfunded liability is about \$2.4 million. They are wiping out the liability, but they are not wiping out the programs. They will keep the retirement programs intact for their current retirees. They will modify the future retirees' programs; they will come off the GTCRC plan but will be given money to buy the insurance they need.
- For the \$3.2 million unfunded retirement liability, they are looking at structural changes there. Retiring at 55 is not a reality in today's world. They will try to put a huge cash infusion in to drop the current liability. They could be as much as 75-80% funded within 24-36 months.
- Regarding Baggs Road, McKellar will continue to advocate for this road, specifically, that the whole road be taken back into the Grand Traverse County Road Commission. They will need cooperation from Whitewater Township, Clearwater Township, and Kalkaska County Road Commission. They will likely try to swap a road that GTCRC is fully servicing on the boundary, but they believe Kalkaska also has responsibility. It would require at least the two road commissions to put a cash infusion in to get the road up to a standard and then GTCRC will take on the responsibility of maintenance thereafter. They are not going to wait for Lansing but feel it is worth it to talk to our senator and representative to see if there might be a one-time special fund due to the DNR access. The MDOT letter is a travesty. McKellar discussed the option of special assessment district for both sides of the road, but it really is not fair because the residents with road frontage would be shouldering the bulk of it and non-frontage owners who must access the road would not pay.
- Regarding Williamsburg Road, traffic is going to increase substantially when the Meijer store opens and because this is a recreational area. He will advocate to get this road taken care of in the more immediate future.

General discussion followed regarding Williamsburg Road, revenue sources, semi-trucks using Bunker Hill Road, bike lanes and roundabouts, including a couple audience member questions.

There was board consensus that the Planning Commission agenda item will now be moved to New Business #3, and Rural Fire will be moved to New Business #4.

Planning Commission Chair – Address Township Board

Bradley Link, Planning Commission Chairperson, stated that about six months ago the PC was given a zoning ordinance draft along with all the amendments. They were asked to decide whether they were going to attack the existing zoning ordinance and update it according to all the old amendments or just start fresh. They opted to recodify the zoning ordinance. They have discussed a table of contents. The idea is to take the existing articles and put them in where they could in this new format and layout that streamlines it, and then attack four to six articles to totally rewrite them and recodify the entire thing in a public hearing and then go back and hit the articles that they just plugged in. They were starting to make progress on that but were delayed for a couple reasons. Their plan is to go back to that and start with the table of contents, instead of taking on any specific articles, and recodify the entire zoning ordinance. He explained that recodify means you are changing the order, streamlining it, modernizing it, rearranging.

Popp noted that the “draft” version is the documents that were on the website as the zoning ordinance.

Discussion followed, with board questions and comments.

Link stated they have agreed to meet twice a month and they will need a little budget for that. They would like some support on writing these articles. Their idea is to research the zoning ordinances of surrounding communities, get an idea of what they want, hold some open houses, a communication plan, maybe a survey, newsletters, get as much public participation as they can. Link thinks they should go out for an RFP for a planner or attorney, meet with a few of them, see what their ideas and approaches are, and then determine a budget. Since none of the PC members are planners, they need help to get through this in an efficient, timely manner. Link would like to see it in two years.

Further discussion followed, with board questions and comments.

Link stated the PC can propose a framework for an RFP. As far as a planner/attorney, Link would see this as a consultant position. The PC would like to research it, get some idea what the residents want, look at other ordinances to see what they accomplish and how they work, maybe even draft language themselves, and then hand it off to an attorney/planner and say here is what we are looking for.

Lawson suggested that the PC needs to know whether ordinances have to be repealed in order to recodify them, or if the recodification process automatically repeals all the old stuff, and how many steps are in the process.

Discussion followed.

Popp inquired if the board would be open, if the PC exceeded their budget, to transfer some contingency funds to make some of these things happen.

All board members expressed agreement with that proposal.

Popp inquired if any board member had an affiliation or an opinion of planners.

Benak suggested Leslie Meyers.

Roger Williams' name was mentioned.

Discussion followed regarding the most desirable and least desirable qualities of a planner and how an attorney should be chosen.

Goss noted we should check our attorney contract to make sure we can seek other legal advice.

Link stated he would also like to propose a joint meeting with the township board and the planning commission, perhaps in February, to come together and talk in more detail about everything we just talked about.

Popp stated what he has heard tonight is that there is support for professional help, for surveys, for RFPs, a planner and an attorney, and that the board is willing to look at contingency money if the PC exceeds its existing budget.

There was board consensus to have the Planning Commission move in this direction.

Link stated he is also considering a joint meeting with the Acme Township Planning Commission. In his opinion, we need a uniform application along this corridor, because we are going to see some serious development pressure coming.

Brief discussion followed.

Link stated the zoning administrator has led them to believe that it might not be in his contract to attend every PC meeting, but it is in their bylaws that he will be there and he will support the PC, and they would expect him to be there.

Goss stated it is in the zoning administrator job description that he will attend "as needed." Goss also noted that she needs the most recent copy of the PC bylaws.

Ted Hooper, 6575 Cook Road, asked to address the board. He stated he is one of the bicyclists that get all dressed up and ride up and down the road. He stated the reason they are on Bunker Hill Road is because there is an unfinished section of the bike path. The reason they ride in the middle of the road is so that people cannot squeeze them off the road. You are entitled to take up the whole road; that is part of the state law. He would like to encourage this board to support finishing the last section of the trail from Bunker Hill Road to Lautner Road.

Brief discussion followed.

Rural Fire

Popp stated two things were required from the townships, (1) some ability to increase the amount of levy that we pay, and (2) to look at the administrative side of the budget pending a document from Chief Weber about statutory duties. That document has been provided. It says any reduction in staff or amount of pay would not include him as the chief. This board previously told Popp that they would accept some additional payment responsibilities, but some administrative relief was supposed to come back to us. Popp inquired what his marching orders are now.

Discussion followed regarding the possibility of Green Lake not pulling out of Rural Fire, administrative costs, staying in Rural Fire versus running a stand-alone fire department, hiring a different Rural chief, failure to address the “emergency,” the assessment formula, Metro’s operation, termination of employees at Fife Lake and Long Lake, looking at the budget line item by line item, and the purchase of a new vehicle by the chief.

Popp referred to the Session C minutes of 09/17/2015, page 4, where it states, “It was mentioned that we know we can get by for a year on this budget. It was further mentioned that last year we burned up \$300,000 in a pretty healthy budget with Long Lake in.”

Popp explained how the \$300,000 was spent. It was over multiple years.

There was board consensus that Whitewater Township is willing to contribute some more money but will continue to insist upon some type of concessions from administration.

Various percentages were discussed, with consensus at 15%.

Junk Complaint (added)

Benak provided some past documents concerning this matter and wants to talk about what direction to give to our zoning administrator. He is looking for guidance. Should this go to a closed session, or can we just tell our zoning administrator to send a letter?

Discussion followed.

Benak stated she would like to start with a letter asking him to clean it up.

Popp stated the letter should require compliance with the judgment, and put an interval on it.

Benak stated it needs to be sent certified.

Further discussion took place.

Consensus was reached that the zoning administrator will be asked to send a letter asking for voluntary compliance with the court order dated May 4, 2012, with respect to all of your properties.

Benak would like the letter run by the clerk for grammar.

Ambulance Housing (added)

Goss inquired about the price on the portable.

Popp stated he does not have a price for the portables he has found so far. They are coming out of California and are built out of steel freight containers. The 2-person dorm model comes on a 40' semi flatbed. It can be removed from the flatbed. It is self-contained with HVAC, water tanks. You supply electricity and water. You can buy or lease.

Benak stated she was told the units Karen Flint has are FEMA trailers purchased at a reduced price.

Popp stated he can look into that, but he likes the inside version.

Discussion followed concerning ways to redesign the space, Pat Miller's proposal that WESA purchase a storage building to store the items they have at the station, and the sketch of the existing layout.

Kim Mangus asked if the board can take public comment.

Popp replied no.

Hubbell stated we should start out with the opinion of an architect.

Discussion followed.

Popp stated he is willing to do a couple of quick layouts to show what can fit and has an architect in mind that can help.

The outside option will be abandoned for now.

AD Assessing Contract (added)

Popp stated his and Dawn's schedules have missed. Helen Mills, employment attorney, has made changes to the contract. Popp wants to ask Helen whether or not we are in violation of the law. If she says no, then Popp wants to go with the contract that we have already voted on and signed.

Discussion followed concerning several issues.

Popp stated he just wants to make sure we are in agreement with the IRS if we leave the word "contract" alone. Then we do not have to review the one we already voted on and can update the employment contract with the number of hours.

Goss stated she wants to avoid wasting Dawn's time going through the document prepared by Helen Mills. It is very confusing.

Popp will hold a conversation with Helen and Dawn tomorrow. Until Helen says you meet the IRS requirement or you do not in the existing document, we do not have anything to report.

Tabled Items**Review Administrative Policy Section 5**

This item was not discussed.

Review Graded Wage Scale

This item was not discussed.

Rural Fire Station Lease

This item was not discussed.

Board Comments/Discussion

Benak stated she would like to have only one meeting a month during the holiday months.

Goss noted there is only one meeting per month scheduled in November and December.

Lawson inquired when we want the PC to start two meetings a month.

Popp stated we have to make sure what the budget is.

Announcements

There were no announcements.

Public Comment

No public was present.

Adjournment

Motion by Hubbell, seconded by Lawson, to adjourn. There was no further discussion.

Meeting adjourned at 10:58 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk