

**Whitewater Township Board  
Minutes of Regular Meeting held October 27, 2015**

**Call to Order**

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

**Roll Call of Board Members**

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

Board members absent: None

Others present: Dave Hauser, Tim Shaffer

**Set/Adjust Meeting Agenda**

No adjustments.

**Declaration of Conflict of Interest**

None

**Public Comment**

None

**Correspondence**

None

**Public Hearing**

None

**Reports/Presentations**

None

**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.

**Rural Fire Update**

Benak's husband reported to her that Tim Trudell and Paul Biondo were on 580 AM discussing the Long Lake equipment deal. Trudell stated he voted against it, along with one other, and he believes it is a gifting and is illegal; legal counsel will be looking at it. Biondo said it is a sweet deal; if they leave, they want the same deal. Trudell also said they hired an outside firm from Grand Rapids to see how much it would cost them to run their fire department outside of Rural Fire and they came up with three times more than they are paying for Rural Fire. Biondo said he

thinks Long Lake is going to have a difficult time doing it for twice the amount. Benak stated she thinks Popp's memo is right on.

Popp stated the Rural Fire Board wants to be hung up on getting an answer from Green Lake whether they are in or out. It was decided to prepare two budgets, one with Green Lake and Long Lake gone, and one with Green Lake remaining. The first budget leaves six townships and drastically cuts the administrative cost of the department. If Green Lake stays, Chief Weber has agreed to renegotiate his contract. Without Green Lake, he will not be staying. Also, there was a sale of equipment approved by the Rural Fire Board.

Lengthy discussion followed regarding the apparatus and equipment valuations, the price Long Lake will pay for their apparatus and equipment, the indecision of Green Lake, actions of Chief Weber regarding personnel, approximate 33% budget increase for Whitewater if Green Lake leaves Rural Fire, approximate 7% budget increase for Whitewater if Green Lake stays in Rural Fire.

The wisdom of staying in Rural Fire was briefly discussed, i.e., geographic location of other Rural Fire townships, the percentage of assets Whitewater would receive if there was a dissolution, whether the Green Lake supervisor has the support of his board, and various related discussion.

#### **Ambulance Living Quarters**

Popp stated he thinks we have moved from consideration of an outside trailer situation to something inside the building. Popp has questions about the location of the drain field and proposes that we locate the limits of these structures to see what is available. The east end of the fire station could easily accommodate an L-shaped building. The trees should be cut down behind the fire station. A parking lot could be located behind the building.

Lengthy discussion followed, including a listing of code requirements, ideas for architects, and the need for architectural drawings.

Input will be sought from Captain Arbenowske and Matt Holtcamp, and information will be obtained about space available behind the building.

Regarding a place to work and sleep during construction, various ideas were discussed, i.e., renting a camper/trailer or renting a self-contained portable unit with office space.

A deadline of November 6th was chosen for anyone who works in the building to submit a sketch, and the same deadline to have an idea of a plot plan, how much land is there, where the amenities are.

#### **Followup on Junk Complaint**

A letter has been sent by the Zoning Administrator. Goss stated a letter was also sent to the owner of record of the old fire station.

Brief discussion followed. The board will await an update from the Zoning Administrator.

**AD Assessing Contract/Employer Agreement**

Popp stated the board voted to sign the contract and agreed to have the Employment Agreement looked at. Attorney Helen Mills stated she needed to see both documents and then made changes to the contract. Popp stated he has spoken to Dawn Kuhns at length. She and Amy Jenema had agreed to make changes to the Board of Review section. Mills is recommending it be called an agreement rather than a contract, change “they” to “it” when referring to a company. Popp does not think Kuhns has any issues with what the attorney set forth.

Goss stated she spoke with Kuhns today, who said she would not be here this evening and was not against any of the changes in the Independent Contractor Agreement.

Moving to the Employment Agreement, several issues were discussed, including inserting an hourly rate or number of hours in order to meet the minimum wage requirement.

Benak stated, in the future, she would rather have the vendor pay to clean up the document, not the township.

Discussion followed regarding whether Mills was asked to work on the contract.

Regarding the reimbursement of expenses language, Goss noted that Kuhns has never presented a receipt for expense reimbursement, and proposed a modification of the language.

Popp stated Kuhns would like to leave that language as is. Mills feels if that is the only litmus test we do not pass, she felt comfortable leaving it alone.

Discussion ensued regarding the expectation to prepare and defend cases at the Michigan Tax Tribunal. Popp stated Kuhns forwarded verbiage to him that she and Jenema agreed should be changed. Kuhns would like Popp to replace that paragraph.

Popp stated we will have the attorney look at it, give it to Kuhns, and we will come back and re-vote.

Goss questioned why it needs to go to the attorney again.

Popp stated he can make the changes.

It was agreed that the final (of the Independent Contractor Agreement) should be brought back to the board.

Regarding the Employment Agreement, a number of hours not to exceed will be inserted.

Popp stated Kuhns will be required to fill out a time card. Discussion followed.

Goss and Benak stated the at-will language does not need to be in the document.

Discussion followed regarding the number of hours to be inserted. It was agreed that four hours at \$25 per hour would be inserted.

Goss stated the Employment Agreement must be agreeable to Kuhns.

Both documents will be brought back on November 10.

### **New Business**

#### **Ambulance Fund Budget Amendments**

Goss prepared a memo detailing budget amendments that are necessary in order to fund the new line item for the payment to Mobile Medical Response and recommends those amendments.

**Motion by Benak, seconded by Popp, to approve Ambulance Fund budget amendments as recommended by the Clerk.** There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

#### **Authorization to Sign Letter to Tobin & Co. Confirming Representations**

Popp inquired if everyone has read and is happy with the audit.

Discussion followed.

**Motion by Hubbell, seconded by Lawson, to authorize the supervisor, clerk, and treasurer to sign the letter.** There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

#### **Storm Cleanup Expenses – Lenzini and Dupuie Invoices**

Popp stated there are additional storm cleanup expenses. Dupuie supplied a loader the first few days the debris site was open. It had to go in for scheduled maintenance. Lenzini then offered his D5 bulldozer for use. In the original request for Dupuie, Popp asked for \$800, including the fuel. When the invoice came, it was \$800 for the loader and \$100 for the fuel.

Discussion followed.

**Motion by Hubbell, seconded by Popp, to pay an additional \$100 to Dupuie's Masonry and to pay \$910 to Bob Lenzini.** There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

#### **Discussion re: Videotaping of Board Meetings**

Popp noted that there is an offer to purchase video equipment for the township.

Benak inquired whether it would be manned or operated by a button, where do we store the data, will we only be doing it live so it is running through the website, are we storing the data, who is responsible for that.

Popp stated people who do it for Long Lake and Grand Traverse County Road Commission charge \$50 for a 2-hour meeting. That gets you a memory stick with the data on it. It is one camera shot.

Goss stated she contacted Jason Gillman's company, Industrial Covert Unlimited. The camera would be \$300. Installation would be \$100. The camera would see the podium and the board. It could continuously run and only be activated with sound or be turned on and off. It would not be manned. The data would be stored on the memory in the camera. It would not be live or streaming. It would be uploaded to the website as a raw file. There would be no editing. It would be a one-time charge for the camera and installation. Goss stated we can check other places, too.

Discussion followed regarding the purpose of videotaping, i.e., transparency, ability of people who cannot attend a meeting to see it later, whether it can be or should be streamed.

There was consensus that more information should be obtained.

Goss will have Gillman submit more information and maybe come to the next meeting and explain it to the board.

#### **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.

##### **Rural Fire Station Lease (tabled 08/11/2015)**

This agenda item was not discussed.

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

Hubbell inquired if the parks are still closed, because people are ignoring the sign he put up at Petobego.

Goss stated she is getting calls and is telling callers that the signs were put up for their safety. If they enter, they do so at their own risk.

Hubbell stated he is able to help the clerk with the filing cabinet on Saturday morning.

Brief discussion followed. The cabinet will be moved on Monday.

Goss noted that the board voted in the spring to have Bob Rauch put up the pole and platform for movement of the osprey nest but agreed that the nest should not be moved at that time. The nest appears to be empty now. Does the board want to have the nest moved now?

There was board consensus that the clerk will notify Bob Rauch that the nest can now be moved.

**Announcements**

The Halloween party is October 31. The next board meeting is November 10.

**Public Comment**

None

**Adjournment**

Motion by Lawson, seconded by Popp, to adjourn. Meeting adjourned at 9:06 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk