

**Whitewater Township Board  
Minutes of Regular Meeting held November 10, 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, Lawson, Popp

Board Members absent: Hubbell

Others present: County Commissioner Carol Crawford, MMR Director of Operations Matt Holtcamp, Vaughn Harshfield, Tim Shaffer

**Set/Adjust Meeting Agenda**

Goss stated she would like to add board member appointments to MMR Advisory Board.

Item added as New Business #8.

Popp would like to pull out of the Consent Calendar for discussion Receive and File #7 (later corrected to #9) and Correspondence #s 2 and 3.

These items will be discussed before approving the Consent Calendar.

Consensus was reached that the Road Commission representative could be added to the agenda if he shows up.

**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's Department.

**County Board of Commissioners Report**

Carol Crawford gave the following report:

- The BOC is working on the budget. They have fairly solid numbers which they will look at tomorrow night. They have some recommendations from the new administrator, the finance department, and the human resources department on where they can shave some things from the budget. The budget request is around \$38 million and is forecasted to

only bring in about \$36 million. This is the first round of recommendations from the new administrator.

- The Civic Center pool has been closed for a couple weeks due to arbitration with a union employee that did not turn out favorably for the county. The employee was terminated sometime in 2014 and appealed to the union. The county had to rehire the person and pay back wages between \$60,000 and \$80,000. Insurance does not cover that. This bankrupted the pool budget for the rest of the year. They will soon be hearing a proposal from the YMCA to take over the programming and management of the pool. It will save the county between \$250,000 and \$300,000 per year.
- The county has retained a labor attorney, Peter Cohl. The county has three bargaining units up for renewal. Negotiations have begun.
- The health department went through cycle 6 accreditation and had no issues. They were recognized for their efforts.

Brief discussion followed.

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

**Ambulance Coordinator Report** – Popp invited Matt Holtcamp to comment on MMR’s first week of operations.

Holtcamp gave the following report:

- They were up and running as of November 2nd at 6:00 a.m. They are fully staffed. During the Iceman Cometh event this past Saturday, they had two ALS ambulances positioned here. Holtcamp worked with the medical coordinator closely throughout the week to set up their position. MMR had three calls that day; none were associated with the race itself. It went very well.
- They have had people stop by the station when the doors were open. They were very polite, shook the staff’s hands, thanked them for coming to the community and they are excited about having ALS.
- Holtcamp related the story of a lady transported on Saturday who inquired how long they would have to wait for the other ambulance. When told by the MMR staff you do not have to wait anymore, we are going to do everything for you, the patient replied, oh, good golly, that’s nice.
- Holtcamp stated he knows there is a lot of discussion down the road on the building. Holtcamp feels it is doable and there is a lot of potential in the fire/ambulance facility to make living quarters. His staff has done a good job on cleaning things up.

Goss mentioned that she and Holtcamp have spoken briefly about MMR putting an article in the upcoming newsletter.

Brief discussion followed.

### **Planning Commission Report**

Lawson gave the following report:

- The PC met last Wednesday. They had a lot of discussion about basic layouts, definitions. They have not officially adopted a current zoning map for the zoning administrator. They will work on that soon.
- The zoning administrator attended the meeting and he was a lot of help. He discussed with the PC land division, things he has reviewed, things he is going to recommend for cleanup. He has also been looking at the general ordinance that pertains to zoning and he found some problems. There is a whole section missing in Article 5. Half of the districts are missing.
- For the December 9 (sic) meeting, they are going through Articles 6 through 10. There was also discussion about organizing a joint meeting with the township board.

Brief discussion followed concerning a date for the joint meeting. Popp stated January 28 will not work due to Board of Review training, and suggested it be rolled into the second board meeting of the month.

Lawson also noted that Link did a great job running the meeting.

The date of January 26 was proposed as the date of a joint meeting of the planning commission and township board. Lawson will propose this date to the PC at their December 2 meeting and bring their response to the December 8 township board meeting.

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

Goss gave the following report:

- She attended the entire PRAC meeting last night, November 9.
- In answer to their previous question, the PRAC was informed that Whitewater Township Park funds cannot be utilized for Recreation Fund parks.
- They have finished going through the clerk's comments to the Draft Recreation Plan but may have some from other board members to go through. They are working hard to get the recreation plan into a final format for the township board. It has to be approved by the township board by March 1 in order to be eligible for grants.
- The PRAC has scheduled a special meeting on November 30 at 6:30 p.m., in hopes of getting something to the township board by December.

### **Consent Calendar**

Popp would like to discuss the 08/26/2015 Planning Commission Master Plan Open House minutes. Popp quoted some verbiage and stated he is unaware of a size limitation in the zoning ordinance (for big box stores). He will have Josh answer it.

There was brief discussion of the differing format of the minutes for the master plan open house and who the recording secretary was.

Referring to the 09/02/2015 Planning Commission minutes, the discussion of Article 27 and Hooper's comment that the owner can certify that the construction is in compliance with county and state regulations, Popp inquired how the owner will know.

Discussion followed.

Popp stated his note back to the PC would be that it should be certified by a third party.

Referring to the section entitled “Shoreline areas,” Popp stated Article 27 addressed the buffer equaling 50 foot on Elk Lake and Skegemog Lake. Popp wants to communicate to the PC that landscaping has now become construction. This can destroy the first 50 feet and the township does not require a permit. There needs to be somebody who can review it.

Discussion followed.

Referring again to the 09/02/2015 Planning Commission minutes and public comment from Steve Mangus, Popp asked if we do not have the trees, then how do we protect the shoreline.

Discussion followed.

Turning to the 10/15/2015 Rural Fire minutes, Popp referenced page 6 and comments by Mr. Fritz concerning a millage increase and millage rates of other entities.

Referring to the 10/21/2015 Rural Fire minutes, second public comment, Popp noted that Attorney Dave Bieganowski stated that potentially the agreed sale of equipment to Long Lake could be invalidated.

Discussion followed.

Popp stated he just wanted to bring those items to the board’s attention in the Consent Calendar.

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

#### Receive and File

1. Supervisor’s Report for October 2015
2. Clerk’s Report for October 2015
3. Zoning Administrator’s Report for October 2015
4. GT Rural Fire Department Chief Weber’s Activity Report
5. Ambulance Coordinator’s October 2015 Activity Report (none)
6. Treasurer’s Bank Accounts and Cash Balance Reports for 07/31/2015 and 08/31/2015
7. Approved 08/05/2015 Planning Commission Minutes
8. Approved 08/10/2015 Parks & Recreation Advisory Committee Minutes
9. Approved 08/26/2015 Planning Commission Master Plan Open House Minutes
10. Approved 09/02/2015 Planning Commission Minutes
11. Approved 09/09/2015 Historical Society Minutes
12. Approved 09/14/2015 Parks & Recreation Advisory Committee Minutes

#### Correspondence

1. Grand Traverse County Sheriff Department Statistics for October 2015
2. Grand Traverse Rural Fire Department DRAFT 10/15/2015 Special Meeting Minutes
3. Grand Traverse Rural Fire Department DRAFT 10/21/2015 Regular Meeting Minutes

#### Minutes

1. Recommend approval of 10/13/2015 and 10/27/2015 Township Board regular meeting minutes

#### Bills for Approval

1. Approval of Alden State Bank vouchers #40088 through 40207
2. Approval of First Community Bank Miami Beach vouchers #1169 and 1170

#### Budget Amendments (none)

Revenue & Expenditure Report 11/06/15 - Revenue 08/31/15, Expenditures 11/06/15

#### **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.

##### **Ambulance Living Quarters/Housing**

Goss stated that she met last week with architect Dave Whiteford at the fire/ambulance building in order that he could take a look at the building and give the board an idea of how much he would charge to come up with a renovation plan, drawings, code research, etc. Goss gave him a basic list of requirements. Whiteford's cost estimate was provided via email and is in the packet.

Goss stated she also met last week with Dan Rudy, whose name was suggested by Trustee Hubbell. He is not an architect, but he is a designer who works with the same engineer that Steve Haver does. Goss provided the same information to him as was given to Whiteford. Popp was also present at the meeting with Rudy. Goss is awaiting an estimate of costs from Rudy.

Popp stated we will need structural help for many of the things we want to do. The designer will have to outsource their engineering work.

Further discussion followed concerning the location of the septic tank and the drain field, possible replacement due to age, need for tree removal behind the station, adding onto the back of the building, creation of additional parking behind the building, continued ownership of the building by the township, staying within the existing footprint of the administrative part of the building or expansion of that footprint.

Popp noted that Whiteford Associates is related to the deputy clerk.

Goss stated that Dave Whiteford is Deputy Clerk Terese Hooper's brother. However, Goss stated there is no conflict of interest.

Lawson stated there might be a conflict for him on some of the contractors because he works for a company that subcontracts to Whiteford and some others.

Popp noted that Ted Hooper (Terese's husband) is a member of the planning commission and does a lot of work for Whiteford Associates.

Benak noted that Terese is not on the board and is not voting on it.

Goss also advised that Ted is retiring from Whiteford Associates in March and would not be working on this project, as well as the fact that Whiteford Associates has stated they are not interested in bidding on the construction part of the project.

Holtcamp reiterated that all they need is a couple bedrooms, one bathroom, a unisex with a shower, and a kitchen. Holtcamp thinks the space is there. It is very cramped quarters, but staff is being extremely patient. They understand they are going to be displaced for the time being. Temporary sleeping quarters would be great.

Holtcamp also noted that they have ordered cable and Internet service from Spectrum Business. This will be installed next Thursday, at MMR's expense.

## **New Business**

### **Disposition of 1997 Ambulance and Equipment**

Popp referred to Section 4.6 of the township's Financial Administration policy and stated the board is looking at how to get rid of an ambulance. The board heard from two different qualified sources that the 1997 Ford ambulance was ready for pasture. Because of its age, it cannot be sold as an ambulance. It does have some equipment on it.

Discussion ensued as to whether there is a heart monitor on the 1997 ambulance.

Holtcamp stated he will share Kevin Blumberg's number, who owns BioMedical Solutions. They do all of MMR's maintenance and certification on their equipment. Holtcamp has talked to him. He is available if the township would like to talk to him about any durable equipment they would like to sell. There would be a fee for his brokering. Holtcamp feels he would do an outstanding job in helping to sell equipment and getting the best price.

Regarding the ambulance itself, Holtcamp stated there will be little interest for anyone to purchase it as an ambulance. However, outside of the ambulance industry, there are probably some people who may be interested, such as plumbers, electricians, or carpenters.

Holtcamp stated the lights and sirens must be removed. Lettering should be removed for the township's protection. Holtcamp said he will see what he can find as far as a statute. Also, the ambulance may be of interest to fire departments for conversion to heavy rescue or rehab. There is also a very expensive power cot on the ambulance. Holtcamp will talk to his COO to see if he

has any interest in purchasing it. If the LUCAS machine was obtained with a grant, it may need to stay in the township. Holtcamp stated the ambulance could be listed on AutoTrader, either with a price or as a bid with a reserve. He will talk to his director of maintenance to see if he can help put a value on it.

There was board consensus to sell the 1997 Ford ambulance.

Popp noted the Ambulance Replacement Fund has about a \$57,000 balance and inquired what we will do with that money.

Discussion followed. The auditors will need to be consulted as to what can be done with those funds.

#### **Review/Approve Assessor Job Description**

Popp noted that the original job description for assessor has been revised to match the format of the township's other job descriptions.

Discussion followed concerning the level of certification that should be inserted, change of "salary" to "hourly wage" or "compensation," and other changes suggested by Goss.

Benak suggested that the assessor be required to prove their certification.

The proposed assessor job description will be brought back at the 12/08/2015 board meeting.

#### **Review AD Assessing Independent Contractor Agreement as Amended 09/29/2015 and Employment Agreement as Amended 09/29/2015**

Goss noted a handful of corrections to the Independent Contractor Agreement.

Discussion followed. Popp will make the changes.

There was further discussion of the method which should be utilized to clarify that the prior Independent Contractor Agreement approved by the board on 09/08/2015 is being replaced with a revised document.

Goss pointed out that although the 09/08/2015 motion referenced the revisitation of office hours in April 2016, the Independent Contractor Agreement does not have anything in it about office hours.

#### **Rescission of 09/08/2015 Motion Authorizing Supervisor to Sign AD Assessing Contract 2015**

Benak stated she has a motion.

**Motion by Benak to rescind the motion made by Hubbell, seconded by Benak, on 09/08/2015 to authorize the supervisor to sign the independent contractor agreement with AD Assessing.**

Before the motion is seconded, Popp inquired whether Benak can rescind someone else's motion.

Goss and Lawson agreed that Hubbell does not need to make the motion to rescind.

**Lawson seconded the motion.**

Goss re-read the motion.

There was no further discussion. **Roll call vote: Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

**Motion to Approve and Authorize Supervisor to Sign AD Assessing Independent Contractor Agreement as Amended 09/29/2015 and Employment Agreement as Amended 09/29/2015**

It was agreed that, with the changes made this evening, the revision date should be as of today, 11/10/2015.

**Motion by Goss, seconded by Popp, to authorize the supervisor to sign the AD Assessing Independent Contractor Agreement as amended 11/10/2015.** There was no further discussion. **Roll call vote: Hubbell, absent; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

Moving to the Employment Agreement, Goss enumerated changes she is suggesting to the Employment Agreement.

**Motion by Goss, seconded by Benak, to adopt the Employment Agreement as amended 11/10/2015.** There was no further discussion. **Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, absent. Motion carried.**

**Review/Award 2015 Snowplow Bids**

Popp stated no one has bid on the township snowplow work. It was advertised, directly mailed to six or eight different companies, and posted on the township website.

Other possible contractors were discussed.

Popp stated if we get snow between now and the time we can approve a contract, we will just write a purchase order to whomever will come plow it.

**Motion to Have Zoning Administrator Vey Prepare Necessary Documents for Township Board to Respond to Patrick Donahue's Request for Subdivision Lot Split**

There was brief discussion.

**Motion by Lawson, seconded by Goss, to have Josh Vey (ZA) prepare the necessary paperwork and bring it to the township board by the next meeting.** It was noted that Josh is not required to attend the meeting. **On voice vote, all those present voted in favor of the motion, none opposed. Motion carried.**

Popp stated he will notify Josh via email.

**Board Member Appointments to MMR Advisory Board (added)**

Now that MMR has taken over, Goss would like to make a **motion to appoint Paul Hubbell and herself as the township board representatives to the MMR Advisory Board. Lawson seconded the motion.**

Goss stated that she spoke to Hubbell earlier today and he was in agreement that he would serve if appointed.

Brief discussion followed regarding meeting dates.

**On voice vote, Benak, Goss, and Lawson voted aye, Popp voted nay, Hubbell absent. Motion carried.**

**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**

Lawson stated that at the PC meeting some information was distributed concerning big box stores adding a deed restriction to their property in order to change the value of their property so they do not have to pay the taxes. Marquette County has lost hundreds of thousands of dollars in taxes. The PC will look at it to adjust the ordinance accordingly.

Brief discussion followed.

Benak stated she sent out some information for zoning ordinance training. She would really like to see the planning commission take advantage of that.

Brief discussion followed.

Benak reminded everyone that the newsletter will be going out soon and she needs everyone's articles. Please try to have them in by 11/23/2015.

Benak also stated she went to the Grand Traverse County Planning Commission awards banquet. Brad Link got his picture taken with an award (for completing the master plan). This will be in the newsletter. She stated that attending the awards banquet is beneficial for the opportunity to talk with other public officials in our county and find out what is going on in other townships.

She cited the example of a 21-mile trail system with campgrounds on either end in Fife Lake Township. We should be telling people what is available in Whitewater Township.

Goss inquired if Popp has heard anything about the disaster application.

Popp stated he has not but will call Penny Burger.

**Announcements**

Next township board meeting is December 8.

**Public Comment**

Tim Shaffer, 5309 Moore Road, stated he knows WESA would be interested in using the old ambulance for rehab and helping when there is a major fire or accident. Also, why not use the second LUCAS machine for fire department rescue.

Benak noted that the tribal grants can be repurposed, but you have to ask permission.

**Adjournment**

Motion by Lawson, seconded by Popp, to adjourn. Meeting adjourned at 10:03 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk