

**Whitewater Township Board  
Minutes of Regular Meeting held December 8, 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 Patient Access Steve Myers, and 3 others

**Set/Adjust Meeting Agenda**

Under Consent Calendar, Popp would like to discuss the 10/07/2015, 10/21/2015, and 11/04/2015 Planning Commission minutes, as well as the 11/18/2015 and 11/25/2015 Rural Fire minutes.

Goss noted she has one question on the Supervisor Report.

**Declaration of Conflict of Interest**

None

**Public Comment**

Tim Shaffer, 5309 Moore Road, asked if the public can be brought in on the Rural Fire minutes, and he has questions on the 11/19/2015 Township Board minutes.

There was no objection from the board to opening up discussion of the Rural Fire minutes to the public.

**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:

- County Administrator Tom Menzel and Finance Director Dean Bott are working on the budget. Bott's last day will be December 16.
- They have changed their retiree health benefits to benefit the budget. They also decided on no raises for non-contract employees and there is currently a hiring freeze. All departments have been asked to make 8.5% cuts. There is about a \$3.6 million dollar gap between revenues and expenditures.

- The county has turned over management of the Civic Center Pool to the YMCA. That gets rid of the revenue from the pool but also the expenses. They still have the expense of the building itself. They will be paying the YMCA a management fee until they get to a certain level of memberships.
- The parks and recreation director, Kristine Erickson, will be spending some of her time helping the Senior Center Network and they will be paying part of her salary in exchange for that.
- The Board of Commissioners (BOC) authorized the new administrator to hire a deputy administrator, mostly for succession purposes.
- The BOC signed a letter of intent to proceed with the Army Corps of Engineers to remove the last two dams. No funding was committed. The county is still working on fundraising for their portion, which is around \$2 million.
- There was a lot of talk last week about the clock tower. There are some complaints and some who are in favor of it.

During brief discussion, Commissioner Crawford noted that the increase in the budget shortfall is due to recalculation of the post-retirement benefits and new numbers from MERS about the retirement funding. It was also clarified that \$700,000 of next year's deficit is due to monies being set aside for dam removal.

Crawford stated she does not agree that the dams should have been removed or that money should have been committed to it.

Further discussion followed.

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

### **Ambulance Report**

MMR Director of Patient Access Steve Myers gave the following report:

- Matt Holtcamp is no longer with MMR. Steve will be helping out in the interim with questions or concerns.
- He will run the number of calls to date in the morning and e-mail it to the clerk. Historically, November and December are a slow time for EMS.
- Call with any questions or concerns. The position is posted and he expects it to be filled in the next 2-3 weeks.

Popp noted the board is working on some type of accommodations for better living conditions and expect to review a design in early January, as well as looking at bringing in some temporary sleeping quarters. He thanked the MMR staff for their patience.

Brief discussion followed regarding assistance with disposition of medical devices, the Stryker power cot, and the 1997 Ford ambulance.

Myers will get some information to the board by the end of the week.

### **Planning Commission Report**

Township Board Representative Lawson gave the following report:

- The PC met on December 2. Lawson reported to them concerning the township board's discussion about definitions, structures, retaining walls, clarifying or expanding the definition of a structure. Zoning Administrator Vey feels the current ordinance definitions will cover those things, but the PC will look at them to see if there is anything to add or modify.
- Vey showed the PC a tentative draft of the new Land Use Permit. Comments were made; no real consensus on anything in particular.
- There was a lot of discussion about getting a planner. On January 26, the PC is intending to have a joint meeting with the township board to discuss planners. Lawson thinks we need to get organized more on the ordinance and where it needs to be before bringing a planner in.
- The chairperson asked the PC about future planning. A lot of time was spent overall on that and planners. The chair asked everyone to make a list, think about the growth, where it will go and how do we want to try and control it. Promoting the development of what we have is probably what we want to focus on, more so than allowing the boundaries to change. The PC discussed how to fill up those spots.
- They did not get to the articles they were studying. Those were put off to the next meeting.
- Lawson stated he has brought up at three separate meetings that the PC look at companies that do recodification of ordinances. Lawson has called two companies, plans to call three more, and has information coming. He has asked the clerk to scan the information and send it to the township board and planning commission members.
- Next meeting is January 6. They are planning on a joint meeting with the township board on January 26.

Discussion followed regarding the conversion of the January 26 township board meeting to a joint meeting with the planning commission.

Popp reported that the PC chair asked him to call four different companies that offer services like this to see if they would attend the joint meeting on January 26. Popp will verify the date with the chair.

Discussion followed concerning Popp's understanding of the PC chair's plan for the January 26 meeting. One planner will be selected by the PC. A preliminary meeting is to be arranged with Link, Vey, a board member, another PC member, and whoever the PC chooses to bring in on January 26, to discuss the direction of the township.

Benak would rather see the PC get the recodification done and then move to the next process.

Lawson thinks the ordinance should be reviewed for conflicts first, before a planner is brought in. He stated recodification has been put on the back burner. None of the articles were reviewed in the last meeting. Nothing was accomplished other than discussing basic planning and a planner. A consensus was reached at the last minute that the PC needs to get more information about recodification.

Lawson mentioned the steps in the recodification process as shown in the documentation he received.

Popp stated anyone who has read the zoning ordinance should have a good idea why recodification will not work.

Goss stated she thinks the planning commission and the board should have the information about what recodification can do, and the planning commission should discuss the pros and cons of starting out with that process.

Popp stated we will revisit this conversation when the PC minutes in the Consent Calendar are discussed.

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

Parks & Recreation Administrator Goss gave the following report:

- A special meeting was held on November 30. It was a very productive three-hour meeting. The committee went through the DNR checklist again and found some things were still needed before the next step. The Draft Recreation Plan was revised at the meeting to add the action program and the goals met to each township-owned property in the inventory.
- The PC would like to keep the process moving in order to get the plan to the DNR by March 1.

Discussion followed regarding whether the plan has to be approved by the DNR by March 1.

### **Consent Calendar**

#### Receive and File

1. Supervisor's Report for November 2015
2. Clerk's Report for November 2015
3. Zoning Administrator's Report for November 2015 (none)
4. Fire Captain's November 2015 Activity Report (none)
5. Approved 10/07/2015 Planning Commission Regular Meeting Minutes
6. Approved 10/12/2015 Parks & Recreation Advisory Committee Minutes
7. Approved 10/14/2015 Historical Society Minutes
8. Approved 10/21/2015 Planning Commission Special Meeting Minutes
9. Approved 11/04/2015 Planning Commission Regular Meeting Minutes

#### Correspondence

1. Grand Traverse Rural Fire Department DRAFT 11/18/2015 Regular Meeting Minutes
2. Grand Traverse Rural Fire Department DRAFT 11/25/2015 Special Meeting Minutes

#### Minutes

1. Recommend approval of 11/10/2015 regular meeting minutes and 11/19/2015 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 40208 through 40277
2. Approval of First Community Bank Miami Beach voucher # 1171
3. Approval of First Community Bank WMDLS voucher #1027

Budget Amendments (none)

Revenue & Expenditure Report (none)

Regarding the statement in the Supervisor's Report that "the township expects a land division application in the near future" in the Chase v Hill matter, Goss inquired whether there is a deadline for the application.

Popp replied no.

Benak stated this is an appropriate matter to be discussed in closed session. This is a lawsuit against the township. They should be discussed in closed session as a board so we are all up to date. Benak stated she would have preferred to discuss the junk complaint in closed session because Jim Snider came to the township hall early the next day and was after the zoning administrator, who had not gotten direction yet from the board. Benak believes the Chase v Hill matter should be discussed in closed session, even for an update.

Goss agrees that a closed session at the next meeting is appropriate in order that the board can be updated on this matter.

Brief discussion followed as to when the closed session should occur and the necessity of a motion to be made to go into closed session.

**Motion by Benak, seconded by Lawson, that a closed session be added to the agenda for an update on the Chase v Hill legal matter.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Hubbell absent. Motion carried.**

A closed session was added as New Business #5.

Regarding the 10/07/2015 Planning Commission minutes, page 2, Popp first stated he does not like these minutes because we do not know who is saying what.

Benak stated she would also prefer to know who is speaking and we can request that of the recording secretary. Benak has requested it for the ZBA minutes.

There was board consensus that the planning commission minutes should reflect who is speaking. Popp will pass it along to MacLean.

Popp referred to two places in the minutes on page 2, the statement in the 11th line down under New Business and the entire paragraph which begins "Ask the Township Board."

Discussion followed.

Referring to the 10/12/2015 Parks & Recreation Advisory Committee minutes, under Old Business #2, Popp asked if the DNR inventory has been completed.

Goss replied no. Melton is to supply the document to Goss.

Referring to the 10/21/2015 Planning Commission special meeting minutes and the statement about the corridor and Village District being pressure points, Popp noted this is in conflict with the DNR's desire that development stay away from park areas, i.e., Hi Pray Park.

Discussion followed, including a debate about recodification versus a planner.

Popp stated that maybe, with board consensus, we take a look at the information Lawson gathers and put it on our agenda. Maybe we postpone the joint meeting and put this in its place.

Goss suggested there be a joint meeting where the planning commission and the township board get the recodification information and find out what this kind of service can do.

There was board consensus to forward the recodification information to everyone and put it on a township board agenda to further discuss.

It was agreed to hold off on re-noticing the January 26 meeting as a joint meeting until the PC and TB have reviewed the recodification information at their next meetings. After that, a final decision will be made as to whether there will be a joint meeting.

Brief discussion followed concerning planner attitudes, potential for commercial growth in Whitewater Township, and a downtown development authority.

Referring to the 11/18/2015 Rural Fire meeting minutes, page 7, Popp noted the mistake in the next meeting date for Rural Fire.

Referring to the 11/25/2015 Rural Fire meeting minutes, page 5, under Theo Weber's public comment, Popp noted Rural and Metro are talking to each other about mutual aid. Funds may have to be on deposit with Metro to cover the mutual aid, or if you are a member in good standing of Rural Fire, you may not need the funds on deposit. Metro has determined it is between \$4,000 and \$40,000 in cost per incident to provide mutual aid. Popp noted it will be very, very expensive for us in the near future.

Brief discussion followed concerning budget B and budget C. Budget C requires Green Lake to be in and revenue to be \$535,000 or \$585,000 from six townships. Green Lake is supposed to make a final decision and let the Rural Fire board know before the December 16 budget public hearing. If the Rural Fire board does not know Green Lake's decision by December 16, they will turn January 1, 2016, without an adopted budget. They have two weeks before the first bill or payroll is due.

Goss stated that no budget should be voted on until the Green Lake board has made their decision.

Benak stated it should not be voted on until Karen Rosa is gone. Contrary to the legal opinion stating she does not have a conflict of interest, Benak stated she most certainly does have one.

Brief discussion was held concerning the possibility of Whitewater Township having to operate its own fire department.

Audience member Tim Shaffer stated his concern is Green Lake having to give six months' notification to the Rural board. Waiting till December 31 is not six months' notification.

Popp stated Green Lake announced at the May meeting that they were leaving.

Shaffer also noted that the 11/19/2015 minutes state Rural Fire is moving to Paradise Township fire station. What will happen with the building on Vance Road?

Popp noted the Vance Road location was leased for \$1,800 a month. It should save about \$55,000 annually between lease, maintenance, fuel, and electricity.

Shaffer stated the minutes say the air truck will be stored at Whitewater Township. Where will it be put?

Popp stated he thinks Chief Weber was letting Green Lake and Long Lake know that Rural Fire will keep the equipment they want to keep and find homes for it. Popp stated Green Lake will not keep their water truck.

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

### **Unfinished Business**

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

Popp stated we are awaiting information.

Goss reminded Popp that the plan documents must be restated, according to Burnham & Flower. This should be put on the next agenda.

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

Popp stated we are awaiting information and he will talk to Vey soon for his input.

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

Goss stated that she has provided a copy of the original fire station plans to Dan Rudy (Direct Designs). She requested that he have something available to us by the first week in January.

Goss also noted she has obtained three quotes for portable office buildings and will bring the information to the board.

Brief discussion followed regarding other suggestions for living arrangements for ambulance personnel while the building is being renovated.

#### **Approval of Payments to Direct Designs (Capital Expenditure)**

Goss has supplied a memo and a proposed motion approving capital expenditure payments to Dan Rudy (Direct Designs) for renovation plans.

**Motion by Benak, seconded by Lawson, to approve payments to Direct Designs not to exceed \$3,000 for preparation of plans for the renovation/expansion of the fire/ambulance building at 8380 Old M-72.** There was no further discussion. **Roll call vote: Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

#### **Review Whitewater Township Recreation Plan 2016-2021**

The Parks & Recreation Advisory Committee has provided their final draft of the Recreation Plan to the township board for their comment.

The following changes were discussed and agreed upon by the board:

- On numbered page 3, Goals, paragraph number 1, modify the language to make it clear that it relates only to park land/publically owned land (township or state owned), not private property.
- Remove all embedded comments from the document's Word file.
- On numbered page 3, Goals, last bullet point, the phrase "as funding becomes available" should be added to the text.
- On numbered page 4, Goals, first bullet point, this paragraph should be removed.
- On numbered page 4, under Community Description, second line, take out the word "approximately" and change "public" to "recreational."
- On numbered page 8, last sentence under Transportation Systems, re-word the sentence to read as follows, "Cherry Capital Airport is only 15 minutes away and provides jet service to the Grand Traverse region."
- On numbered page 9, third paragraph under Current Funding Sources, second sentence, remove the words "from transfers." Re-word the next sentence to say, "There is minimal revenue from fees."
- On numbered page 11, third (?) paragraph, re-word as follows, "The Parks & Recreation Advisory Committee (PRAC) began to meet monthly to review and update the previous plan in early 2013."
- On numbered page 11, last paragraph, fifth line, change "capital improvements projects" to "capital improvement project list."

- On numbered page 11, last paragraph, fifth line, create a new paragraph after “capital improvement project list.” Re-word the first sentence of the new paragraph to read, “The PRAC has met on a monthly basis to continue the process and finalize a draft plan for Township Board approval.”
- On numbered page 11, last paragraph, in place of the dates, insert \_\_\_\_\_ until firm dates are established.
- On numbered page 20, Capital Improvements Schedule, number 12, modify the \$3,500 figure to a more realistic figure. (Surveying cost alone for Lossie Road Nature Trail was \$6,000, plus the cost of posts.)
- On numbered page 21, Appendix, list all maps together.
- Beginning on unnumbered page 27, Park Fund Budget Worksheet, all budget worksheets should be converted to a two-column spreadsheet, using Prior Year Actual figures for the first column and Amended Budget figures for the second column. Popp volunteered to generate these documents, perhaps adding color.
- On unnumbered page 31, Projected Change in Fund Balances, also convert this document to only reflect Park Fund and Recreation Fund information.
- On unnumbered page 33, Appendix #9, the Recreational Properties map, a new map should be generated with color shading of each Whitewater Township park. Each park should have a balloon indicating its name.
- On unnumbered page 35, Appendix #11, the 1895 Lossie Trail map, indicate the location of the trail on the map, perhaps with an overlay. If the trail cannot be located, the map should be deleted, or explain its value.
- On unnumbered page 39, Appendix #15, the Battle Creek Properties map, delete this map.
- On unnumbered page 40, Appendix #16, Battle Creek Natural Area map, is the “Existing Trail” referred to in the legend Lossie Road Nature Trail? If so, correct the location of Lossie Trail to show that it is no longer a double loop and does not have the dogleg to the south. The map should be zoomed out to show Cook Road. Change the legend to indicate that the “proposed trail” is now an existing trail, or use call-out boxes or labels to mark trails, parking, etc.

Popp recommends County GIS be approached for assistance with the map changes.

There was board consensus to default to Clerk Goss’s markup copy for all grammatical corrections.

Brief discussion followed. The PRAC will be advised to make these changes; this is what the township board wants, and new maps are coming. If approved by the PRAC, we can move on.

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

Popp stated it was decided at the previous meeting that this vehicle is no longer needed. Popp inquired if the board is giving him authority to hire someone to strip the decals, remove the red lenses, and get it ready for sale.

Discussion followed.

There was board consensus to prep the vehicle for sale, with agreement that it may be necessary to spend a little money to remove decals and replace lenses.

### **Review/Approve Whitewater Township Assessor Job Description as Revised 11/19/2015**

Due to the late hour, it was agreed that this agenda item will be moved to the January 12, 2016, agenda.

### **Review Bids/Award 2015 Snowplow Contract**

**Motion by Goss, seconded by Lawson, that the snowplow contract be awarded to 365 Outdoor.** There was no further discussion. **Roll call vote: Hubbell, absent; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

Popp interjected that he intended to recommend the appointment of Matt Lyons to the Planning Commission and did send out an additional email.

### **New Business**

#### **Appointments to ZBA – Ken Bowen, Kim Halstead**

Popp stated he is recommending a renewal of Ken Bowen's term on the ZBA.

**Motion by Lawson, seconded by Benak, to confirm the recommendation of the supervisor appointing Kenneth R. Bowen to a position on the Whitewater Township Zoning Board of Appeals, term to end on December 31, 2018.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Hubbell absent. Motion carried.**

Regarding the proposed appointment of Kim Halstead, Goss stated he called today to say he would not be here this evening, is not feeling well, but he wanted to thank everyone who has supported him for the ZBA; he really enjoys serving the community.

**Motion by Goss, seconded by Lawson, to confirm the recommendation of the supervisor appointing Kim D. Halstead to a position on the Whitewater Township Zoning Board of Appeals, term to end on December 31, 2018.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Hubbell absent. Motion carried.**

#### **Appointment to Planning Commission – Matt Lyons (added)**

Popp is recommending renewal of Matt Lyons' term on the Planning Commission.

**Motion by Lawson, seconded by Goss, to confirm the recommendation of the supervisor appointing Matt Lyons to a position on the Whitewater Township Planning Commission, term to end on December 31, 2018.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Hubbell absent. Motion carried.**

**Addition of Assessor Wage to Salary/Wage Schedule? Graded Wage Scale?**

Due to the late hour, it was agreed that this agenda item will be moved to the January 12, 2016, agenda.

**Budgeted Transfer – Recreation Fund**

Goss noted that this fund is in the red and no money has yet been transferred from the General Fund.

**Motion by Popp, seconded by Benak, to transfer \$18,000 from the General Fund to the Recreation Fund, as detailed in the 2015/2016 budget.** There was no further discussion. **Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, absent. Motion carried.**

**Resolution #15-17 In Support of Renaming the Traverse City Veterans Administration Clinic**

Popp stated he prepared a memo, but it is not in the packet. Essentially, the local Grand Traverse Veterans Coalition has been working with Congressman Benishek for a year and a half to get Colonel Crow's name on a new building. The building has not yet been built and Benishek is leaving office. The coalition would like to rename the existing building; if the new building is built, the name would follow to the new building.

Benak asked how we know there are no other veterans out there who are more worthy.

Popp stated he is the only Congressional Medal of Honor recipient from this area.

Brief discussion followed. It was agreed that this agenda item will be passed until January 12, 2016.

**Closed Session – Chase v Hill (added)**

Due to the late hour and the absence of Trustee Hubbell, it was agreed that this agenda item will be moved to the January 12, 2016, agenda.

**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**

Popp stated the meeting was awfully long, but there was good conversation about PC stuff. He apologized for a 3-1/2 hour meeting.

**Announcements**

Next meeting is January 12, 2016.

**Public Comment**

None

**Adjournment**

Motion by Goss, seconded by Lawson, to adjourn. Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk