

**Whitewater Township Board
Minutes of Regular Meeting held April 26, 2016**

Call to Order

Supervisor Popp called the meeting to order at 7:02 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: Tim Shaffer, Andrew Jeurink (arriving at 7:15 p.m.)

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment

None

Correspondence

None

Public Hearing

None

Reports/Presentations**Paul Olson (Municipal Underwriters of Michigan)**

Olson called to say the new policy is not ready. He will be added to the May 24 agenda.

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.

Review Emergency Services Building Renovations and RFP Progress

Popp referred to the e-mail string which prompted a conference call with Attorney Chris Patterson this morning. MCLs require either an architect or a registered engineer to oversee any public works project in excess of \$15,000. The architect or registered engineer has to be involved during the construction process. There will be a final signoff document by the engineer that it is constructed as drawn or as amended. A couple things were clarified on the RFP. It is no longer required by the State of Michigan, but our township policy requires anything over

\$20,000 to be advertised as a sealed bid. The attorney also recommended that we have an approved set of prints before we go out for proposal. Grand Traverse County does a rigorous review of construction plans. What happens if the print does not meet GT County specifications? We think the correct process is to get a complete set of prints, give them to the Zoning Administrator for his approval and issuance of Land Use Permit, take the copies to the county to get it approved, then go through the RFP business.

Scope of service was also discussed. Originally, it was the board's opinion that we could hire a general contractor to line up all the subcontractors. The MCL says no, the architect or registered engineer is supposed to do that. Patterson confirmed today that we can allow the general contractor to do those things, but the engineer still has to be involved in all steps of construction.

Regarding holding a walk-through or some type of on-site gathering for any contractor who wants to bid, there will be a sign-in sheet and it will be a mandatory walk-through so contractors can see what the building currently looks like and what might be required for demolition.

The issue of whether the extent of demolition will trigger a re-wire of the building was discussed. It was built in 1974. It is Romex but not NM-B. All those questions would likely be answered once Grand Traverse County provides an approved set of plans.

Goss noted that a performance guarantee will be in the request for bid. Patterson also stated the engineer will have to be involved in reviewing the bids.

Popp stated the engineer is interested in doing the work and would likely charge between two and three thousand dollars for the additional effort. Probably the next step is to get a couple sets of sealed plans from the engineer, get them to ZA Vey. Once Vey approves them, they would be sent to the county for approval. We will also likely have to get the health department out for soil borings to determine what size drain field is needed.

Regarding the land acquisition, Popp stated it has been approved through MDOT real estate. Now it is with the engineering side of railroad to see if they have any issues. No dollar amount has been discussed. They were not interested in a 99-year lease.

Property corners were recently re-marked at 8380 Old M-72. According to the surveyor, there was a change to the fire station property at some point in time. The location of the east property line is in question.

Popp will research the east property line.

Popp will also call Rudy to find out where his engineer is with completing the plans and whether he needs any further information.

Update on Junk Complaint

Vey has indicated he will have a full report for the 5/24 meeting.

Rural Fire Update

Popp stated this packet contained the complete Rural packet from 4/20. He urged the board to attend the Rural Fire meetings on a regular basis. At the 4/20 meeting, they met with two different consultants about organization of the fire department. They looked at staffing, money, and equipment. Internally, the fire department believes a stable funding source is their largest problem, although none of the board members could recall a time when they turned down a purchase recommended by the fire chief. The board did hire a new administrative assistant.

Noting some recent happenings in Peninsula Township, Goss stated she believes Public Act 57 is being pursued in order to establish full-time firefighter jobs with union wages and to establish Rural Fire as a taxing authority with the power to levy up to 20 mills.

Discussion followed.

Hazardous Tree Inventory RFP Review/Approval

Popp noted Attorney Patterson has made some changes to the document but may have missed a subtle point. Popp stated he thinks the board agreed we would bring in an arborist, who would create the detailed map and the list of trees, and the arborist would help us create a document for tree removal.

Consensus was reached that Popp's statement is correct.

Popp noted the Patterson letter changes that and the arborist becomes the removal person as well. Popp would like to keep those separate for verification of completion purposes.

Discussion followed.

It was agreed that the following changes will be made to the Hazardous Tree Inventory Agreement:

- Revise paragraph C to state the overall width of the inventory will be 30 feet, i.e., 15 feet either side of the trail.
- It is board consensus that it is just the 30-foot path that we are looking in for the trees, not the entire 255 acres.
- It is the board's intent that the arborist should map, describe, and mark the trees to be removed.
- Revise paragraph D to insert the word "inventoried" between "all" and "hazardous" in the first sentence.

Benak inquired about clear-cutting the 30-foot strip.

Discussion followed.

It was discussed that the trail and any buildings are the target areas.

Referring to paragraph E, the word "substantial" will be removed.

Paragraph D will also be revised to reflect that there will be an invitation to bid to the tree contractors.

The fee schedule will be revised to say one-half of the fees will be paid when the contract is signed, the other half when the work is certified to be complete by the arborist.

The section entitled Other Provisions was discussed but not revised.

On the Request for Proposal document, first sentence, there was board consensus that it is a clear statement and there is no ambiguity that the arborist is not performing the removal.

Moving to item 4) in the first numbered section, the words “execute the removal or pruning of hazardous trees or” will be removed. “Assist” will be the first word of this item.

Benak questioned item 7) in the second numbered section, the “Iran linked business” verbiage. This was briefly discussed.

Referring to item 5) in the first numbered section, the words “tree removal” will be inserted between “oversee” and “contractor.”

Referring to item 6) in the first numbered section, the words “substantial and” will be removed.

Benak inquired if we are inserting in the document that the arborist and the tree removal contractor cannot be the same person/firm.

Discussion followed.

Audience member Tim Shaffer suggested that it be worded: The winning arborist not to be the tree removal person.

It was agreed that the concern that the winning arborist not have a conflict of interest with the future tree removal company will be submitted to the attorney for his suggestions.

Going back to item 1) in the first section, the “100” will be replaced with “15 feet either side of the centerline of the trail.”

There was discussion of trees that may be further than 15 feet from the centerline of the trail but still threaten the trail.

Lawson suggested an impact zone be defined.

A definition of impact zone or target zone will be added. Trees will be considered hazardous if they could hit or threaten the impact or target zone.

Board consensus is that people will be 15 feet either side of the trail.

Popp will revise the documents and they will be sent to the attorney. Goss will review them one final time before they are published. They will not be brought back to the board.

New Business

Budgeted Transfers (Ambulance Replacement Fund Monies)

Goss provided a memo concerning the requested transfers. **Motion by Lawson, seconded by Hubbell, to transfer \$57,905.94 from the Ambulance Replacement Fund to the General Fund, as budgeted.** There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

Motion by Lawson, seconded by Goss, to transfer \$57,905.94 from the General Fund to the Ambulance Fund, as budgeted. There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

Approval of 2016 Park Rangers

Goss prepared a memo with information regarding the proposed 2016 park rangers. **Motion by Popp, seconded by Lawson, to approve Dan Belanger, Margaret Quast, Marguerite Kooistra, Haley Moll, and Brian Cobb as park rangers for the 2016 season.** There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

Tabled Items

Review Administrative Policy Section 5

This agenda item will remain tabled.

Rural Fire Station Lease

This agenda item will remain tabled.

Board Comments/Discussion

Goss informed the board of her upcoming surgery date and associated time off. Goss also informed the board of Deputy Clerk Hooper's temporary leave of absence during June, July, and August of this year and the fact that Hayley Walton will fill a temporary (13 week) deputy clerk position until Hooper returns. Two election workers will be brought in to handle all aspects of absent voter ballots for the August election.

Popp thanked the board for the nice flower arrangement for his wife's service and the time board members spent with his family.

Announcements

1. There is an election on 05/03/2016.
2. The next township board meeting is on 05/10/2016.

Public Comment

Tim Shaffer, 5309 Moore Road, stated it sounds like there might be more wood than benches; is the board planning to sell or harvest any of the wood?

Popp replied that the board will be better prepared to answer that question after the arborist does their inventory.

Adjournment

Motion by Lawson, seconded by Hubbell, to adjourn. Meeting adjourned at 8:59 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk