

**Whitewater Township Board
Minutes of Regular Meeting held May 10, 2016**

Call to Order/Pledge of Allegiance

Clerk Goss called the meeting to order at 7:01 p.m., in the absence of Supervisor Popp, 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

Board Members absent: Popp

Others present: County Commissioner Carol Crawford, Nick Bernelis from Mobile Medical Response, 4 others

Motion by Lawson, seconded by Benak, to appoint Goss as the chairperson for the meeting. At this point, Hubbell volunteered to chair the meeting.

Motion by Goss, seconded by Benak, to appoint Hubbell as the chairperson for the meeting. There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, absent. Motion carried.**

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

Goss will declare a conflict on approval of the temporary deputy clerk wage.

Public Comment

Vaughn Harshfield, 4404 N. Broomhead Road, stated in February he made a presentation to the board about four unfulfilled promises made by people running for office. Nothing has been done yet. This close to a new election he really does not expect anything to be done. There is an agenda item to appoint a temporary deputy clerk who happens to be related to Goss. There is no malice. He stated his point is this is nepotism at its best and it is a conflict from a campaign promise that was made four years ago. These jobs need to be posted. He stated if it was posted, he will sit down and be quiet. He cautioned the board on voting affirmative here. He thinks the nepotism is bad for the township. Look at the national election. The American people are mad at Washington and this is going to transfer into township governments when public officials do not do what they say they are going to do.

Tim Shaffer, 5309 Moore Rd, inquired why 3A2 is parked at the park.

Goss replied that the ambulance was moved from the township hall for the May 3rd election.

Public Hearing

None

Reports/Presentations/Announcements/Comments
County Board of Commissioners Report – See below.

County Road Commissioner Report - No one is present from the Road Commission.

Mobile Medical Response Report

Nick Bernelis gave the following report:

- The unit was requested 17 times in April. Fifteen patients were transported. Bernelis listed the nature of the calls.
- Response times for April: 82% for 12 minutes 59 seconds, which is within the contractual agreement. There was one response at 13:00 to 13:59 minutes; the caller gave the wrong address. For the 15:00 to 15:59 minute response time, the unit responded into Elk Rapids.
- Since January 1, 2016, there is 94% compliance on response times.

Hubbell inquired what happened when his dad was transported a few weeks ago. They went down Elk Lake Road instead of over to U.S. 31.

Bernelis explained that an EMT out of Crawford County was on the call; it was his first shift here. He followed the Garmin, which took him down Elk Lake Road.

County Board of Commissioner Report

Carol Crawford gave the following report:

- She will be our county commissioner for the next two years; she is running again and unopposed.
- The BOC made some changes to employee benefits last week. One was to raise the employee share of healthcare benefits to 20% of the premium. That starts 1/1. We are going to offer a lower price alternative. We are also going to go out for bid and see what we can do. We pay a lot for the health insurance.
- The BOC decided to raise the pension cost for nonunionized employees to 10% of their salary, which is effectively a 10% pay cut. It was imposed on 11 people. They may choose to do that for 77 other people. These are people who have never contributed to their pensions. When they were hired, it was not a requirement. That will begin 1/1.
- The first measure will save \$625,000 per year. The second measure, for the pensions, it is hard to say. That money will go directly toward the \$53 million liability. It may make certain people retire earlier than they probably would.

Discussion followed regarding the vote to cut the commissioner pay, which cannot be implemented during the current terms. Crawford noted the new commissioners can raise their salary anytime they want. Crawford noted that the four who voted to cut the salary to \$1 are all opposed.

Planning Commission Report

Lloyd Lawson gave the following report:

- The meeting was last Wednesday, the 4th. The PC had to go through and basically reapprove a site plan that has been out there for a few years for Renee's Quilting. It was

reapplied for in 2011. The PC had to discuss whether it should be revoked. The PC can revoke it after 365 days. However, the PC reapproved it.

- The PC had some really good discussion on private roads. They have some things they would like to have looked up. The first one is International Fire Code (IFC) standards. The PC would like to see any minutes or documents pertaining to adoption of those standards by the township. PC would also like to review National Fire Protection Association (NFPA) specifications on the roads regarding widths, turning radiuses, etc. The PC went into the legal definitions of private roads and private drives.
- Lawson highly recommends that the board read the minutes of the 5/4 meeting when they come out. Lawson feels it was a good meeting; a lot of ground was covered.
- The next meeting is first Wednesday of next month.

Parks & Recreation Advisory Committee Report

Cheryl Goss gave the following report:

- She attended the PRAC meeting last night. Chairperson Melton was not able to be there. Hubbell chaired the meeting.
- The PRAC discussed funds that might be available in the park budget for playground equipment. They agreed to have their next meeting at Whitewater Township Park to check out the existing playground equipment, the size of each area, and to also look at replacing benches on the nature trails and what options are available to replace the pit toilets.
- The Recreation Plan has not yet been approved by the DNR. The PRAC is looking at other grant opportunities.

Benak requested that signs be put up at Hi Pray Park for dog walkers indicating the need to pick up after their pets.

Goss replied that Elk Rapids put up posts with bags a few years back.

Lawson suggested that dogs may be restricted to a certain area and that this topic be referred to the PRAC for evaluation.

Consent Calendar

Receive and File

1. Supervisor's Report for April 2016 (none)
2. Clerk's Report for April 2016
3. Zoning Administrator's Report for April 2016 (none)
4. Grand Traverse Rural Fire Chief's Activity Report (none)
5. Mobile Medical Response April 2016 Activity Reports
6. Approved 02/03/2016 Planning Commission Minutes
7. Approved 02/08/2016 Parks & Recreation Advisory Committee Minutes
8. Approved 02/22/2016 Parks & Recreation Advisory Committee Minutes
9. Approved 03/09/2016 Historical Society Minutes
10. Approved 03/14/2016 Parks & Recreation Advisory Committee Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for April 2016

2. Grand Traverse Rural Fire Department DRAFT Minutes (none)

Minutes

1. Recommend approval of 04/12/2016 and 04/26/2016 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank voucher #s 40580 through 40642
2. Approval of First Community Bank Miami Beach voucher # 1176
3. Approval of First Community Bank WMDLS voucher # (none)

Budget Amendments (none)

Revenue & Expenditure Report (none)

Motion by Lawson, seconded by Benak, to approve the Consent Calendar as presented.

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

Review Emergency Services Building Renovations

Goss stated the surveyor who marked the corners has been given additional documents. The original deed for Cedar Rapids Cemetery has been obtained. A copy of the deed, as well as some intervening documents, have been given to the surveyor to clarify once and for all where the east property line is for 8380 Old M-72.

Goss noted she called Dan Rudy earlier today to inquire if clarification of the east property line was the only thing holding up the site plan and if his engineer had finished the drawings. As of the end of day, a return call has not been received.

Brief discussion followed.

Rural Fire Update

None.

Review Graded Wage Scale

The packet contains the Graded Wage Scale Approved 03/17/2016 (with the change of park ranger wages). At the 03/29/2016 board meeting, the board approved a list of guidelines to be added to the document describing how the document would be applied. Language regarding experience level and its effect on the Graded Wage Scale was discussed on 3/29 but not finalized. Suggested language is listed at the bottom of the document.

Discussion followed.

Motion by Benak, seconded by Lawson, to add the first sentence as #11, i.e., the board reserves the right to start an employee anywhere on the graded wage scale based on experience.” Goss suggested the language be added as #9 and move the existing 9 and 10 down.

Goss read the motion: **Motion by Benak, seconded by Lawson, to add the following sentence to the document as #9, “The board reserves the right to start an employee anywhere on the Graded Wage Scale based on experience.”** There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Popp absent. Motion carried.**

Goss noted that with the elimination of the Park Ranger II line, no wage is now shown for Medical First Responder.

It was agreed that “Medical First Responder” will be moved up to the Grade III line and the wages as listed previously will be added back to the document.

New Business

Appointment of Parks & Recreation Advisory Committee Alternate

Hubbell noted that Popp is recommending Charles Decker of 5589 Millbrook Drive, Williamsburg, Michigan, as an alternate member position on the Whitewater Township Parks & Recreation Advisory Committee. Term will end on 12/31/2018.

Motion by Lawson, seconded by Goss, to confirm the recommendation of the supervisor appointing Charles Decker to a 3-year Alternate Member position on the Whitewater Township Parks & Recreation Advisory Committee; the term will end on 12/31/2018.

Benak inquired if Decker is gone to Florida in the winter. Goss stated, from what she knows, he is here most of the time. **On voice vote, all those present voted in favor, none opposed, Popp absent. Motion carried.**

Approval of Wage for Temporary Deputy Clerk

Goss responded to the earlier comments of Vaughn Harshfield, stating that she checked with the MTA regarding wife/husband clerk/deputy clerk situations. It does occur. Goss noted that the appointment of her daughter is extremely temporary, 12-13 weeks, and stated it is very difficult to find someone to come in and work 12-16 hours per week for such a short period of time. The job requires someone with a high degree of computer skills who is able to be trained quickly.

Benak commented that she has always been told that the deputies serve at the elected official’s pleasure. We pick who our deputies are going to be. It is not a requirement that we advertise for it. In charter townships, they do. Benak stated she does not have a problem with it. If we were talking about an administrative position, like an office secretary or an office administrator, then it would need to be posted. Benak stated she does not want to be limited on who her deputy is going to be in a pinch because they are related to her. It is hard to find somebody for a very short period of time.

Goss further stated that Hayley will not be handling absentee ballots for the August election. Two election workers will be brought in to handle all facets of issuing/checking in ballots.

Hubbell stated, given the circumstances, the other deputy is only going to be gone temporarily. We all know, if we own our own businesses, how hard it is to get somebody to work for us. The public comment is well received, but in this situation, he thinks the way they explained it shed a little more light.

Motion by Hubbell, seconded by Benak, to approve \$12 an hour for the wage of Hayley Walton during the term of the temporary deputy clerk. There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, absent; Benak, yes; Goss, abstain. Motion carried.**

Closed Session to Discuss Attorney Patterson’s Opinion re: Chase v Hill

Hubbell stated we have to go into closed session to discuss the Attorney Patterson opinion.

Goss noted the motion must state the reason for going into closed session and requires a 2/3 vote.

Motion by Goss, seconded by Lawson, to enter into closed session to discuss the May 4, 2016, township attorney opinion in the matter of Chase v Hill. Goss noted that only the opinion can be discussed. **Roll call vote: Lawson, yes; Popp, absent; Benak, yes; Goss, yes; Hubbell, yes. Motion carried.**

Meeting recessed to closed session at 7:53 p.m.

Meeting reconvened in open session at 8:10 p.m.

Chase v Hill – Authorize Supervisor to Sign Release of Restrictive Covenants and Agreement Terminating Condominium Project

Motion by Lawson, seconded by Benak, to authorize the Township Supervisor to execute the Whitewater Township Consent to Agreement Terminating and Releasing Restrictive Covenants regarding the lawsuit brought by Chase Bank against the Township that is currently pending in Grand Traverse County Circuit Court and to direct the Township Attorney to execute any pleadings to finalize the settlement and dismiss this lawsuit. There was no further discussion. **Roll call vote: Popp, absent; Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes. Motion carried.**

Tabled Items

Review Administrative Policy Section 5 (tabled 10/14/2014)

This agenda item was not discussed.

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

This agenda item was not discussed.

Board Comments/Discussion

Benak reported that last Saturday the Williamsburg Auxiliary put on an appreciation dinner for past and present firefighters and EMS. They had 65 members show up. Jerry Dittrich came. Older guys told a lot of stories. Younger guys were in awe. Chief Weber came. They sent out invitations with RSVPs, made a few personal phone calls. They did a great job decorating. It

turned out really well. Jim Wilson said they have never received recognition like that in all the years he was on the fire department. Benak noted that she started a Facebook page for the auxiliary and a lot of this stuff is on there. Jeremy Jennett did a slide show with a lot of older pictures of firemen in the township. They talked a lot about the gas eruption that happened here. Tim Shaffer was down here helping, before he was on the department. They will try to make it an annual thing. Tim Arbenowske was not able to make it, but there was an awesome picture of him walking away from a fire, in all his garb, and huge flames up behind him.

Also, Arbenowske and Renee Savage are being recognized for outstanding citizens and business person in our community at the Shining Star Awards in Elk Rapids on Thursday.

Lawson commented about the Planning Commission and what they are going through on the private road stuff. He stated he found another Attorney General opinion and will send it to the board, because eventually a lot of this decision making is going to come to the board. He urged the board to read the meeting minutes.

Brief discussion followed concerning private roads/driveways.

Goss reminded the board of her upcoming time off and that she will miss the May 24 meeting. Cheri Tuller will be here as the recording secretary. Goss stated she will be checking her e-mail and phone messages. Terese will be here 1-1/2 to 2 days a week.

Hubbell provided information about some recent breaking and enterings within the township, including from cars. There are 4 or 5 running around. Spread the word; lock your doors.

Announcements

Next township board meeting is May 24th.

Public Comment

None

Adjournment

Motion by Lawson, seconded by Benak, to adjourn. On voice vote, all those present voted in favor, none opposed, Popp absent. Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk