

Whitewater Township Board
Minutes of Regular Meeting held September 13, 2016

Call to Order/Pledge of Allegiance

Popp called the meeting to order at 7:02 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, Hubbell, Lawson, Popp

Board Members absent: None

Others present: 7 others

Set/Adjust Meeting Agenda

Popp stated he would like to add discussion of zoning administrator.

Added as New Business #7.

Declaration of Conflict of Interest

None

Public Comment

Tim Shaffer, 5309 Moore Road, asked that the public have a chance to ask questions in regard to correspondence #3, letter from East Bay Township regarding Master Plan/Future Land Use Map. He also is curious about New Business #6, emergency services MTA education, wondering if the public can come in on that.

Popp noted East Bay Township is required to send us notice of intent to change their plan. It likely does not affect us. The issue is the change in zoning of a parcel on the corner of Townline and Hammond Roads.

Popp also asked the public to raise their hands if they have a question about anything on the agenda.

Public Hearing

None

Reports/Presentations/Announcements/Comments

County Board of Commissioners Report – Carol Crawford is not currently present. See Page 2763 for her report.

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

Mobile Medical Response Report

Nick Bernelis gave the following report:

- There were 15 calls for the month of August. Nature of calls was described.

- Fractile response times for the 12:00 to 12:59 minute response were at 94%. There was one call in the 16-minute range. A road sign was left down, which extended the response time.
- For the year (January 1 to August 31), they are at 91% for the contractual call time.
- There have been 119 total calls for the year. The busiest month was July with 21 calls.

The Request Count by Month document was briefly discussed.

Regarding lifting requirements, Bernelis reported that MMR personnel have to lift 150 pounds to knee level. It is a full agility test done by Occupational Health.

Bernelis noted the Acme Fall Festival is on September 24th. MMR will make a presence there for four hours. North Flight will also be there.

Planning Commission Report

Lloyd Lawson gave the following report:

- Meeting was last Wednesday. Two members were absent.
- Lawson passed on the information about getting ZBA information to the PC. There was talk that Vey would help to get that to the PC, but things are changing there. The PC would like a summary of what issues are coming to the ZBA.

Brief discussion followed. Audience member Kim Halstead commented that one of the biggest things the ZBA addresses is accessory structures. The township has a rule that there is no outside storage, but then they do not let anybody build a building without a house on the parcel.

- The PC discussed land splits, easements. General consensus among most of the members is that the current private road ordinance is too harsh. Dean had a couple ideas that were pretty good.
- The meeting went too long. Link was not listening to the other members, kept trying to re-explain the same issue over and over again.

Goss stated she reviewed the 10/14/2014 minutes where the motion was made placing the private road ordinance on the PC agenda. The motion directed the PC to develop road standards for insertion into the Zoning Ordinance. Goss acknowledged she has not been attending the PC meetings but has been told the discussion at those meetings is going in circles related to the private road ordinance.

Discussion followed regarding the Planning Commission chairperson directing questions to the township attorney.

Goss requested that she be forwarded all emails between Link and any attorney, and also would ask that Link cease communicating with the attorney; he has no authority to expend money on behalf of the township.

In response to Lawson asking if there was an attorney response, Popp replied yes.

Lawson stated he has the questions but did not get the response.

Parks & Recreation Advisory Committee Report

Cheryl Goss gave the following report:

- The PRAC met last night. All members were there, including the alternate member.
- Chuck Decker contacted five different playground equipment companies and prepared two proposals for the PRAC, one from Miracle Playground Equipment and one from Burke Playground Equipment. This information is for playground equipment for Whitewater Township Park. Chuck also inspected the playground equipment at Hi Pray Park and made recommendations. There was a lot of discussion about playground equipment. The committee seemed to want to get more information.
- Regarding the issue of replacement of the pit toilets at Whitewater Township Park, Goss provided a preliminary design developed by Arrow Homes for a 10x26 building. They can quote it in either prefab or concrete but would like to have the design approved before doing so. The PRAC will review it between now and the next meeting.
- PRAC wants to know what the available balance is in the Recreation Fund. Goss will get that information for them.
- The PRAC would like to see the Hi Pray Park and Whitewater Township Park signs replaced. Goss has received one sign proposal and will follow the committee's recommendation to contact Day Signs.
- Melton will forward to all PRAC members the playground equipment information previously provided by Benak.
- As requested by Popp, the PRAC discussed the value of the property for sale adjacent to Hi Pray Park and will respond.

Brief discussion followed.

Consent Calendar

Receive and File

1. Supervisor's Report for August 2016
2. Clerk's Report for August/September 2016
3. Zoning Administrator's Report for August 2016 (not available)
4. Mobile Medical Response August 2016 Activity Reports
5. Treasurer's Reports July 31, 2016
6. Approved 07/11/2016 Parks & Recreation Advisory Committee minutes
7. Approved 07/13/2016 Historical Society Minutes
8. Approved 08/03/2016 Planning Commission Minutes

Correspondence

1. Memo 08/24/2016 Grand Traverse County Sheriff Department re: Township Stats
2. Grand Traverse Rural Fire Board DRAFT Minutes of 07/20/2016
3. Letter 08/09/2016 East Bay Charter Township re: Amendment to East Bay Township Master Plan/Future Land Use Map
4. Letter 08/26/2016 Charter Communications re: New Channel Addition

Minutes

1. Recommend approval 08/09/2016 regular meeting minutes and 08/16/2016 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank voucher #s 40920 through 41084
2. Approval of First Community Bank Miami Beach voucher #s 1179 through 1180
3. Approval of First Community Bank WMDLS voucher # (none)

Budget Amendments (none)

Revenue & Expenditure Report (none)

In response to questions from Goss related to the Supervisor Report, Popp explained “non-responding administrative staff,” the subject of Popp’s “dialogue with supervisors elect of Elk Rapids and Milton townships,” and the four entities who have been offered ambulance 3A surplus inventory.

Motion by Hubbell, second by Lawson, to approve the Consent Calendar as presented.

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

Unfinished Business

Review Ordinance 22 Pension Plan

This agenda item will remain on the Unfinished Business portion of the agenda.

Review Whitewater Township Planning & Zoning Fees

This agenda item will remain on the Unfinished Business portion of the agenda.

Review Emergency Services Building Renovations

Popp provided a memo update.

Lawson stated a PC member has asked for an update and asked if anything has been posted.

Goss will post the sealed drawings on the website.

Popp will email information to Pat Miller.

Regarding the perc test, Popp reported that the test was completed last Thursday or Friday; we are waiting for the written report. They did sample borings with hand augers and found suitable soil in proposed location A. It has been moved into a construction permit. We have the engineered prints. As soon as the land use permit is issued, we can forward to Construction Code. As soon as Construction Code approves the plans, we would circulate those plans for bids.

Relative to Popp’s concern at the last meeting whether the engineer was going to oversee the project, Goss noted today’s email from Dan Rudy referencing Rudy’s request of the engineer to quote his fee to oversee the project.

Rural Fire Update

Popp stated this topic was already covered (under Consent Calendar).

New Business

Resolution #16-13 Alden State Bank Corporate Authorization Resolution

Motion by Hubbell, second by Lawson, to adopt Resolution #16-13, Alden State Bank Corporate Authorization Resolution. There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Resolution adopted.**

Resolution #16-14 First Community Bank Designation of Authorized Signers

Motion by Goss, second by Benak, to adopt Resolution #16-14, First Community Bank Designation of Authorized Signers. There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Resolution adopted.**

Resolution #16-15 Request for 2017 Repairs to Baggs Road – Kalkaska County Road Commission and Grand Traverse County Road Commission

Goss noted the agreement names Kalkaska County Road Commission, Clearwater Township, Grand Traverse County Road Commission, and Whitewater Township as equal funding members of the agreement. Goss stated she is reluctant to agree to this until we know what our equal share is.

Popp stated the resolution does not ask for us to enter into the contract. It asks for the two road commissions to follow paragraph 5 of the 1992 County Line Road Agreement. It has to be designed. Popp explained each road commission's idea of how the repair should be done. The resolution is requesting that the two road commissions come together on a plan that all four entities can be a member of.

Benak questioned why a resolution is necessary and how Whitewater's resolution will motivate the other three entities.

Discussion followed.

Lawson stated Kalkaska County has been collecting funds for that road for a long time and have not put any into the road. Maybe a larger part of the burden should be theirs.

Benak stated she is not comfortable with a resolution with the words "equal funding members" when we do not know what the project is going to cost.

Hubbell inquired if anyone has looked at the different number of parcels in each township and what they would be responsible for.

Popp stated there are 120 total parcels, with Clearwater having slightly more parcels and more in taxable value by about \$1.5 million.

Hubbell stated we are not going to be liable for any money (by adopting this resolution). We are just trying to get the ball rolling.

Goss suggested that those people present who use the road be asked if they want to say anything.

Leon Clement, 7900 Baggs Road, stated he bought out here in 1984. Taxes have gone up every year. The road has been tarvied from the corner down to the boat ramp. Grand Traverse did not tear everything out of the road. They just went over what was there and it has held up for 26, 27, 28 years. It held up pretty good considering the boat traffic. When Grand Traverse says they want to do it right, they did not do it right when they did it. Right now, we need help. Anything that can be done we appreciate.

Shelly McElwee, 8016 Lakeside Trail, stated she thanks Ron for the work he has done on their behalf to try and get things rolling. She attended the Clearwater Township meeting when they agreed to put Baggs Road on their list of roads they would pay attention to if their millage passed. There were 40 or 50 residents from Clearwater Township there. She stated she can assure us that the residents of Whitewater Township are just as concerned and at their wits' end of how to get the two road commissions to work together. The resolution seems like a good way of trying to force them to work together to do something, because it is really a mess and the patching probably lasts a day or two and then it is a mess again. She would appreciate anything the board can do to get them all to work together to fix the road. She really would like to see more pressure on the state to put some money in, too, because of the boat launch. It really should be a recreational launch because it is used for winter sports, too. All those trailers contribute to the deterioration of the road.

Goss stated that she totally supports getting the road fixed but wants to make sure there are no surprises regarding how much we would have to come up with.

Motion by Popp, second by Hubbell, to adopt Resolution #16-15, Request for 2017 Repairs to Baggs Road. Benak asked if the resolution was run through the attorney. Popp replied no. Lawson inquired if there would be an edit on the financial responsibility. Popp said it will stay just the way it is. There was no further discussion. **Roll call vote: Lawson, yes; Popp, yes; Benak, no; Goss, no; Hubbell, yes. Resolution adopted.**

General Ordinance No. 28 – Whitewater Township Sewage Disposal System – Miami Beach Rate Ordinance

Popp stated the question is how much money is left over in the Miami Beach special assessment district. Treasurer Benak has answered the question and we have documents indicating the amount left over. There is a question as to how we return the money.

Benak noted the township's obligation to collect from the taxpayers for this special assessment is done. However, that does not mean the township's obligation to the sewer system is done.

There was lengthy board discussion regarding the details of how the Miami Beach Special Assessment District was set up.

Township resident Juanita Pierce was present and participated in the discussion.

Popp asked if we should call a meeting of the Miami Beach association to see where they want to go before we say there is residual money.

Discussion followed.

Hubbell agreed with the idea to get everybody together.

Benak stated she would also like the township's legal counsel to weigh in on this. There is a special assessment book on how it was set up, as well as the ordinance. Benak would like more time to study it before we have a meeting.

Popp stated we will get our questions answered; each board member should be a little more familiar with Ordinance 28; he will work closely with Benak and Goss; we will get legal involved. We also need to get input from DPW; are they aware of Ordinance 28.

Pierce stated they are not metered right now for usage. Also, at the time they went through the process, Elmer's had purchased a pump in case the electricity went out, a generator pump, and it was supposed to be used for Miami Beach only. She does not know where the pump is, but it should come back to the township.

Popp noted the consensus is we move forward, get the DPW involved, learn a little more about it. He asked Pierce to share any other information so that an emergency plan can be put together.

Benak stated it would solve a lot of problems if people in office would leave a roadmap as to things they have done.

Popp noted the county commissioner is here.

County Commissioner Carol Crawford gave the following report:

- There has not been a whole lot going on at the county.
- The fundraising efforts by the parks and rec department for a playground at the civic center were very successful. They got more than \$50,000 for matching. They are going to start construction soon.
- They also revisited and approved the receipt of a \$700,000 DEQ loan for 124 West Front Street. If we receive the loan, it will be paid back with brownfield funds. Then the developer can get the site cleaned up and developed, and then will sell the parcel across the street to the city for a parking structure.
- They voted to expand their use of the Economic Development Corporation board by adding a couple new citizens and a county commissioner. The purpose of the board is to promote economic development, see if we can get more businesses in here. Tourism is wonderful, but it does not increase the tax base.

Brief discussion followed regarding the new Costco store and a Lucky grocery store.

Chief Weber's Evaluation Form

Popp stated he sent the form to the personnel at Station 3 and received a response email from Tim Arbenowske today. The email was read aloud by Popp.

Popp stated this form is what the chairman of the Rural Board came up with to rate or evaluate Chief Weber. Popp states it is really for a department head who is evaluating a person below them.

Discussion followed.

Benak and Lawson did not think the form was appropriate to evaluate Chief Weber.

Goss asked why the evaluation was undertaken.

Popp stated the chief felt he should have an evaluation after 2-1/2 years of service. Chairman Trudell agreed. Popp stated he was not asked to go out to the firemen; that was his decision.

It was mentioned that most of the members of the Whitewater Township Board do not see Chief Weber often enough to be able to answer the questions on the form.

Consensus was reached that the form is not suitable for an evaluation of Chief Weber by the township board. Popp stated he will fill out the 2 or 3 he feels capable of filling out.

Benak stated it is not a bad idea for them to do a survey at the boots level, with the firemen, and it should be anonymous.

Township resident Tim Shaffer stated he agrees with the board that the format is all wrong and it should have been done differently. Chairman Trudell should have his hand slapped for that kind of form. It is inadequate and degrading of the firemen, the fire chief, and the board.

Emerging Issues in Emergency Services

Referring to the brochure in the packet, Popp stated this may be good training and he plans to go.

Benak said it should be presented at the Rural Fire Board meeting and that they all take the class.

Brief discussion followed.

Discussion of Zoning Administrator (added)

Josh Vey's resignation was tendered last Friday and he indicated that he would try and finish some things up for us. Popp said he cannot take on anymore right now.

Discussion followed concerning posting the job and asking someone to help on an interim basis.

Benak suggested the job be posted on the MTA website also.

Hubbell stated if you want to have a ZA stay here and have a good one, you better be willing to pay for one.

At Hubbell's suggestion, Popp will contact the Milton Township zoning administrator.

Tabled Items

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

This agenda item will remain tabled.

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

This agenda item will remain tabled.

Board Comments/Discussion

None

Announcements

Next meeting date is September 27, 2016.

Public Comment

None

Adjournment

Motion by Lawson, second by Hubbell, to adjourn. Meeting adjourned at 9:32 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk