

**Whitewater Township Board
Minutes of Regular Meeting held March 28, 2017**

Call to Order

Popp called the meeting to order at 7:00 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: Dave Tilley, Vaughn Harshfield, Eric Arbenowske, Tim Arbenowske

Set/Adjust Meeting Agenda

Goss stated she would like to add Zoning Ordinance Amendment No. 68. (Added as Unfinished Business #5)

Goss would also like to add discussion of Rural Fire and the letter from Fife Lake Township. (Added as New Business #1 to accommodate fire personnel in attendance)

Declaration of Conflict of Interest

None

Public Comment

None

Popp advised members of the public that there is a sign-in sheet available.

Correspondence

None

Public Hearings

2017/2018 Fire Special Assessment District Budget

Popp opened the public hearing on the Fire Special Assessment District budget at 7:03 p.m. and stated the following:

- The public hearing notices for this assessment district were published in the Traverse City Record-Eagle on March 12, 2017, and in the Elk Rapids News on March 16, 2017.
- The property tax millage rate proposed to be levied to support the proposed fire special assessment district is 1 mill.
- Referencing the Fire Fund budget document, proposed revenues are \$199,200. Proposed expenditures are \$186,158, leaving an additional fund balance of \$13,042.
- No written comments have been received.
- Is there any public comment on the Fire Special Assessment District?

There was no public comment.

Popp closed the public hearing at 7:06 p.m.

2017/2018 Ambulance Millage Budget

Popp opened the public hearing on the Ambulance Millage Budget at 7:06 p.m. and stated the following:

- This public hearing notice was published in the Traverse City Record-Eagle on March 12, 2017, and in the Elk Rapids News on March 16, 2017.
- The property tax millage rate proposed to be levied to support the proposed ambulance millage budget is 1.5 mills, reduced by Headlee, MCL 211.34d, to an estimated 1.4991 mills.
- Property taxes are slated to generate around \$280,000, rent and other revenue equals \$10,000, and a transfer from the General Fund of \$125,000, for total revenue of \$415,200. Proposed total expenditures are \$473,300. We will be using \$58,100 of existing fund balance. \$133,000 of the expenditures are slated for half of the renovations at 8380 Old M-72.
- No written comments have been received.
- Is there any comment from the public?

Vaughn Harshfield inquired if it was the same millage as last year, to which Popp responded that it was actually lowered slightly.

Tim Arbenowske inquired if the capital expenditures in line item 970 are for the addition to the building, to which Popp replied affirmatively.

There were no additional comments or questions.

Popp closed the public hearing at 7:10 p.m.

2017/2018 General Fund Budget and all other Township Budgets

Popp opened the public hearing on the General Fund Budget and all other Township Budgets at 7:11 p.m. and stated the following:

- This public hearing notice was published in the Traverse City Record-Eagle on March 12, 2017, and in the Elk Rapids News on March 16, 2017.
- The property tax millage rate proposed to be levied to support the proposed General Fund Budget and all other Township Budgets is 1 mill, reduced by Headlee to 0.6016 mills.
- General Fund: Proposed revenue from property taxes is \$118,600. State revenue sharing is approximately \$199,349. With all other incidental revenues, the total projected revenue is \$473,799. Transfers out to other funds, line item 999, is \$16,000 for street lights/gravel roads, \$100,000 to the Road Repair/Replacement Fund, \$42,000 to the Recreation Fund, and \$125,000 to the Ambulance Fund. Total budgeted expenditures for 2017/2018 in the General Fund are \$687,111. Of that, we will be using \$213,312 of fund balance.
- No written comments were received.
- Is there any public comment?

There were no comments or questions on the General Fund budget.

Moving to the Road Fund, Popp noted that anticipated revenues will be \$22,405, estimated expenditures of \$22,000, leaving \$405 for fund balance. Popp inquired if there were any questions from the public.

There were no comments or questions on the Road Fund budget.

Moving to the Road Repair/Replacement Fund, Popp noted that estimated revenues, including the transfer from the General Fund, is \$100,005. Anticipated expenditures are \$222,000, using \$121,995 from fund balance. Notable repairs include \$114,000 for Baggs Road, but we have confirmation of a lower number than that. The road commission is anticipating some additional work on Baggs Road after the intersection of Hoiles Drive and Lakeside Trail; we have potentially set aside approximately \$83,000 for that. That project has not been bid nor supported by the board at this time. Popp inquired if there were any questions.

There were no comments or questions on the Road Repair/Replacement Fund budget.

Moving to the Park Fund, Popp noted that we anticipate generating \$92,000 from camping fees and an additional \$10,000 from boat ramp fees. Total projected revenue is \$117,550. Notable plans include setting aside \$100,000 for a flush toilet facility at the boat launch/pavilion area, replacing the current pit toilets. Total budgeted expenditures are \$230,072. We will use \$112,522 from fund balance. Popp inquired if there were any questions from the public on the Park Fund.

There were no comments or questions on the Park Fund budget.

Moving to the Recreation Fund, Popp noted that this fund gets the majority, if not all, of its revenue from the General Fund. We are anticipating \$42,150 in revenue for this fund. Expenditures of note in the 2017/2018 budget are installation of playground equipment at Hi Pray Park, construction of a viewing platform near the lake at Battle Creek Natural Area, proposed benches near the basketball and tennis courts, and a tennis court backboard. As a contingency item, the board has discussed trail maintenance for the trails that were recently opened up after the August 2015 storm. Total budgeted expenditures are \$40,948, leaving \$1,202 for the fund balance. Popp inquired if there were any questions or comments.

There were no comments or questions on the Recreation Fund budget.

Moving to the Ambulance Replacement Fund, Popp noted that no revenue is anticipated for this budget year, no expenditures are anticipated for this budget year, and we are projecting a zero change in fund balance. Popp inquired if there were any questions on this fund.

There were no comments or questions on the Ambulance Replacement Fund budget.

Moving to the Public Improvement Fund, Popp noted we are anticipating no revenues for 2017/2018 and no expenditures. The fund should have a zero change in fund balance. Popp inquired if there were any comments.

There were no comments or questions on the Public Improvement Fund budget.

Moving to the Fire Capital Improvement Fund, Popp noted we are projecting \$300 in revenue, gained primarily from interest. We are budgeting \$133,000 in total expenditures, using \$132,700 from existing fund balance. Notable expenditures are \$133,000 for 50% of the renovations at 8380 Old M-72. Popp inquired if there were any public comments.

There were no comments or questions on the Fire Capital Improvement Fund budget.

Popp closed the public hearing on the General Fund and other Township Budgets at 7:27 p.m.

Popp inquired of board members if there were any questions, comments, or concerns about the budgets just discussed.

Regarding the Park Fund, Goss briefly reviewed information having to do with credit card processing fees. Currently, those fees are posted to the 740 operating expense line item, but Goss would like to add line item 749 in the Park Fund to track credit card processing fees separately, and move \$3,000 from line item 740 to line item 749, leaving \$6,000 in line item 740. The bottom line in this fund would not change.

Lawson stated it would be a good idea to itemize it out and know what you are spending on it.

There were no other comments from board members concerning the budget.

Reports/Presentations

None

Unfinished Business

Emergency Services Building Renovation/Addition Project

Goss provided updates as follows:

- Met with Charlie Kitchen today regarding taking the trees out behind the station. He said someone with a bucket truck would have to do it because the trees are going to have to come down in sections. Does the board want to put out a bid for that? Goss has called Bob Rauch but has not heard back yet. If the cost reaches \$20,000, sealed bids would be required.
- Attorney Chris Patterson has provided the contract for the licensed engineer. He also modified the Construction Agreement.
- Contacted Paul Olson with respect to insurance on the building. He originally said builders risk insurance should be carried by the general contractor. However, the Construction Agreement calls for it to be carried by the owner (Whitewater Township). Olson is going to provide a quote on the cost of this type of insurance.
- Regarding the sealed drawings, it was requested that they be provided by March 29. Goss will follow up on that.
- We should set a special meeting for next week to look at the licensed engineer agreement and the revised Construction Agreement, as well as the insurance quote and maybe the sealed drawings.

Brief discussion followed regarding availability of board members.

It was agreed that a special meeting will be set for Monday, April 3rd, at 7:00 p.m.

There was also brief discussion concerning the walnut trees behind the fire station. Goss reported that Kitchen indicated no one will give us anything for them, and Doug Parshall had said perhaps \$1,000 at best.

Update on Junk Complaint

Zoning Administrator Weinzapfel provided a report on this topic.

There was very brief discussion; no action was taken.

Summer Maintenance Bid Form

The question is how should “cleanup” be defined. Popp and Goss each provided definitions.

Discussion followed regarding what needs to be done at the cemeteries, where to dispose of leaves and other debris, maintenance work such as removal of overgrown bushes, maintenance of the newly opened trails at Battle Creek Natural Area, emptying of trash receptacles, possible creation of a parks/cemetery maintenance position, possible trail mowing to be done at Battle Creek Natural Area and Lossie Road Nature Trail, mowing of Petobego parking lot, interior campground mowing at Whitewater Township Park, and mowing of the entrance of Lossie Road Nature Trail off Cook Road.

It was noted that there will likely not be any mowing to be done at the fire/ambulance station in the summer of 2017.

This agenda item will be brought back on the April 11th agenda.

Baggs Road Agreement to Share Construction Costs

Popp stated he would like to get approval for the clerk and supervisor to sign the cost share agreement.

Goss questioned the insertion of the \$95,000 number to represent Whitewater’s contribution and inquired where it came from. The bid price is \$291,930, but it appears Rogers wants to double the aggregate cost.

Popp stated each road commission is only going to contribute equal to one another. The 25% equal share between all the partners has fallen apart. Kalkaska County Road Commission (KCRC) has said they only have \$75,000. Popp stated this is a corrective motion; the 25% cannot stand.

Goss stated we have voted to contribute \$114,000 or 25% of the actual cost, whichever is less.

Popp replied that we can have a corrective motion; we can change our mind.

Actual cost of the project was discussed. The bid document shows the Payne & Dolan bid to be \$291,930.

Popp stated they want to double line item 4, which is \$42,880.

Adding those two figures, the total cost is \$334,810.

It was discussed that Kalkaska County has changed their mind on how much aggregate they want to use.

Goss noted that 25% of \$334,810 is \$83,702.50.

Popp stated now we know the road commissions are only good for \$150,000 combined.

The total cost of \$334,810 minus \$150,000 leaves \$184,810, which divided by 2 is \$92,405.

Popp stated that John Rogers has recommended that Whitewater pay \$95,000.

Goss pointed out that it is easy for Rogers to round off what we are going to pay. They have capped what they are going to pay, but they are expecting us to make up the difference.

Popp stated we need to make a corrective motion that eliminates the “25% or whichever is less” clause.

Benak stated it has always bothered her that the townships are footing more of this bill than the counties, who are actually the ones responsible and getting money for taking care of our roads, and we did the 25% to protect ourselves. They didn't ask us if we wanted to do 6,400 more tons of product.

Lawson and Goss agreed that if KCRC wants another \$42,880 worth of gravel put down, let Kalkaska County pay for it.

Popp stated he is asking the board to change the commitment level and make it \$95,000.

Goss stated she will not vote for any more than \$92,405.

Motion by Popp that, instead of \$95,000, we fill in the blank with \$92,405.

Discussion followed.

Goss requested a signed copy of the contract before cutting a check for our 50%.

Motion by Popp to authorize the supervisor and the clerk to sign the Baggs Road Agreement to Share Construction Costs as attached Exhibit A and that the cost for Whitewater Township will be \$92,405.

Goss said the motion should be amended to say “and that the maximum contribution of Whitewater Township will be \$92,405.”

Popp noted the first motion fails for lack of support.

Motion by Benak, second by Popp, to authorize the supervisor and clerk to sign the Baggs Road Agreement to Share Construction Costs as attached Exhibit A and that the maximum contribution of Whitewater Township will be \$92,405. There was no further discussion. **Roll call vote: Benak, yes; Goss, no; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

Popp stated there is a second motion to authorize a 50% down payment.

Motion by Popp, second by Lawson, to authorize payment of \$46,202.50 to the Kankaska County Road Commission for the reconstruction of Baggs Road as outlined in Exhibit A, as amended.

Goss stated she would like to amend the motion to say: Upon presentation of the signed contract between Kankaska County Road Commission and Payne & Dolan.

Lawson supported the amendment.

Roll call vote: Goss, no; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.

Popp will amend the document and supply it in Word format to the clerk’s office.

Zoning Ordinance Amendment No. 68 (added)

Goss’s memo dated 03/27/2017 describes the issue, i.e., her belief that Zoning Ordinance Amendment No. 68 was not properly adopted at the 03/14/2017 meeting. The memo states that the board should re-vote on the adoption of this amendment. Goss noted that Zoning Administrator Weinzapfel also sent an email stating that he agrees the motion was not specific enough and that it needs to be redone.

Motion by Benak, second by Goss, to adopt Zoning Ordinance Amendment No. 68.

Discussion followed.

Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.

New Business

Rural Fire - Letter from Fife Lake Township (added)

Goss provided a letter from Fife Lake Township which was presented to the Rural Fire Board at their regular meeting on March 15. Goss noted that the Whitewater Township Board met on March 21 and this issue was not brought up. The letter says that there is a meeting to take place at Fife Lake Township on March 23rd, but no one else on the board knew about it. Then on the night of the 23rd, it is announced on the news that Fife Lake Township has voted to leave Rural

Fire. It turns out our supervisor knew about this for eight days and did not bother to mention anything to the board.

Goss stated she has had a discussion with Linda Forwerck, supervisor of Fife Lake Township, and is bringing to the attention of the board that Fife Lake Township has already voted to leave Rural, which calls into question the future of Rural.

Benak asked Popp, if he knew on the 15th that they were talking about this, why didn't you tell us.

Popp stated the 21st was a special meeting called just to discuss that.

Benak stated we have discussion at the end of every meeting and she wished Popp would have updated us because she would have gone to the meeting to get it firsthand what they were talking about, but since she had no idea they were having a meeting, she had no opportunity to go.

Popp stated he understands that.

Goss stated that Popp could have sent everyone an e-mail and just made us aware of it, with instructions not to reply so as not to violate the Open Meetings Act. Goss further stated we should form a subcommittee of two to start looking into some things. Goss will volunteer to be on the committee. This would be a committee to gather information from other townships of like size about options that might be available.

Benak asked if everyone has read the notes of the conversation between Forwerck and Goss. Benak stated Fife Lake is not staying, and Springfield will be going with them, which leaves Whitewater, Union and Paradise. She stated she does not see a future for Rural Fire, and Fife Lake will probably put a motion in to dissolve Rural Fire when they present their formal letter. Benak stated she would support that, and does not think it is in this township's best interest to wait until December 31 to say now we have to figure out another budget with only three townships and now we have to raise our rates and now we have to figure out how to pay a chief on three townships' input. If the resolution to dissolve is going to be put forward, she would support it and she thinks Whitewater Township needs to start preparing to operate their own fire station.

Goss added that she was told by Forwerck that Springfield Township provided a similar letter on March 15.

The subject of paying/hiring a chief and Rural Fire's plan to hire an assistant chief was briefly discussed.

Popp said he still sees a lot of benefits to Rural, although not as many cost share benefits, but he also sees a smaller department functioning different than what Rural does today. He also stated we do need to explore with Elk Rapids, and in the new budget year those discussions can take place. He noted Fife Lake is in a unique position.

Discussion followed regarding Fife Lake's complaints.

Lawson stated we have had meeting after meeting after meeting about Rural Fire. He is eager to do something different and is tired of dealing with Rural Fire. It has just been an ongoing soap opera. He stated he does not believe that they are going to survive; he does not think they can; it is coming unwound too fast now, and we need to start pursuing other things, whether it is other townships or our own.

Goss stated she will volunteer to start making some contacts and finding out what information is out there, such as budgets of other townships and how they fund their fire operations, how many people they are using, etc.

Popp stated he can supply most of that as he has been collecting information like that for at least a year, if not longer. He stated he would volunteer to be on the committee with Goss.

Goss stated she does not think Popp should be on the committee as he is trying to run Rural Fire. Popp could forward the information he has and Goss will fill in the missing pieces, without setting a deadline on it. Some information has already been gathered from Elk Rapids.

Tim Arbenowske stated the situation with the personnel at Fife Lake runs deeper than anybody really knows. He declined to provide many details except to report on a situation that happened with Scott Paks. He stated as far as Rural goes, if this is the demise of Rural, don't go out if you're going to get something at the end.

Brief discussion followed regarding equipment.

2016/2017 Fiscal Year Budget Amendments

Goss provided a memo on this agenda item and briefly explained the reasons for the General Fund and Recreation Fund budget amendments.

Motion by Benak, second by Popp, to approve the General Fund and Recreation Fund budget amendments as outlined in Clerk's Memo dated 03/24/2017. There was no further discussion. **Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, yes. Motion carried.**

Resolution #17-03 Salary for Supervisor 2017/2018

Motion by Lawson, second by Hubbell, to adopt Resolution #17-03. There was no further discussion. **Roll call vote: Popp, yes; Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes. Motion carried.**

A true and complete copy of said resolution is attached to the minutes.

Resolution #17-04 Salary for Clerk 2017/2018

Motion by Lawson, second by Benak, to adopt Resolution #17-04. There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

A true and complete copy of said resolution is attached to the minutes.

Resolution #17-05 Salary for Treasurer 2017/2018

Motion by Goss, second by Popp, to adopt Resolution #17-05. There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

A true and complete copy of said resolution is attached to the minutes.

Resolution #17-06 Salary for Trustee 2017/2018

Motion by Goss, second by Lawson, to adopt Resolution #17-06. There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

A true and complete copy of said resolution is attached to the minutes.

Resolution #17-07 General Appropriations Act 2017/2018

Motion by Hubbell, second by Lawson, to adopt Resolution #17-07. There was no objection to the clerk's earlier suggestion to add line item 749, Credit Card Processing Fees, and move \$3,000 from line item 740 to line item 749. Popp inquired if that change would need to be published ahead of time. Goss replied no, adding that she made the comment while the public was still here and that there is no change in the amount of the projected expenditures. **Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, yes. Motion carried.**

A true and complete copy of said resolution is attached to the minutes.

Salary/Wage Schedule 2017/2018

Goss noted that no changes were made to the Salary/Wage schedule this year.

Motion by Hubbell, second by Lawson, to approve Salary/Wage Schedule 2017/2018. There was no further discussion. **Roll call vote: Popp, yes; Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes. Motion carried.**

Graded Wage Schedule 2017/2018

Goss noted that the last change to the Graded Wage Scale was made on 05/10/2016 when a final decision was made on No. 9 in the Guidelines. Also, the wages for Medical First Responder were added back to the document.

Motion by Lawson, second by Hubbell, to adopt Whitewater Township Graded Wage Scale for 2017/2018. There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

2017 County Road Improvement Agreement (Brining)

Goss noted that the prices are exactly the same as last year.

There was agreement to choose three applications.

Motion by Lawson, second by Popp, to accept the brining contract and have the township supervisor and clerk sign the document, choosing three applications for 2017. There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

Cleanup Date and Vendor Information

Benak said the information is the same as last year. She contacted American Waste only because the other people she contacted last year did not fit our needs. Waste Management does not do trucks; they do dropoffs, big bins, no help. Area Waste would bring the trucks, but once they are full, they cannot drop it off anywhere, and they only have three trucks.

Benak reported that it is the same price as last year. She did tell Mark from American Waste that she was not pleased with them subcontracting last year. It took them longer to dump and come back. According to the invoice, we did more compacted yards last year than the year before.

Popp noted that the trucks can haul 25 yards.

Benak provided detail on the number of cubic yards and tires last year. Don Erickson said he would be there again.

The available dates are June 10th or June 17th. It was agreed that the preferred date is June 10th.

Motion by Hubbell, second by Lawson, to approve the contract with American Waste, to hold the cleanup day on June 10th, and to authorize the treasurer to sign the contract with American Waste. Benak will fill out the form for the school. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

Tabled Items

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

This agenda item will remain tabled.

Review Ordinance 22 Pension Plan (tabled 10/25/2016)

This agenda item will remain tabled.

Review Whitewater Township Planning & Zoning Fees (tabled 02/28/2017)

This agenda item will remain tabled.

Board Comments/Discussion

Regarding the spring newsletter, Benak asked for articles. She stated Goss has a great idea; she wants to have a contest with the schools for a new logo for the park.

There was no objection to the logo contest.

The deadline for articles is Monday, April 3.

Announcements

Next regular meeting is 4/11/2017 at 7:00 p.m. Next special meeting is 4/3 at 7:00 p.m.

Public Comment

None

Adjournment

Motion by Hubbell, second by Goss, to adjourn. On voice vote, all those present voted in favor, none opposed. Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk