

**Whitewater Township Board
Minutes of Regular Meeting held April 11, 2017**

Call to Order/Pledge of Allegiance

Popp called the meeting to order at 7:01 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, Popp

Board Members absent: Hubbell, Lawson

Others present: Road Commissioner Marc McKellar, Tim Shaffer

Set/Adjust Meeting Agenda

Goss requested the addition of the following items:

1. Proposal from BDR Tree Services for discussion under Unfinished Business #1.
2. Resignation of the Zoning Administrator. (Added as New Business #5)
3. Private Road Ordinance (Added as New Business #6)

Declaration of Conflict of Interest

None

Public Comment

Tim Shaffer, 5309 Moore Road, stated his concern is he has not heard anything either way (regarding his application for appointment) and he noticed it is not on the agenda for the positions that he is looking for. In addition, he is interested in joining the Planning Commission, too.

Popp stated he got the corrected form today.

Shaffer also understands there are other people looking to fill some of the positions that are open.

Public Hearing

None

Reports/Presentations/Announcements/Comments

County Board of Commissioners Report

Popp reported that Carol Crawford will not be attending tonight's meeting.

County Road Commissioner Report

Marc McKellar gave the following report:

- Thank you for sticking in there on Baggs Road for as long as you have; we are getting there.
- He thinks the Whitewater Township newsletter that went out was great at letting the residents know what is happening on that project. He would have liked to get a

25/25/25/25 balance on the contributions from all the groups, but that just was not going to happen.

- He is glad the Road Commission decided to continue the project and finish the road through to the end. They are going to go the rest of the way down past the curve and the boat launch. They will do some type of overlay on the asphalt and will gravel and grade on the gravel part.

Benak stated she lives on Bunker Hill Road and noticed they are doing a lot of clearing out at the last 90-degree curve before the pavement in Acme and have cut all the trees out of the swamp and have cut back off the road, and inquired whether they will be straightening the road a little bit.

McKellar stated he does not know if that is the long-term plan, but if they can clear 10-15 feet off the edge, cut trees hanging over the road, the sun and breeze can come in and keep the road surface dry.

He suggested that if you want to have a road addressed, write an e-mail with the issues. They are aware of all the roads in the county, but if there is a road that is deteriorating or has issues or they get enough public comment on it, they will move those up on the list.

McKellar said he will find out what is going on with Bunker Hill Road.

Mobile Medical Response Report

Goss reported that Nick Bernelis was not able to attend tonight's meeting.

Planning Commission Report

Lloyd Lawson is not present.

Parks & Recreation Advisory Committee Report

Cheryl Goss gave the following report:

- The Parks & Recreation Advisory Committee (PRAC) had a special meeting this past Saturday at Hi Pray Park to plan for the installation of the new playground equipment. Goss was not able to attend. They developed a drawing of the area showing where the new playground equipment will go. Brandon Hubbell is going to mark trees that they think should be removed due to being dead or overgrown. Goss will take a look at them and bring that back to the board.
- The PRAC had their regular meeting last night, which Goss did attend. They further discussed the Hi Pray Park playground equipment project. They previously researched safety landing material for under the equipment. There was a consensus to use sand for the landing material; it is one of the more economical options and Dennis Leach feels they can get it for free. They would like to first install some type of membrane material to prevent weeds. Hubbell has access to this type of material.
- They are working on a materials list. The installation instructions for the new pieces have been provided. They are going to need concrete to set the posts. They want to paint the kiosk, the swing set, monkey bars. Goss will issue a purchase order for the materials.

- PRAC is having a cleanup day on Saturday, 4/29, at Hi Pray. This was announced in the newsletter. The bathrooms will be open.
- The new equipment is set to ship on 4/19 and could be here as early as 4/21. It will be delivered to North Point Farms and then Hubbell will transport it to Hi Pray Park. Setup is scheduled for the weekend of 5/6 and 5/7.
- They believe they will need 90 cubic yards of sand. Minimum depth is 9”, but they would like to install 12”, along with some 6 x 6’s to frame the area and keep the sand contained.

Brief discussion followed.

Consent Calendar

Receive and File

1. Supervisor’s Report for March 2017
2. Clerk/Park & Recreation Administrator’s Report for March/April 2017
3. Zoning Administrator’s Report for March 2017 (not available)
4. Mobile Medical Response March 2017 Activity Reports
5. Grand Traverse Rural Fire Chief’s Report April 2017 (not available)
6. Approved 02/13/2017 Parks & Recreation Advisory Committee Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for March 2017 (not available)
2. Grand Traverse Rural Fire Board DRAFT Minutes 03/15/2017 (not available)
3. GTRFD Officers’ Meeting Minutes (not available)
4. Letter 03/30/2017 Kalkaska County Planning & Zoning re: Notice of Master Plan Adoption
5. Letter 03/31/2017 Charter Communications re: Changes to Channel Lineup

Minutes

1. Recommend approval of 03/14/2017 and 03/28/2017 regular meeting minutes and 03/21/2017 and 04/03/2017 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 41516 through 41577
2. Approval of First Community Bank Miami Beach vouchers # 1187 through 1188
3. Approval of First Community Bank WMDLS vouchers # (none)

Budget Amendments (none)

Revenue & Expenditure Report (none)

Popp stated he would like to remove the 03/28/2017 and 03/21/2017 minutes for discussion.

Regarding the minutes of 3/21, page 2872, the bottom four paragraphs, Popp stated we seem to be breaking up the construction at 8380 Old M-72 into smaller components and he is concerned that if we continue that process, we will not get a true cost of what the entire project is going to

be. We have decided to pull the parking lot off; we are not necessarily going to have separate prints for mechanical, plumbing or electrical. All of those items will have to be addressed after the building is built and that does not provide us with the true cost of what the construction is going to be.

Goss noted that we have already decided we cannot do the parking lot until the trailer is removed.

Benak stated that Rudy said the mechanical and electrical drawings were not needed because it is such a small project.

Goss stated that the cost for those items will be in the general contractor's bid.

Regarding the 3/28 minutes and the letter from Fife Lake Township, Popp stated that for more than two years we have had townships threatening to leave. He notified the board of Long Lake leaving when they were going to take almost \$400,000 of the budget. He notified the board during discussions on Green Lake's departure, same with Grant township. He also informed the board, through the entire packet from Rural Fire, that Fife Lake was having issues with Rural Fire. But because of one document, a meeting that Fife Lake would have about potentially voting to leave the organization, that is the one we decide to attend, when we had lots of opportunity the previous 24 months to get involved with the townships that were leaving Rural Fire.

Goss stated the whole point of adding the letter to the agenda was because the rest of the board found out on the news that Fife Lake Township had voted to leave Rural Fire; yet, Popp knew 8 days ahead of it that they were going to have a meeting and did not inform the board.

Popp stated he wonders what is going on when a board does not attend when large townships leave, but they are concerned when one of the smallest leaves.

Benak stated it is because we are very small at this particular point. With them (Fife Lake) leaving, it leaves two stations and one township without a station which pays a very minimal amount.

Popp referred to Bills for Approval, packet page 49, the Consumers electricity bill under Fire Fund. He thought we were going to charge both MMR and the fire department the same amount of money that they paid last year for the month of March for their electrical bills. The fact that we are splitting this \$1500 electrical bill that is primarily used for MMR or the support of the ambulance, and using Fire Special Assessment District money to do that, Popp does not think is correct.

Goss stated that the contract with MMR says that they pay half of the bill. Also, it is not MMR's fault that we do not have a suitable building for them to be in and they are in a portable unit running entirely on electricity.

Popp noted that still does not mean that Fire Special Assessment District money can be used to support the ambulance. That is why we were going to retroactively look at the bills from last year and only charge them those fees.

Benak said there is nothing that says that the fire department cannot use that building also, and during construction, they will be using it for the bathroom. They do go in it. Benak stated we can take a look at it and reevaluate it.

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

Unfinished Business

Emergency Services Building Renovation/Addition Project

Per her memo dated 04/07/2017, Goss updated the board on the following items:

- Paul Olson was notified about the addition of builders risk insurance.
- Still waiting to hear back from Attorney Patterson regarding two questions we had on the Professional Engineer Agreement.
- On the Construction Agreement, Goss proposes to add “or circumstances beyond the General Contractor’s control” to the Time of Performance paragraph, in case of longer than expected time to get the drawings through plan review, which should not be held against the general contractor.

Brief discussion followed.

There was consensus to add the proposed wording to the Construction Agreement.

- Goss talked to Dan Rudy today. He has received some further detail from Mark Pressell to put on the plans. Rudy confirmed that all 41 issues on initial plan review will be addressed on the final drawings. Rudy thinks they will have the sealed drawings done by the end of the week, so we should be able to put this out for bid the first of the week, get the legal notice published, get the documents on the website, send them to Builders Exchange and known vendors.

Benak would like to have a set of plans for the township hall.

- Goss noted that Bob Rauch was contacted about removal of trees and the siren. The debris can be hauled to Whitewater Township Park. The estimate from BDR Tree Services does not include the siren. The amount (\$6,800) does not meet the threshold for sealed bids.

Motion by Goss, second by Benak, to accept BDR Tree Service’s price to remove all the trees.

Popp stated we should have more than one proposal. Here is another little separate project with the bigger project that is being separated out. He thinks we need to have the competitive bid process in place.

Benak noted that Charlie Kitchen gave us an idea.

Popp stated Kitchen does not do this kind of work. It is apples and oranges.

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

- Goss stated the siren has to come down. What should we do with it? Should the siren be retained and the structure be discarded?

Benak asked, if it is put back on, is it going to be mounted on the roof, not on a separate tower.

Popp stated it should be put back on the pole.

Audience member Tim Shaffer advised that the siren is heavy; it weighs as much as a car. The building construction was not designed for that kind of weight. It also has a very large electric motor.

Discussion followed regarding replacement with a more modern siren, whether the current siren has to be maintained, possible squirrel damage to the siren, and guidelines for having it for an emergency backup.

Popp will contact Gregg Bird (Grand Traverse County Emergency Management) about whether it has to be retained.

Goss stated she will investigate who can take it down and the cost.

Goss noted she has also contacted Chuck at Excel Site Rentals to request the heaters under the portable unit be turned off or down as soon as feasible.

Ordinance 28 – Miami Beach Sewer Project

Popp stated we were going to schedule a meeting with all of the returning folks on Miami Beach Road.

Benak stated she has been busy and has not gotten hold of Attorney Axe.

Location of the meeting, township hall or school, was briefly discussed.

Popp stated that, with two board members gone, it may not be a good time to schedule it.

Benak requested that John Divozzo (County DPW) give the board a heads-up of what he is going to tell the residents.

Popp offered to see if Divozzo can generate a synopsis of what Elmwood Township is doing in hopes it will answer some questions.

Benak will pass along the information she gets from Axe.

This matter will be brought back on April 25th.

Progress Update on Personnel Administration Policy 3.0, Section 3.10

Goss inquired when the board gave Popp authority to revise the personnel policy and why is it being done.

Popp stated he has authority as supervisor to review any policy, and because the appointment section of the administrative policy is so weak and provides such little direction, he thinks it would be good to update it and at least make reference to the application process and the expectations that the board outlined in the minutes of previous meetings. The other major contributing factor is that we have state statutes to follow during the appointment process in certain cases, and it will be important for those who follow us to know that state statute is going to take precedence.

Goss inquired when we can expect to see a recommendation for Tim Shaffer to be appointed as an alternate on the Board of Review or ZBA.

Popp said he was waiting for grammatical corrections to be made to the form and received the form today.

Benak would like the form posted to the website and print copies to be made available in the hallway.

Summertime Maintenance Bid Form Update

The content of Popp's version of the bid form and Goss's version of the bid form was discussed.

Regarding mowing at the fire station, no mowing will be needed in 2017. For 2018, the size of area to be mowed, if any, is unknown.

Interior mowing at the campground was discussed. It was started in 2015 and done once at a cost of \$150. In 2016, it was done twice at a cost of \$200 each.

Benak proposed that the interior campground mowing at Whitewater Township Park be done on request.

Item number 2 under Whitewater Township Park will be revised to say, "Mow grassy areas in campground interior at Parks & Recreation Administrator's request."

Regarding Petobego Natural Area, painting of kiosks should be done by park rangers, not the mowing contractor. Emptying of trash receptacles, if present, will be done by park rangers. Petobego Natural Area cleanup to the road right-of-way will require heavy removal of brush.

Battle Creek Natural Area trail cleanup was debated.

Benak requested that the discussion of trail cleanup be put on another agenda.

Goss agreed that trail cleanup is separate from lawn maintenance.

Goss pointed out the definition of spring and fall cleanup at the township hall and the two cemeteries on her proposed bid form. Anything else is heavier maintenance and should not be part of the lawn maintenance bid.

Benak would like the mowing contractors to advise us of any broken headstones.

This request will be added to the lawn maintenance bid form.

It was agreed that “remove all remnants of snowplowing in mowed areas” will be added to the definition of spring cleanup.

Popp said cleanup of dirt piled up by the dumpsters from snowplowing should be on a separate bid.

Motion by Goss, second by Benak, to adopt the lawn maintenance/cleanup form she prepared, with revisions as discussed. There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Hubbell and Lawson absent. Motion carried.**

New Business

Resolution #17-08 Authority to Enter into Grant Agreement with the State of Michigan for New Voting Equipment

Goss advised that the township will not have to pay anything for the new voting equipment but is required by the state to adopt a resolution giving the clerk authority to enter into a grant agreement. The grant agreements are not available yet. The new voting equipment will not be implemented in 2017, but they have asked that the resolutions be passed. The township will receive two tabulators and one accessible voting device (ADA), over \$11,000 worth of equipment. There will be a few incidental expenses.

Motion by Popp to table this until the grant agreement can be reviewed by the board.

Discussion followed.

Motion by Benak, second by Goss, to adopt Resolution #17-08. Popp stated he cannot support authorizing the signature of a grant application without the grant verbiage being available. **Roll call vote: Hubbell, absent; Lawson, absent; Popp, no; Benak, yes; Goss, yes. Motion carried.**

Appointment of 2017/2018 Parks & Recreation Administrator

Motion by Benak, second by Popp, to appoint Cheryl Goss to the position of Parks & Recreation Administrator for fiscal year 2017/2018, to be paid at an hourly rate of \$12.73 per hour. There was no further discussion. **Roll call vote: Lawson, absent; Popp, yes; Benak, yes; Goss, yes; Hubbell, absent. Motion carried.**

Nick Thornton – Parcel Sale

This parcel is a small piece of land near the northwest corner of M-72 and Vinton Road. The owner says he has been told it is not buildable. The township owns an adjacent piece of land.

Popp stated he would like to have a full board to make this decision.

Discussion followed.

This matter will be brought back when the full board is present.

Resignation of Zoning Administrator (added)

There was brief discussion of the current status of a previous candidate for the position.

Motion by Goss, second by Benak, to advertise the position of zoning administrator, using the same wording as last time. There was brief discussion of where the ad should be placed. **On voice vote, all those present voted in favor, none opposed, Hubbell and Lawson absent. Motion carried.**

Popp will not contact McElyea.

Private Road Ordinance (added)

It has been relayed by Zoning Administrator Weinzapfel that Mr. Scott Carter is planning to come to the township board to ask for relief from Ordinance 32.

Discussion followed.

Benak asked that the Planning Commission's recommendation on Ordinance 32 be added to a future agenda.

There was discussion concerning whether public notice would need to be provided if the board were to grant relief from an ordinance.

Goss stated there is no requirement in Ordinance 32 that the township board notice an application for relief for public hearing.

Goss stated she has asked Weinzapfel to put his decision on the Carter matter in writing. Then Mr. Carter can be given some time to appeal and then the board can take it up. A paper trail needs to be established.

Popp stated both items will be brought back on 04/25/2017.

Discussion followed concerning whether money has already been paid by Mr. Carter on this issue.

Popp stated he has indicated to Weinzapfel and Carter that the application and denial should be submitted no later than 4/19.

Benak and Goss agreed that a letter from the property owner asking for an exception to General Ordinance 32 is needed.

Benak noted that he did give us one in 2012 and it may have gone to the Planning Commission.

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

None

Announcements

Next regular meeting date is 04/25/2017 at 7:00 p.m.

Public Comment

None

Adjournment

Motion by Benak, second by Popp, to adjourn. On voice vote, all those present voted in favor, none opposed. Meeting adjourned at 9:27 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk