

**Whitewater Township Board  
Minutes of Special Meeting held June 12, 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: Tim Shaffer, Vaughn Harshfield, Tim Arbenowske, Cindy Arbenowske, Steve Donkers, Arnell Boyd, Chris Richter, Kyle Richter, Dave Tilley, Eric Arbenowske

**Set/Adjust Meeting Agenda**

There were no adjustments.

**Declaration of Conflict of Interest**

None

**Public Comment**

Tim Arbenowske, 6408 Elk View Drive, stated he is the captain of the fire station. He has been on the department for 17 years. He stated we had an architect in approximately 2003. The township paid \$12,000 for plans. It was deemed not worthy to do this project. Since then, we have had three building committees. We purchased property on Elk Lake and Cram Road, which is still sitting there for at least 10-12 years. An architect, the same one who said we should not do this to this building, designed a building; the township paid him \$120,000. That particular building is pretty darn close over in Metro's area. A consultant was hired to generate revenue or get bonds. We had a community meeting about three years ago at Mill Creek, which was very positive with the public, but somehow it stalled between the Grand Traverse Band and this board; not sure why. The main reason why the building is going to get constructed to this level is because there is a contract with the ambulance service that requires living space. Arbenowske stated he understands there is a signed contract, you have to do it, but he still thinks you are throwing good money at a bad situation. He stated he could say a few other things, but he is going to keep his mouth shut.

**Agenda Items as Listed in Special Meeting Notice**

**Discuss Bids re: Emergency Services Building Renovation/Addition Project**

Kyle Richter, Project Estimator, and Chris Richter, President, are present from Richter Construction.

Through questions from Goss, Chris Richter provided the following information concerning their bid:

- Regarding the cost of fire suppression, if there is an error (overstatement of the cost in the bid), it will be credited back or removed from their proposal before any contract is signed.

- An HRU (heat recovery unit) will be installed in each bathroom for heating and cooling.
- The P-TAC system is more expensive than conventional air conditioning. The tradeoff is that each unit is high efficiency and each space (room) can be heated/cooled as needed. These are not the typical units you would see at a Holiday Inn. Each unit is programmable. They have a heat pump and a 13.3 efficiency rating.
- Vinyl composite tile (VCT) is economical, durable, needs a maintenance program, has good slip resistance.
- Regarding possible electrical panel upgrade, he declined to guess on the cost. It is possible it can remain. There are other options, including a subpanel.
- Regarding any added costs not in the proposal, Chris stated they are providing a price based on the information supplied by the township. He also stated there are no known conditions that exist today, but he cannot speak for subsoil conditions, things they cannot see. Kyle, Advantage Electric, Temperature Control, and Northwest Michigan Contracting scheduled a visit to the site to look at existing conditions. He stated they probably have a little more, as opposed to a little less, figured.

Goss reported that Attorney Chris Patterson was contacted about the A-105 2007 document versus the township's Construction Agreement. Basically, one or the other can be used and tailored to this project.

Goss stated she had an extensive conversation today with Ben Eckler (Eckler Building Solutions proposal), during which he provided the following information:

- They included the cost of the performance bond in their bid price, and the bond is for the entire bid amount.
- Regarding timeline, Eckler would be able to start as soon as an agreement is signed. They could start the demolition before the final plans are ready. In the meantime, they would be working with Mark Pressell to get the plans through Construction Code.
- Eckler said six months was a safe parameter for completion, perhaps as soon as four months.
- The electrical that they have included is what would be required by code. The township would be free to dictate the location of outlets, switches, etc.
- There would be one or two "data drops" per room for Internet/phone communication wiring, i.e., conduit with an open box.
- They do not plan to do anything with the existing electrical service, but they will do it if they have to.
- Their bid does not include kitchen appliances.
- For heating, their HVAC contractor specified a 45,000 BTU ceiling-mounted unit in the cold storage area. They also would maintain the gas furnace for the existing part of the building. Their HVAC contractor also recommended a Mitsubishi mini-split system. It is gas powered; it heats and cools. Eckler stated they could go that route or add an outdoor AC system.
- Their plan for the flooring is exposed sealed concrete in all areas.
- Their fire suppression quote includes construction of the fire wall, the suppression system itself, and the new water main.

- Eckler said they bill monthly and would expect payment within 10-15 days. They use an AIA billing form.
- They can supply the standard AIA agreement.
- Eckler has supplied a 6-page business profile and references.

Discussion followed regarding the possibility of a loan to cover costs over what was budgeted, cost of a parking lot, budget information, expenses not included, the need to upgrade the building.

Popp stated future uses may not include fire or ambulance, so a lot of the upgrades will be cast out when the building changes uses. At \$460,000 for an estimate, without a driveway, without a parking lot, we ought to look for a longer term solution than two to five years tops. We have heard from the fire personnel that this project does not fit their needs from a housing or logistics point of view, but it is better than having equipment sit outside. We understood it was a band-aid. If we were to put \$300,000 with this \$460,000, could we get a building that will take us into the next two decades; would it be possible? We can still comply with, not our contractual agreements, but our unwritten agreements to supply reasonable living space for the ambulance service, like what we are doing now. It is expensive. It could be installed differently to control those expenses. This is not a project that we have to move forward on. He would like the board to think about how we are spending this money. The last thing he wants to do is run a \$300,000 water line to the school, and that is exactly what previous boards have done, and there is one use, the school. A project like this, while embarked upon for the correct reasons, we, too, now have come to a determination that putting \$400,000 into that building probably is not the right thing to do for the fire department.

Goss pointed out that the building has been useable and will continue to be useable for the fire department. It is providing more storage space than what they have now. Goss stated she thinks, especially with the turmoil that Rural Fire is going through, they will probably be in that building a little bit longer than was anticipated, unfortunately. It is an unknown what is going to happen with Rural. Everything in the (new) building will be useable, perhaps with the exception of the showers. Bedrooms can be turned into offices. It is going to make the building more attractive, whether township offices are moved there or some other use.

There were no other questions for Richter Construction.

Regarding the AIA document, Chris Richter stated they have certain language that their attorney will require, just as the township's attorney will have, but they are not bound by any authority to use the AIA document.

In response to Popp's reference to the fire department saying this building is not adequate, Goss asked that someone from the fire department reiterate what is lacking in this building.

Various fire personnel listed the following items:

- Will not house the ladder truck or its replacement.
- Cold storage and water pumps do not mix.
- Floor drain in the apparatus bay drains to a dry well where the addition will go.

- There are two vehicles sitting out front. There is no place to store the brush truck. We need space. We are wall to wall.
- How much has been spent on the tree removal? How much has been spent on drawings and engineering and architecture?
- If Rural dissolves, the ladder truck will have to sit outside.
- They would love to see a new station. In the past, the option was there with the tribe.
- It is hard to navigate and walk through the building. They have to go around equipment, move equipment around, which delays their response times.
- The ladder truck is sitting in Kingsley right now. That is one of the primary reasons the emergency personnel were looking toward a new building or expansion.

Hubbell stated he was part of the board when the ladder truck was given to us. We want the ladder truck in this township, but it is really old now. He stated he is not so sure he wants it. Also, here we are in the 9th inning or the 4th quarter. All we started out to do is put an addition on the building to house the ambulance people and remodel the office for both entities involved. Nobody showed up from Fire for the last year and a half. Now, all of a sudden it is turning into a fester. This was supposed to help get us through and move to the next plan in this township to hopefully build a fire department. We are not saying we are not going to, but we can only do with what we have. You can bring up all you want about the past, how much we spent on this, put on this. It got voted down, not just by us, but the people, too. We are trying to do the best with what we have. We could not pass any of these tonight and kick the can further down the road, and it will be another three or four or five years before we get something built. Something is better than nothing right now. If we can get this going, maybe in a year or two, prior to that, work on this the next couple years to maybe come up with a business plan to buy another piece of property, sell the one on Cram Road, buy another piece, or build somewhere, across the road, who knows, or work with the tribe. He stated he thinks we have to start somewhere and do something.

Former township board member Arnell Boyd commented that the board has to start working back with the tribe. It could have all been put together, a facility like what is out on Silver Lake Road. You're spending money here, well intended because you haven't got any other place to go. It's your fault. You botched the negotiations and was unwilling to go to the tribe and work with them and investigate and put it in front of the people, and now you're getting hammered at least tonight because there are a few people who showed up. I applaud where you are going with this discussion tonight. I do not see that this is anywhere means something that should be approved because it's just pouring money down the drain. It's a temporary fix for five years. In five years, what are you going to do again? Go back and negotiate with the tribe? Ask them to come to the table and negotiate with you? Step up to the table right now.

Goss reminded everyone that it was 2009 when the \$3.1 million dollar fire station was being proposed. The community found out about that and they shot it down. Stimulus money was applied for; the township did not get it. Goss reminded Arnell Boyd that he was on the board for three more years after that and he didn't make it happen either.

Boyd agreed it did not happen, because of resistance, but it should have been negotiated. When the board turned over and he left the board, it went down the drain.

Goss also supplied the factual history that the current supervisor and some other board members did meet with the tribe. There was a motion passed to work with the tribe. The tribe proposed an intergovernmental agreement and a lease agreement, which was sent to the township attorney. The attorney had a number of issues with the agreement, and at some point, that was not pursued anymore. Perhaps Popp can fill in exactly what happened with the tribe, but for some reason, the intergovernmental agreement never got signed.

Boyd stated it could have been pursued harder.

Popp said it is also fair to say we have a new fire department direction. The way it was being run, Rural Fire allowed the township some control. With Chief Weber, he is running the organization according to the 1996 Intergovernmental Agreement, which gives him total authority, no authority to the township.

Brief discussion followed.

### **Award Contract**

Moving back to the agenda, Popp inquired if there is any board member who would wish to make a statement.

Benak stated we had to go through this process to establish a cost, and to say we have wasted the time; it could have taken a lot less time to get through this process. There has been some delaying and dragging of feet that should not have happened and we would have had this up before us a lot sooner than now. Just how long it took us to get these plans, to get the bid process done, was a ridiculous amount of time. She can only think what is going to happen when or if we scrap this project and now nothing is going to happen. Not going to work with the tribe; there is too much opposition. We are not going to have 1.2, 1.5, or 2 million dollars to build a new station. If it took us this long to get this addition planned, she can only shudder to think about the amount of time this board would take to put its own fire department together.

Benak stated she is a little disappointed that you guys (the firemen) did not show up sooner, start talking to us sooner. We understand you need a fire station. I want you to have a new fire station. This building is not going to go to waste; it will be used by the township. If we put money into this, yes, it is a band-aid, but it gives you some room now. Do you really want us to scrap this and you get nothing? Because that is what is going to happen. Benak stated she has been here since 2009 and nothing has happened. If it was only for MMR, we would have bought a piece of property across the street, housed them there, and you would still be getting nothing, not even an update to a bathroom. You got a better solution, you got a set of plans, you've done all the work, you want to bring it to us and show us, Benak would gladly look at it. But to show up at the last meeting and say we haven't done our job, that is just not fair, especially when she knows she went into this with the best of intentions for both the fire station, the ambulance personnel, and the fire department personnel.

Lawson had no comment.

Hubbell stated he knows it is a lot of money, but if we don't do anything, you know what is going to happen. You're just going to kick the can down the road. Let's put the investment in the building and get us by and get a business plan going. Don't give up on it once we vote something in here to do something, add on. Move right on to the next project. We all have a pretty good gut feeling Rural Fire is going away, so we know that is our next big project. Let's work toward that, possibly build another building, or possibly work with the tribe, if the rest of the board is willing. He stated he is willing.

Benak and Goss stated they are willing, too.

Lawson stated we have even discussed, in the time frame of the five or eight years that we are going to be using this building, of creating a fund and saving some money and putting it aside so we had funds available to start the next project. We have plans for that.

Discussion followed.

Goss asked the board if there is any other information they need before making a decision on whether to award the contract to one of the two companies. What information are we missing? If there is no other information we need, Goss thinks we need to make a decision.

Lawson agreed we need to make a decision.

Goss stated she does not need any other information. Heating can be added to the cold storage area. The building does need to be remodeled. We need to move forward.

**Motion by Popp to move to Item G on the agenda.**

**There was no second. Motion failed.**

**Motion by Goss to award the contract to Richter Construction, second by Lawson.** There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, no. Motion carried.**

There was consensus to add discussion of financing to the agenda.

Added as Item #3.

**Financing (added)**

Popp stated we pull it all out of General Fund; why pay the interest. There is money in the Fire Capital Improvement account.

Discussion followed.

There was consensus that at least for now the project will be funded with monies on hand.

**Board Comments/Discussion**

None

**Public Comment**

Tim Shaffer, 5309 Moore Road, stated it is not true that the firemen have not been here in the past except down to the last minute. Fire personnel have been here several times but have not been up to the podium to speak. The drain off the apparatus bay has been addressed numerous times by me and several other people coming to meetings over the last three years. I think this board could work out something to help fund for a new station by raising the fire special assessment by a half mill over 5 years. That would give you a lot of base to start with for the new fire station. Half mill will not be that much strain on the people but would help tremendously to get funding ahead for future planning.

Dave Tilley, 1631 Rasha Road, stated he does not live in the township. Obviously, he is biased toward the fire department as he is a firefighter with Grand Traverse Rural. He said we know nothing is going to please everybody. The board is doing the best they can. They are trying to do the best they can. Obviously, we do not see eye to eye, but he applauds the board for moving forward and doing something. It is definitely not going to hurt us. Yes, it will give us more room. Is it ideal? No. It is a step forward and he does appreciate that. This is for himself; he can't speak for anybody else, obviously. He stated he will do everything he can, if asked, to work with the board. If he can answer questions, if he can help do something, he will offer his help.

**Adjournment**

Motion by Hubbell, second by Lawson, to adjourn. On voice vote, all those present voted in favor, none opposed. Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk