

**Whitewater Township Board**  
**Minutes of Regular Meeting held September 12, 2017**

**Call to Order/Pledge of Allegiance**

Popp called the meeting to order at 7:00 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: Interim Zoning Administrator Dennis Habedank, County Commissioner Carol Crawford, and 4 others

**Set/Adjust Meeting Agenda**

Goss stated she has three agenda changes:

- Under the Consent Calendar, Correspondence Item No. 3, remove Grand Traverse Rural Fire Board Draft Minutes of 08/16/2017, the wrong document was placed in the packet.
- Add Authorization to Treat Invasive Species at Whitewater Township Park (added as New Business #8)
- Add Bob Mitchell & Associates invoice (added under New Business #7)

Since Wayne Monson (New Business #1) has traveled from Grand Rapids, it was agreed his matter would be moved to Unfinished Business #1.

**Declaration of Conflict of Interest**

None

**Public Comment**

None

**Public Hearing**

None

**Reports/Presentations/Announcements/Comments**

**County Board of Commissioners Report**

Carol Crawford gave the following report:

- She missed Whitewater's meeting last month due to an invitation to the White House for county commissioners. They learned about the Intergovernmental Affairs Department, a resource for county commissioners to ask questions, check on grants.
- The BOC hired a new administrator, Vicky Uppal, a little over a week ago. Menzel will be with the county only at her request for the rest of the year.
- They have an ad hoc committee working on Animal Control. There is a friends group who will be coming out with a campaign to bolster dog licenses.
- They also appointed an ad hoc committee to work on the Veterans Affairs Board. Due to a change in state law, the makeup of the board is different. They used to have a wartime

requirement, which is increasingly difficult to adhere to. They are looking for new members and a new director.

- They had asked for an appraisal of the governmental center and the civic center, which was premature. The BOC will have a joint meeting 9/27 with the parks board to discuss their master plan, BOC thoughts on how they want the park system to look, and to define which park properties can be sold and which cannot be sold.

There were no questions for Ms. Crawford.

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

**Mobile Medical Response Report** – No one is present from Mobile Medical Response.

### **Planning Commission Report**

Lloyd Lawson gave the following report:

- The PC meeting was last Wednesday. They elected Eric Render as secretary.
- They reviewed a lot of the definitions, as well as reviewed several other articles. They have things ready to go to public hearing.
- Next meeting is 10/4.

### **Parks & Recreation Advisory Committee Report**

Cheryl Goss gave the following report:

- The most recent PRAC meeting was last night, but Goss was unable to attend.

### **Consent Calendar**

#### Receive and File

1. Supervisor's Report for September 2017
2. Clerk/Park & Recreation Administrator's Report for August/September 2017
3. Zoning Administrator's Report for August 2017 (none)
4. Mobile Medical Response August 2017 Activity Reports
5. Grand Traverse Rural Fire Chief's Report August 2017
6. Approved 07/10/2017 Parks & Recreation Advisory Committee Minutes
7. Approved 07/12/2017 Historical Society Minutes
8. Approved 08/02/2017 Planning Commission Minutes (document left out of packet)

#### Correspondence

1. Grand Traverse County Sheriff Department Statistics August 2017
2. Grand Traverse Rural Fire Board Approved Minutes of 07/19/2017
3. ~~Grand Traverse Rural Fire Board DRAFT Minutes of 08/16/2017~~ (removed)
4. GTRFD Officers' Meeting Minutes August 2017 (not available)

#### Minutes

1. Recommend approval of 08/08/2017 and 08/22/2017 regular meeting minutes

#### Bills for Approval

1. Approval of Alden State Bank vouchers # 41933 through 42053

2. Approval of First Community Bank Miami Beach vouchers # 1192 through 1233  
(1198 Void)
3. Approval of First Community Bank WMDLS vouchers # (none)

Budget Amendments (none)

Revenue & Expenditure Report (none)

**Motion by Hubbell to approve the Consent Calendar as amended, removing Correspondence Item No. 3; second by Popp.** There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

**Unfinished Business (moved from New Business)**

**Wayne Monson – Permission to Use Township Property**

Mr. Monson is present. He was in front of the board previously to ask permission to cross Whitewater Township Park property for the purpose of installing a septic system. However, he ran out of time with Popp Excavating and the park was opening up, so he had to wait till the park closes on October 1. He is once again asking permission to cross park property and has provided a hold harmless agreement. He will repair any damage caused by the excavator. He is proposing that the work would take place between 10/2 and 10/6 and thinks they will need three days.

Discussion followed.

**Motion by Popp to allow Mr. Monson to cross Whitewater Township Park property for the purpose of onsite septic disposal installation between the dates of 10/2 and 10/13; second by Hubbell.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

Mr. Monson will provide a copy of the insurance certificate from his excavator.

**Emergency Services Building Renovation/Addition Project**

Goss provided an update dated 09/08/2017 along with accompanying documentation.

There were no questions.

**Review Non-Zoning Ordinance Approval Process**

Goss provided her research on the requirements of updating a non-zoning ordinance. A public hearing is not required.

Discussion followed.

There was consensus that a public hearing should be held on all ordinances.

Benak asked if this will be a change in the policy book.

Popp will investigate; if there is nothing, he will draft a section and bring it back.

**Review General Ordinance 41 – Video Service Provider Right of Way**

Popp stated this ordinance pertains to the Uniform Video act that Charter has with us and is renewed every 10 years. This is an update to the ordinance. Popp provided the township attorney's redline and clean copies of the revised ordinance.

Goss requested to be provided with the document in Word.

There was consensus that the amendment of Ordinance 41 will be set for public hearing at the board's October 10th meeting.

**Review General Ordinance 32 – Private Roads – Planning Commission Recommendations**

Planning Commission Chairperson Kim Mangus is present. The Planning Commission provided two versions for the board's consideration.

Discussion followed:

- The text is color coded. Anything in blue is new text. Anything in black is original ordinance text. Anything in red is headings, key notes, or minor details.
- The Michigan Motor Vehicle Code definitions of "private road" and "private driveway" have been inserted.
- A redline copy may be needed to show what is being taken out.
- Version 2 is optional additions, i.e., design standards which could be reinserted.
- The revised ordinance will not apply to private driveways.
- There are standards in the subdivision ordinance for private roads.
- The optional standards would only apply to subdivisions, larger developments.
- A majority of the Planning Commission preferred the version without the optional standards.
- Existing private roads would not be affected.
- The proposed revision vests responsibility for private roads with the parties subject to the road.

Popp stated he would like to see a minimum road width specified, as well as a turnaround requirement.

Kim Mangus stated the county has no say on private roads, except for the access point. Their authority ends at the road right-of-way.

The issue of maintenance agreements was discussed, with consensus being that landowners cannot be forced to enter into such an agreement or comply with one. However, it could be recommended on the land use permit form.

Popp stated he would like fire department comment or review of the PC recommendation.

Mangus noted that subdivisions require fire department review.

Goss questioned the wording "approved private roads" in Section 2.00, Intent.

Mangus apologized, stating she apparently sent the copy prior to “approved” and “unregulated” being stricken. Anyplace that it says “approved” or “unregulated,” it should be removed.

Goss suggested the current copy be cleaned up before going to public hearing. Also, in Section 6, paragraph F, determination needs to be made as to who (township board, planning commission, zoning administrator) will review any private road serving 25 or more lots.

Benak suggested it would start with the zoning administrator.

Discussion followed regarding whether private roads should be addressed as a general ordinance or in the zoning ordinance.

Lawson noted that private roads and private driveways are two separate things. The definitions are clear. Lawson stated he is opposed to regulating private driveways.

There was general consensus that the Intent paragraph should be revised to make it clear that the private road ordinance does not regulate private driveways.

One, all, or none of the listed items in Paragraph I, Design Standards, could be added to Section 6 of the proposed ordinance.

Benak suggested that if the design standards are only intended to apply to subdivisions, it should say “subdivision standards.”

The document will be revised by Mangus and Goss and brought back.

Habedank stated he would like to be part of the review process as well.

It was agreed that this agenda item will be brought back at the second meeting in October (10/24), unless ready earlier.

### **Township Hall Exterior Cleaning**

This matter was resolved at the board’s 08/22/2017 meeting. The cleaning has been completed.

There was brief discussion of the treasurer window repair. Estimates have been requested but not received.

It was suggested that Goss call Mike Maten or Wimsatt.

### **New Business**

#### **Wayne Monson – Permission to Use Township Property**

This agenda item was addressed earlier; see Page 2986.

**Ambulance Millage Renewal**

Goss noted it has only been three years (not four) since the ambulance millage passed in 2014. It does have to go back in front of the voters in 2018. Goss suggested it be put on the primary ballot in August 2018.

Discussion followed.

Consensus was reached to place the ambulance millage on the ballot in August 2018.

The difference in new millage or renewal millage was briefly discussed. The board leaned toward a renewal millage.

Ballot language will need to be approved by early May 2018. Fahey's office will be asked to draft same next year.

**Laramie and Beamish – Approval of Land Split**

Interim Zoning Administrator prepared a handout detailing the request.

Habedank stated he is erring on safety. This came in as a land division request, but it is a lot line adjustment, not a division. Under Ordinance 26, the Whitewater Township Land Division Act, the township board has the authority to approve a width to depth ratio greater than 1:4.

Habedank stated he would like the board to say it is okay to proceed with the lot line adjustment. It will be making two lots out of what probably were three at one time. The Beamish property moves their lot line closer on their side and they end up with about 6 acres. The Laramie property ends up with about 9 acres. He stated the ratio really is not changing to any great degree.

**Motion by Popp to approve Habedank's recommendation to grant the lot line adjustment between the Beamish and Laramie parcels; second by Hubbell.** There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes.**  
**Motion carried.**

**Township Hall Handrail Painting Bids**

Benak has obtained bids from two vendors, CRM and Wheelock's. Wheelock's bid includes repairing and replacing base plates. CRM does not do that type of work. Also, CRM will update their bid to include the back-door handrails. CRM has quoted pickup and delivery but not removal and reinstallation.

Discussion followed.

**Motion by Hubbell to accept the proposal from Wheelock & Sons for sandblasting and painting of township hall handrails, including removal and installation; second by Benak.** There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

**Discussion of Whitewater Township Fire Department**

Benak stated she and Goss have talked concerning a discussion with the fire department personnel about upcoming events with Rural Fire and our future plans. Benak noted Popp went to one of their Monday night meetings and had a roundtable discussion with them about possible changes. Benak feels the township board should invite them in for a discussion, because this directly affects them and how their department is going to be run. She believes it would be a mistake for the board to do it on their own. She stated we need to bring them in early; their opinions and expertise counts.

Discussion followed.

Possible meeting dates were discussed. A special meeting will be set for Thursday, 9/21, at 7:00 p.m. The agenda item will be "future of Whitewater Township Fire Department."

**Halloween Party - Approval of Location/Extension of Campground Dates/Special Rate**

With the fire/ambulance station under construction, the Williamsburg Emergency Services Auxiliary would like to move the annual Halloween party to Whitewater Township Park. Rod Kuncaitis has submitted an application to approve the location.

**Motion by Popp to approve Whitewater Township Park as the location of the 2017 Halloween Party; second by Hubbell.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

Goss explained the proposed camping dates and rates.

Rod Kuncaitis provided further details regarding trunk or treating, food and game tents, parking, etc.

Discussion followed.

**Motion by Hubbell to allow camping at Whitewater Township Park for the nights of 10/26 through 10/28, to coincide with the Annual Halloween Party, with the nightly rate set at \$10 per night and no reservation fee; second by Lawson.** There was no further discussion.

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

**MDOT Land Transaction**

This agenda item involves the potential purchase of a 0.5-acre parcel of MDOT property located south of township property at 8380 Old M-72. A title search and environmental assessment have been recommended by the township's legal counsel.

Discussion followed, including a cost estimate for the phase 1 environmental study and the title search, as well as what line item to charge for the environmental assessment, purchase of the land, and the Mitchell & Associates invoice.

Popp will get a price on the environmental study before moving forward with it, as well as a policy commitment price.

Discussion turned to paying the Mitchell & Associates bill.

**Motion by Popp to move \$1500 from Contingency to Land to cover the Bob Mitchell invoice 4751 related to surveying MDOT parcel and revising fire station parcel; second by Hubbell.** There was no further discussion. **Roll call vote: Popp, yes; Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes. Motion carried.**

**Authority to Treat Invasive Species at Whitewater Township Park**

An intern from Elk-Skegemog Lake Association (ESLA) has identified purple loosestrife at the park. A park ranger has verified its existence near the water. ESLA is asking for authorization to treat it during September 2017 or the summer of 2018. This will be done at no expense to the township.

**Motion by Hubbell to authorize the clerk to sign the permission to treat form; second by Popp.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed. 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**

Goss requested a report from the supervisor at every second meeting of the month regarding what is going on at Rural Fire, especially since Rural Fire Board minutes are late in coming. Goss would like this report to be added permanently to the second meeting agenda under Reports/Presentations.

Popp acknowledged it is a good recommendation, especially now that there is no administrative assistant at Rural Fire.

**Announcements**

Special meeting on 9/12. Next regular meeting date is September 26, 2017, at 7:00 p.m.

**Public Comment**

Dennis Habedank thanked everyone for inviting him back. He stated he will start on 9/22.

**Adjournment**

Motion by Hubbell to adjourn; second by Lawson. On voice vote, all those present voted in favor, none opposed.

**2992**

*Approved 10/10/2017 - CG*

Meeting adjourned at 9:39 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk