

**Whitewater Township Board**  
**Minutes of Regular Meeting held November 14, 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, Lawson, Popp

Board Members absent: Hubbell

Others present: County Commissioner Carol Crawford, Grand Traverse County DPW Director John Divozzo, Firefighters Dave Tilley and Tim Arbenowske

**Set/Adjust Meeting Agenda**

Goss stated she would like to add the International Fire Code binder question. (Added as New Business #5)

Popp stated he would like to move Reports/Presentations #6 to #1 due to the limited time with Captain Arbenowske and to get input from the fire department on a waiver from Rural Fire for equipment the township has donated.

Popp stated he would also like to add possible sale of township property. (Added as New Business #6)

**Declaration of Conflict of Interest**

None

**Public Comment**

None

**Public Hearing**

None

**Reports/Presentations/Announcements/Comments**

**Grand Traverse Rural Fire Department (Update from 11/09/2017 Meeting)**

Popp reported that Rural Fire will continue the 2017 budget through March 31, 2018. They reviewed the detailed steps for breaking up the entity and have completed all, with the exception of how to divide the property. At the December 20 meeting, the township is supposed to have a list of donated equipment that we want back and a list of inventory items we want in our fire station. Rural will be functional until March 31, 2018, which will be the last day of operation.

Popp asked Arbenowske to comment on anything that we should get back without cost to us, and also inquired of Benak, who was around in 2011 when the township was considering pulling out.

Benak noted that at the time the township was considering leaving Rural, there was a committee which was put together and they did an inventory of everything, so there is a list to start from that could be updated.

Various equipment was discussed.

Arbenowske read from a list of items which are in the Whitewater station (except for the ladder truck):

1. Engine - purchased by Rural Fire in approximately 2003. Everything on it purchased by Rural Fire.
2. Tanker – purchased in 2000. Everything on it purchased by Rural Fire.
3. Air truck (2006) – purchased by Rural Fire. Everything on it purchased by Rural Fire.
4. All gear - purchased by Rural Fire (SCBAs, fire gear, turnout gear, boots, wildland gear, helmets).
5. Brush 3 (big brush truck) - purchased by Rural Fire in 2010 or 2011. Pump skid purchased by Whitewater Township. Odds and ends on there are insignificant. Pump probably worth about \$20,000. Labor donated through Tom Emerson and Pat Miller. Some lights were donated, some lights purchased, likely no cost to township.
6. Brush 3-2 - owned by the DNR.
7. Ladder truck - gifted to Rural Fire for calls at the resort or the casino. (Benak thinks the letter from the tribe concerning the gifting of the ladder truck is in a big binder.)
8. Expedition – owned by Whitewater Township.
9. Two snowmobiles, a trailer, various equipment in trailer - owned by Whitewater Township.
10. Skid on Brush 3 - purchased by Whitewater Township.
11. Kubota and trailer – purchased by Whitewater Township in approximately 2004. Township also purchased the fire skid unit currently on it, had a rescue skid unit built for it that could be interchanged, and also purchased a rescue trailer.
12. Zodiac type boat – owned by Rural Fire.
13. Other boat and motor - donated by the auxiliary.
14. Popp listed other “ancillary equipment” in the station valued at \$55,800. Arbenowske noted the township purchased the air compressor, flat screen TV, and VCR/DVD player.

Popp stated the total value in the station right now is \$676,000. The ladder truck adds \$127,000, for a total of \$803,000 that we will have to come up with.

Discussion followed regarding discounts given to Green Lake and Long Lake townships, division of cash, and finalization of the list.

Popp noted we should be able to get the waiver completed and signed at the December board meeting.

### **County Board of Commissioners Report**

Carol Crawford gave the following report:

- They have been working on their budget and will probably approve it tomorrow.
- They also have a discussion on a brownfield plan on Eighth Street near the end of Boardman.

- They will have a new soil erosion ordinance.
- The MERS pension payment for next year is \$5.9 million, allocated by departments.
- There have been a couple departures from the county. The deputy administrator was let go. The finance director decided to leave. Jean Derenzy was moved to interim deputy administrator. Deputy finance director Cherry Wolf was moved to interim finance director.

Brief discussion followed.

**County Road Commission 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 last met on November 1. They did a lot of ordinance review, Article 6, Article 14. They started discussing Article 7.
- They received a letter from Mansfield about event barns. There is someone who is looking at doing at event barn on Cook Road. This will be added to the PC's schedule.
- Next topic is addressing Article 37. They continue to go over definitions.

There were no questions.

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

Cheryl Goss gave the following report:

- The PRAC meeting was last night; Goss attended.
- There was a nice presentation from Caleb Melton and Leif Peterson concerning erecting a batting cage at Hi Pray Park. They are gathering information. They did not have any cost figures, but the PRAC was very interested in helping them. They had a map with proposed locations. It would be approximately 55-70 feet long and 20-30 feet wide and have two lanes. There would be a pitching machine in one side. Students and their families and other volunteers would build it. If the Little League is involved, grants can be pursued. They will return with more information.
- Regarding the used playground equipment for Whitewater Township Park, Brandon Hubbell still needs to get costs on bolts, fasteners, etc. Goss obtained better pictures and dimensions on the monkey bars and swing set to provide to Wheelock's for a powder coating estimate. This will not happen until spring.
- There have been a lot of problems this year at Hi Pray Park with people hanging around, drug deals, etc. The ability of people and vehicles to hide behind the berms is likely contributing to this problem. Goss discussed with the committee removal of all the vegetation on the berms. The PRAC, however, made a motion to recommend to the board to take the four berms out, grade and gravel, make it more open.
- Earl Ashmore was at last night's meeting and was thanked by everyone for voluntarily taking care of the dam at BCNA this summer (while Dennis Leach was recovering from surgery).

- One of the maps for the Recreation Plan needs to be fixed; Goss will call County GIS about this.
- The committee had asked Goss to look into whether the contractor who cleared the trails at BCNA was supposed to go all the way to the water. Goss looked at the contract. The scope of services paragraph for Area B, the trail to Elk Lake, states “No equipment allowed down trail B except for at the head of the trail.” Goss believes the contractor did what they could considering the wet conditions as the trail gets closer to the water.
- The committee feels the map of BCNA should not show the trail going all the way to Elk Lake and that the bench should be moved over by the pond.
- Decker provided portable toilet information for the boat launch.
- Cosgrove provided a tennis backboard proposal for a concrete wall. Goss will provide a price for a wood wall.
- Regarding a portable blind left behind at BCNA, Leach will remove it and hang on to it until January 1. If unclaimed, he will dispose of it.
- Melton asked the group to think about projects they want funded for 2018.

Benak inquired about signs and the osprey nest.

Goss reported that she notified Rauch several weeks ago that the ospreys were gone; he said he was going to get a truck and move it.

### **Consent Calendar**

#### Receive and File

1. Supervisor’s Report for October 2017
2. Clerk/Park & Recreation Administrator’s Report for October/November 2017
3. Zoning Administrator’s Report (not available)
4. Mobile Medical Response October 2017 Activity Reports
5. Grand Traverse Rural Fire Chief’s Report October 2017
6. Grand Traverse Rural Fire Chief’s Report November 2017
7. Approved 08/09/2017 Historical Society Minutes
8. Approved 09/11/2017 Parks & Recreation Advisory Committee Minutes
9. Approved 10/04/2017 Planning Commission Minutes
10. Approved 10/11/2017 Historical Society Minutes

#### Correspondence

1. Grand Traverse County Sheriff Department Statistics for October 2017
2. Grand Traverse Rural Fire Board DRAFT 09/20/2017 Minutes
3. GTRFD Officers’ Meeting Overview 10/04/2017
4. Grand Traverse Rural Fire Board DRAFT 10/18/2017 Minutes
5. GTRFD Officers’ Meeting Overview November 2017 (not available)
6. E-mail 10/29/2017 Jane Rohl re: Camping Season at Whitewater Township Park
7. Letter 10/30/2017 Paddle Antrim re: Request to Allow Inclusion of Access Sites

#### Minutes

1. Recommend approval of 10/10/2017 and 10/24/2017 regular meeting minutes

**Bills for Approval**

1. Approval of Alden State Bank vouchers # 42141 through 42231
2. Approval of First Community Bank Miami Beach voucher # 1235
3. Approval of First Community Bank WMDLS vouchers # (none)

**Budget Amendments (included in Unfinished Business #1)****Revenue & Expenditure Report**

Regarding the Consent Calendar, Goss reported that the Paddle Antrim group would like to be on a board agenda to give a short presentation concerning places in the township they can include on their water trail. Goss asked that Paddle Antrim be put on the December agenda.

Goss inquired about Popp's statement in his supervisor report that he is now having regular meetings with the tribe. Popp provided the following information:

- He meets with them the second Friday of each month. This started in November.
- He states he has been trying to reestablish contact with the board since at least June, which was cancelled. July and August were recessed. He stated it was noted in the supervisor report in August or September.
- "Various things" are being discussed. "This" meeting was all about fire department, the steps being taken at Rural, Popp's request for help verifying the title chain on the ladder truck.
- Popp stated it is an open meeting. Any board member can come; any township can come. It is every second Friday beginning at 9:00 a.m. at the waterfall in the main lobby of the resort.

Goss stated she believes two board members should be present at any meeting with the tribe, and board members should be notified if a meeting is cancelled.

Popp stated Sonya can put everybody's e-mail address on it. Sonya is the chairman's secretary.

Goss stated this should have been previously discussed with the board and an invitation extended to the board members.

Popp stated there is no agenda; it is up to "them" what will be discussed. Popp stated he attends at their invitation.

Benak asked Popp how it came about that the meetings started up. She stated he mentioned in another board packet that he was trying to get a meeting.

Popp stated "through those requests," he assumes. To his knowledge, the meeting he attends is for Whitewater. He stated he can forward everyone's e-mail to Sonya. She sends out cancellation notices, but otherwise it is a standing meeting. Popp states he has met with Jane Rohl and Chairman Sam.

Goss requested that Popp provide Sonya's e-mail address to all board members.

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

It was agreed that the Grand Traverse County DPW matter would be taken up next (New Business #1).

**Grand Traverse County DPW – Miami Beach Sewer District Budget Amendment**

Mr. Divozzo, Director of the Grand Traverse County DPW, is present.

He has presented a memo asking for township board approval of a budget amendment. A couple issues have transpired this year that required additional funds. The approved budget is \$7,000 annually. The main was hit by the gas company. There is the condition assessment. There is also the mapping project, which has been completed. Everything is now tied to GPS.

The full amount of the requested amendment is \$7,750, which includes all of the (above) costs, plus the costs to maintain the system through the end of the year. There is a cushion to make sure they do not exceed that budget, but Whitewater Township will only be invoiced for actual costs. He recommends all bills come through their budget. The county certifies that the contractors have done the work they said they are going to and can withhold payment if they do not. They also document all expenditures in an annual budget, which are historical costs for the system. Also, if a contractor goes through the township, there can be work being done that the county is not aware of.

Board member questions were answered by Mr. Divozzo.

**Motion by Goss to approve the budget amendment dated 10/26/2017 to the 2017 Whitewater Township Maintenance and Operations budget for the Miami Beach Sewer System.**

There was discussion of the amount.

**Goss amended the motion to add “to cover additional costs of \$7,750”; second by Benak.**

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

The original signed document was provided to Mr. Divozzo before he left the building.

**Unfinished Business**

**Emergency Services Building Renovation/Addition Project – Update and Budget Amendments**

Goss provided a written update on the construction activities as of last week, as well as a final budget for the project, including necessary budget amendments.

Lengthy discussion followed.

**Motion by Lawson to redirect budgeted Road Fund (\$16,000), Road Repair/Replacement Fund (\$100,000), and Recreation Fund (\$20,000) transfers, along with Election Department Wage (\$4,000) and Capital Expenditure (\$4,000) funds to the Ambulance Fund Capital Expenditure line item in the total amount of \$82,500 and to the Fire Capital Improvement Fund Capital Expenditure line item in the total amount of \$61,500; second by Benak.** There was no further discussion. **Roll call vote: Hubbell, absent; Lawson, yes; Popp, no; Benak, yes; Goss, yes. Motion carried.**

**Motion by Goss to reduce the Fire Fund Contingency line item by \$21,000 and move these funds to the Fire Capital Improvement Fund Capital Expenditure line item; second by Lawson.** Benak thanked the clerk for putting together the budget document. **Roll call vote: Lawson, yes; Popp, no; Benak, yes; Goss, yes; Hubbell, absent. Motion carried.**

### **Discussion of Whitewater Township Fire Department**

The first subcommittee meeting is tomorrow night, 11/15/2017.

### **Ordinance 32 – Private Road Ordinance – Proposed Revision**

Planning Commission Chairperson Kim Mangus is present.

Popp provided input regarding the addition of the word “gas” in Section 3B; definition of “condominium unit” in Section 3D; removal of description of fire department turnaround in Section 3G-4; recommend that Section 3L be left in for developments that have more than 25 lots; Section 4A-3, some type of road maintenance agreement should be required; Section 8, Exception/Appeals, does not agree with removal of the hardship standard.

Discussion followed.

**Motion by Benak to set the revised Private Road Ordinance for public hearing at the December 12, 2017, township board meeting; second by Goss.** There was no further discussion. On original voice vote, not all votes were audible. Goss called for a roll call vote. **Roll call vote: Popp, no; Benak, yes; Goss, yes; Hubbell, absent; Lawson, no. Motion failed.**

Lawson stated several objections, and cited the fact that the planning commission’s original recommendation was to do away with the ordinance.

Popp stated he feels this (revision) relaxes many things to an unacceptable level. He stated he is opposite where Lawson is at, but stated Lawson has a terrific point that there is a difference between a driveway and a road, and this (ordinance) applies to roads only.

Further discussion followed.

This issue will be brought back on the December agenda when the full board is anticipated to be present.

**Review of Zoning Ordinance Amendment No. 72**

Zoning Ordinance Amendment No. 72 revises Articles 3, 17, and 19. Discussion continues from the board's 10/24/2017 meeting.

Revisions/questions/answers regarding Article 3 include:

- Accessory Building - The words "or a lot contiguous to" will be added.
- Billboard – All existing rules for billboards are still in effect. Ordinance has been eliminated from the definition.
- Campground, Private Family – Should say . . . are "not" for remuneration.
- Condominium Unit – Take out the word "means" at the beginning.
- Condominium Project – Take out the word "means" at the beginning.
- Dwellings – A pole barn can be considered a dwelling.
- Single Family Dwelling – If allowed, "tiny homes" would fall under a new definition.
- Fence, Residential Standards - Fence standards are proposed to be eliminated from Definitions but do not appear elsewhere in the ordinance.

It being close to 10:00 p.m., there was discussion of how to proceed with this agenda item.

It was agreed that this topic will be tabled until December 12th, at which time it will be picked up at Fence, Residential Standards. There was consensus that the other changes discussed are acceptable.

**National Fire Protection Association Subscription**

**Motion by Popp to purchase a year's subscription to the NFPA manuals; second by Benak.**

Discussion followed.

**Popp amended his motion to sign up for a 1-year membership at \$175 and to buy the codes for an additional \$1345.50; second by Benak.** Discussion followed. Membership will be in the name of Whitewater Township. **Roll call vote: Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes. Motion carried.**

**New Business**

**Grand Traverse County DPW – Miami Beach Sewer District Budget Amendment**

This matter was addressed earlier in the meeting; see Page 3026.

**Risk Control Report – Michigan Township Participating Plan**

This item will be brought back on the second January meeting agenda.

**Approval of Tobin & Co. Representation Letter Signature**

**Motion by Benak to authorize the clerk to sign the Tobin & Co. representation letter; second by Popp.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**



**Approval of Modification of Offer of Employment for Zoning Administrator**

Goss prepared a memo advocating that the zoning administrator be paid regular pay for holidays which fall during the regular work week.

Discussion followed.

There was brief discussion of Popp's recent evaluation of Habedank.

**Motion by Benak to modify Dennis Habedank's offer of employment to include regular pay for holidays listed in the personnel manual when they occur on his regular work days; second by Goss. Brief discussion followed. Roll call vote: Goss, yes; Hubbell, absent; Lawson, yes; Popp, no; Benak, yes. Motion carried.**

**International Fire Code Binder Contents (added)**

Goss asked where the contents of the 2006 International Fire Code binder are. The question was directed to Popp.

Popp stated it has been in the supervisor's office for years. He stated he has an electronic copy and he recycled the contents and put the binder in the copy room. It was not labeled as do not remove or as anything special. He stated he thought it was a record of the supervisor's office and there was no reason for him to keep a printed copy that he cannot search. He offered to print another copy.

Goss stated the document is Ordinance No. 40 and the missing contents were the township's second copy of it, which has been used by various zoning administrators. It is township property. If Popp did not want it, he could have put it in the clerk's office or somewhere else but should not dispose of township property.

**Possible Sale of Township Property (added)**

Popp stated he has been contacted by the Korson family to possibly purchase township property on the corner of Cram and Elk Lake Road, and asked if the board has an interest in selling it.

Discussion followed.

Goss will look for the deed. Benak will check into the SEV.

This matter will be discussed in closed session at the December meeting.

**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**

Benak stated she needs articles for the December newsletter as quickly as possible.

Benak also noted the 2% grant deadline at the end of December and asked if there is any interest in putting something together.

Discussion followed.

Benak stated her plan is to get the WMDLS checks issued before the end of the fiscal year.

**Announcements**

The next township board meeting will be held on December 12, 2017, at 7:00 p.m.

**Public Comment**

None

**Adjournment**

Motion by Benak to adjourn; second by Popp. Meeting adjourned at 10:29 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk