

**Whitewater Township Board  
Minutes of Regular Meeting held March 26, 2019**

**Call to Order**

Supervisor 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: Treasurer Benak, Clerk Goss, Trustee Hubbell, Trustee Lawson, Popp

Board members absent: None

Others present: Deputy Supervisor Ron Bachi, Janet Bachi, Heidi Vollmuth, John Nolan, Tom Slopsema, Tim Shaffer, Hayden Popp, Tom Czerwinski, John Goss

**Set/Adjust Meeting Agenda**

Goss requested the addition of Revised Whitewater Township Park Conceptual Plan and Costs for purposes of a Waterways grant application to be submitted by 04/01/2019.

Added as New Business #12.

**Declaration of Conflict of Interest**

None

**Public Comment (4:58)**

Janet Bachi, 6987 Cook Road, stated the only thing on the township website for this meeting is a budget meeting. She admitted to spending three hours talking to Popp about event barns and has a right to give her opinion. She said we should be asking everybody to come to a conclusion to make questions for your survey. She stated event barns are not part of the Right to Farm Act. Referring to the legislation Lawson found making it illegal to prohibit event barns, House Bill 5947 just got sent to the Agricultural Committee; she stated there is nothing in the laws for that right now. There are a lot of things that were said that are not in the minutes. She said you stated to my neighbor that there was no application for event barns ever done, but she has a letter dated 07/24/2018 from the Williams requesting an amendment to Article 10 (letter read aloud) and enclosing a \$300 application fee. She stated they bailed on 7/31 because they decided that it was not going to work for them. She said the board should be aware of what they are saying before they say things to the public if they don't have factual information on them.

**(9:37)**

Tom Czerwinski, 7021 Cook Road, stated the survey draft intimates that this is a historic barn that is going to be used for the event barn, and it gives the impression in the preliminary on the survey that this is what it is about. Yet, last time when we had meetings and they were proposing an ordinance, it just turned out in the ordinance it was just going to be a structure. He stated he thinks it gives the wrong impression to the people who are going to take the survey that this is for historic structures that are going to be used, and yet, last time, the Williams who applied for that were not even farmers and there was no structure on the property itself. How can you issue an event barn for a structure that is not even there? He stated he is assuming, if people

see this and go by this, think it is a historic barn, and then all of a sudden when the ordinance comes out it can be a brand new structure that has come on the property.

**(11:17)**

Heidi Vollmuth, 8371 Winnie Lane, stated she wants to make sure we are not treating this survey like we treated the marijuana survey because it seemed like the marijuana survey took the majority, didn't ask all the minority, we opted out. Down the road, they opted in. We are losing revenue. She suggested we replace the age question and tell the truth, that this survey is going to be exactly like the marijuana survey; this is it; you are going to get a vote, because right now the minority of us are sitting here and the majority of this might get it, might not, because she is noticing that there are a lot of people in this community and a couple that sit around this table that don't use computers or e-mail. She stated she would like to see Lindsey's e-letter put in with this event survey; there is a lot of critical information here. She stated she does not know if we are ready to do this yet because sometimes we say one thing and then we say another. We are all over the map; we are in a hurry. If we are going to treat this the same way as the marijuana survey, let's at least make that concrete in the survey, that that's what we are doing, because we should be worrying about fixing our roads because right now our roads are terrible.

**(13:39)**

Ron Popp (standing at the podium), 6237 Elk View Drive, stated he has an issue with what took place at the 3/12 meeting. He stated he provided correspondence that stated exactly how he felt about event barns, but yet Hubbell verbally portrayed an opposite opinion. He stated he has a recording of it, and basically Hubbell stated that if Popp were here, Hubbell knew that Popp would support moving forward with the event barn survey. Popp stated he does not know how they got an opposite opinion, but he wants to make sure that everyone in attendance here understands that that was an incorrect assumption. He does not support moving forward with the event barn.

**Correspondence (15:07)**

1. E-mail 03/13/2019 Dee Prabhaker re: Followup to Discussion of Event Barn Survey
2. Letter 11/08/2018 Dept of Treasury to DPW Director John Divozzo re: Grant Approval

There were no questions from the board on the correspondence.

Popp stated he will indicate his support for Dee's position on the event barn survey, for the record.

**Public Hearing (15:48)****2019/2020 Fire Special Assessment District Budget**

The public hearing on the 2019/2020 Fire Special Assessment District Budget was opened at 7:13 p.m., with a reminder to those attending to sign in. The legal notice of the public hearing was published on 03/14/2019 in the Elk Rapids News and on 03/17/2019 in the Traverse City Record-Eagle.

The property tax millage rate proposed to be levied to support the proposed Fire Special Assessment District budget is 1.0000 mill. Fire Fund proposed revenues are \$205,300. Proposed expenditures are \$227,065. Operating deficit is \$21,765.

No written comments were received on the Fire Special Assessment District Budget.

Popp offered those present an opportunity to comment.

There was no public comment.

The public hearing on the Fire Special Assessment District Budget was closed at 7:15 p.m.

### **2019/2020 Ambulance Millage Budget**

The public hearing on the 2019/2020 Ambulance Millage Budget was opened at 7:16 p.m., with a reminder to those attending to sign in. Legal notice of the budget public hearing was published in the Traverse City Record-Eagle on 03/17/2019 and in the Elk Rapids News on 03/14/2019.

The property tax millage rate proposed to be levied to support the proposed Ambulance Millage Budget is 1.4915 mills, as reduced by Headlee. Ambulance Fund proposed revenues are \$377,650. Proposed expenditures are \$357,675. Net gain is \$19,975.

No written comments were received on the Ambulance Millage Budget.

Popp offered those present an opportunity to comment.

There was no public comment.

The public hearing on the Ambulance Millage budget was closed at 7:18 p.m.

### **2019/2020 General Fund Budget and all other Township Budgets**

The public hearing on the 2019/2020 General Fund Budget and all other Township Budgets was opened at 7:19 p.m., with a reminder to those attending to sign in. Legal notice of the budget public hearing was published in the Traverse City Record-Eagle on 03/17/2019 and in the Elk Rapids News on 03/14/2019.

The property tax millage rate proposed to be levied to support the proposed General Fund Budget and all other Township Budgets is 0.5985 mills, as reduced by Headlee.

**General Fund** proposed revenues are \$503,950. Proposed expenditures are \$711,046. Operating deficit is \$207,096.

No written comments were received on the General Fund Budget.

Popp offered those present an opportunity to comment.

Heidi Vollmuth, 8371 Winnie Lane, stated we have a public improvement fund; is this new?

Popp inquired of the board if they wish to answer the question.

Benak stated no.

Goss stated it is not our time to speak; it is their time to talk.

Vollmuth stated put it on public record that we took \$50,000 out of the road fund and put it in the public improvement fund. She stated she does not know what we are improving because it does not say. Whoever decided to do that, please inform the public of what we are doing with it.

Ron Popp (standing at the podium), 6237 Elk View Drive, stated he thinks the board's action to remove funding from the Road Repair/Replacement Fund is only going to serve a longer delay in replacing or repairing the roads that are in need of assistance. He stated he is deeply saddened that this took place and believes speaks highly to how the board operates as a group of four.

Ron Bachi, 6987 Cook Road, stated he would like to make it public record that during the meetings he did recommend that we leave the \$50,000 into the road fund because his thoughts were that in Whitewater Township, with the township board, he thinks that nothing could be more important than the safety and improvement of our roads. He heard last night about how important it was to bank money for parks and recreation. He thinks a comment was we have the parks; we need to take care of them. We have the roads; we need to take care of them.

**Road Fund** proposed revenues are \$16,905. Proposed expenditures are \$22,000. Operating deficit is \$5,095.

No written comments were received on the Road Fund Budget.

Popp offered those present an opportunity to comment.

There was no public comment.

**Road Repair/Replacement Fund** proposed revenues are \$50,150. Proposed expenditures are \$118,000.

Popp stated he believes the \$118,000 is a mistake, a leftover from last year's estimate for Park Road. He stated, to his knowledge, we have no cooperative efforts with the Grand Traverse County Road Commission for 2019.

It was pointed out to Popp that the \$118,000 number is what he proposed.

Benak asked if Popp wants to change it to zero.

After brief discussion, there was consensus that the proposed expenditure figure of \$118,000 will be left as unallocated.

No written comments were received on the Road Repair/Replacement Fund Budget.

Popp offered those present an opportunity to comment.

There was no public comment.

**Park Fund** proposed revenues are \$136,800. Proposed expenditures are \$220,700. Operating deficit is \$83,900.

No written comments were received on the Park Fund Budget.

Popp offered those present an opportunity to comment.

There was no public comment.

Popp stated he is recommending that we set a minimum threshold for funds like this.

Brief discussion followed.

Popp offered those present a second opportunity to comment.

Heidi Vollmuth, 8371 Winnie Lane, stated she looked at the park proposal and now she sees that we are at a negative. Don't you think we should do something about Park Road before we make all the improvements in the park so that maybe people want to bring their expensive boats down a dirt road.

**Recreation Fund** proposed revenues are \$30,075. Proposed expenditures are \$82,100. Net deficit is \$52,025.

No written comments were received on the Recreation Fund Budget.

Popp offered those present an opportunity to comment.

There was no public comment.

**Ambulance Replacement Fund** proposed revenues are \$0. Proposed expenditures are \$0. Popp stated since we no longer operate at township-owned ambulance service, this fund is unused.

No written comments were received on the Ambulance Replacement Fund Budget.

Popp offered those present an opportunity to comment.

There was no public comment.

**Public Improvement Fund** proposed revenues are \$50,000. Proposed expenditures are \$0.

No written comments were received on the Public Improvement Fund Budget.

Popp offered those present an opportunity to comment.

There was no public comment.

**Fire Capital Improvement Fund** proposed revenues are \$223,551.

There was brief discussion of the proposed revenue number. There was consensus that \$223,551 is the correct revenue figure.

Proposed expenditures are \$270,000. Deficit is \$46,449.

Popp questioned the -\$414,205 number listed under Fire Capital Improvement Fund Grand Totals.

Goss explained that those are the grand totals of every single fund in the entire budget from page 1 to the end.

No written comments were received on the Fire Capital Improvement Fund Budget.

Popp offered those present an opportunity to comment.

There was no public comment.

The public hearing on the General Fund Budget and all other Township Budgets was closed at 7:42 p.m.

Popp called for board discussion on the proposed budgets.

Goss noted that the \$223,351 proposed to be transferred to the Fire Capital Improvement Fund needs to be shown in the Fire Fund in line item 999 Transfers to Other Funds.

Popp requested a notation be added to the document showing that the funds are being transferred to the Fire Capital Improvement Fund.

With the change in the 999 Transfers to Other Funds line item, the total proposed expenditure amount is \$450,416.

Popp said transferring \$450,416 will leave less than \$2,000 in the fund.

Goss explained that the only transfer is \$223,351, and the current Fire Fund balance includes the \$223,351.

Benak noted that the Chief said the purchase of that vehicle will be paid in two different fiscal years.

Goss mentioned that she modified the Projected Change in Fund Balance document with the Actual Thru column figures based on last year's minutes reflecting that the board agreed to that procedure.

Goss also noted that a correction should be made on the last bolded line so that it says "Projected Fund Balance 03/31/2020." It currently says 03/31/2019.

There was brief discussion of when the updated document was sent out.

### **Reports/Presentations (56:50)**

None

### **Unfinished Business (56:50)**

#### **Miami Beach Sewer System - Set Property Values/Update**

Goss provided a memo with supporting documents and stated that at the last meeting we talked about setting values for the quarter-acre parcel, the 5-acre parcel, and all of the system components except those that are homeowner owned. The documentation shows that the township did not pay anything for the system. It was all paid for by the Miami Beach property owners. Goss explained that it is very similar to the Orchard Shores sewer system in Acme Township in that the township did not have any money into the system. There, a developer bought the property, found out that the property did not perc, spent his dime to put the system in, and gave it to the township. Acme Township eventually transferred that system back to the Orchard Shores Association for \$1 on the deed. Goss stated she is suggesting that the board can set values of \$1 each for both pieces of property and all of the system components. Deeds have to be drawn up. Goss also noted that there is no question that the township can transfer the property; there is no prohibition against it; the township attorney has already said the township can do that.

Goss noted that the Miami Beach Road Association representatives are working hard to find out all of the costs that will be involved for the Miami Beach Road Association to get ownership of the system in their name in order that they can present the entire transaction to their membership for a vote. Obviously, the members need to have that information so they can make an informed decision.

Popp said his comments will remain the same; Orchard Shores is a completely different project than what this is. He stated while he has no issue at returning what was provided to the township for the same dollar amounts, the two issues that he believes this board is not looking out for are that we have now somehow completed a joint application. He asked if anybody on the board holds a mechanical license or an electrical license or any type of license in the State of Michigan besides him. He also stated what happens if one of the components that is on the Lossie Road park land needs to be dug up and replaced. The township does not have authority under the current agreement to do that, so you are doing yourselves a disfavor by trying to do this cheaply without getting the right documentation and easement in place. He said it does protect the

township because future boards would not have to allow that excavation. The easement is specifically for motorized vehicle over the land, not under it or above it. He stated those are the two major differences right there. He stated he does not think we can encumber the township for use of the Cook Road right of way. Although this board has made their decision to complete that application, he thinks we will find fault there. Regarding costs, he stated \$1, not a problem, whatever it was given to us for, but the other two items still are up in the air and are likely the most costly items to get figured out.

Benak stated to Popp: Tonight, we are deciding on the value, correct?

Popp replied no, later on you will see that the easement is part of this negotiation, so the board needs to be aware that you are giving away easements to park land and he thinks it will be unprecedented.

Goss stated her response is that the minutes from 3/12 reflect that we were only going to set values at this meeting, and that we were not going to deal with the other two main issues that Slopsema brought up until the meeting on 4/9.

Popp stated he requested a recording from the township board of that meeting and did not get it, so thankfully he was prepared and recorded that meeting himself. He stated whether your minutes reflect that or not, that was not part of the discussion, and stated he will be more than happy to play that video from beginning to end.

Goss stated she is checking the minutes, and already has the other two matters on the agenda for 4/9 and her memo did not speak to either of those other matters.

Popp responded that the documents Goss placed in the packet do speak to the easement itself and he will locate the page.

Goss replied that what she is saying is there is no recommended motion for those tonight. Goss said she does not see that it is in the minutes exactly but said she believes she talked to Slopsema about it, that we would not try to put all of these issues on this agenda tonight, so there is no request on that. Goss also stated that as far as the easement for Lossie Road, they have already been accessing Lossie Road Nature Trail for 20+ years, going down to the gate, accessing the property, the Grand Traverse County DPW has, and doing whatever they need to do out there. Goss stated the easement that is drawn up will specifically give them motorized access just down to the gate and into the property for anything they need to do for operation and maintenance of the system, including digging in the ground.

Benak asked if we really need to talk about that tonight.

Goss replied no, we do not; Popp brought it up.

Popp stated it is on page 67 and you say that it is not part of this, but it says "MBRA requests approval that the value of each real estate parcel of property and system mechanics properly be placed at \$1 for purposes of bill of sale and deeds. MBRA requests concurrence that the

township board will approve the Lossie Trail easement for piping and service. The MBRA requests concurrence that the township board will transfer the balance of the receiving fund,” and stated he has no problem with that either.

Popp stated you make a valid point; DPW has been going across park land for the last 20 years for the owner of the system, which has been Whitewater Township. Now the owner is someone else, and if you would give someone easement across your land, then your property rights radar should be in full swing, because you would not do that on your personal land.

Benak stated she gave Consumers Power the right to go across her land.

Popp replied that is a utility.

Benak stated, to her, this is a utility.

Popp replied but it is a privately held utility.

Benak stated it has been established for over 20 years.

Popp replied only through township ordinance, so the new owners are new at it, and they do not have the authority to levy additional money to the tax bills.

Benak stated all they have to do is petition the township for a special assessment, which is what they did before, and if they needed an influx of money, that is what they would have to resort to again.

Popp said if it is legal to do it for the second time on the same asset.

Benak stated she is pretty sure it is.

Popp stated he is not so sure it is.

Benak stated it is the same thing with roads.

Popp stated those are his concerns. The board is going to do what they want to do. He stated the last and final concern is that we have never as a board transferred assets without legal opinion, and that is what you are proposing to do.

Benak stated we have had a lot of legal opinion on this; she knows because she just looked at the bills that came through that have done nothing but talk about Miami Beach Road special assessment transfer.

Popp stated it spoke about the transfer, but it never spoke about the perils of the transfer, or advantages, so we do not have an opine on the advantages and disadvantages.

Benak stated she thought we did.

Goss referred to the 11/30/2018 confidential legal opinion, attorney-client privilege.

Popp stated that is about the sale, not about the advantages or disadvantages.

Goss asked if she could be allowed to finish and stated the attorney talks about the potential for future liability under the circumstances that he talked about in the Elkwood Shores opinion. He talks about that you can maintain oversight and control by maintaining control of the system. Goss stated she is convinced that the Miami Beach Road Association has been extremely responsible with their management of the system over these 20+ years and the things that they have done on the homeowner side of the system over and above what Grand Traverse County has done, and she is confident that they are going to maintain it and operate it and we are not going to have any problems. That said, Goss noted the attorney is also going to write up indemnification language, and referred to an e-mail of March 8 which, she stated, the board may not have gotten yet. The e-mail is from Patterson on March 8 talking about the initial assessment of issues and requirements. She stated she does not think it was ever forwarded to the board by Popp or herself, but did provide a copy here. She stated, under the Transfer Agreement Provisions, one of the things that is going to happen is that Miami Beach Road Association is going to have to release the township from liability for future problems and indemnify the township against future problems. Goss stated those things are all going to be handled in the transfer agreement that will be drawn up. Goss stated she is confident that the township attorney, who provided two pages of issues, and the Miami Beach Road Association attorney are going to be able to craft a document that is going to address all of the issues, the easement issues, and also what would happen if the Miami Beach Road Association wanted the township at some future point to do some kind of special assessment. She stated she thinks all of that is going to be taken care of; the township attorney is very good, competent, and thorough.

Goss stated, again, the only thing that her memo speaks to is the motion that Goss put together. She stated she has a couple other issues to bring up. Also, one of the reasons this has been a standing agenda item was to allow Nolan and Slopsema to update the board on anything they want to convey to the township, when we can all hear it. Goss stated all of these other issues are going to be dealt with; the township is going to be held harmless from future liability. Goss stated the road commission is going to demand that, too, but that is their deal with the Miami Beach Road Association; the township does not need to get involved in that. The township does not need to get involved between the Miami Beach Road Association and the Grand Traverse County DPW; they have already talked to them. The township does not need to get involved between the Miami Beach Road Association and the DEQ. Goss noted that Nolan and Slopsema have done a very good job of following up on all those things.

Goss stated she is confident that all of the issues are going to be addressed, and right now we are just setting values on the two parcels of land and the value of the entire system components and infrastructure so that they know how much that is going to cost and can present their cost estimates. Goss said this is information gathering and we can take another step tonight by setting these values, which it does not sound like there is any disagreement with, and get that part done so that we can move forward.

Popp asked: To be clear, the easement and the county road right of way are not part of this motion, independent of what Slopsema's 3/14 document is requesting from the board; is that correct?

Goss stated her proposed motion is a motion to set the value of parcel 13-127-011-11 at \$1, to set the value of parcel 13-127-030-10 at \$1, and to set the value of the sewer system components/infrastructure at \$1, and stated by that she means all of the components that are not homeowner owned. Goss stated her motion does not have anything to do with easements, right of ways, or anything like that. Goss noted that is all going to be talked about again at some other meeting.

Benak asked if Goss is making a motion.

Goss stated she is proposing that motion but will make it if Benak would like.

Popp stated he will second the motion; he has no problem selling those items back; they were gifted to us for the same dollar amount.

**Motion by Goss to set the value of Parcel 13-127-011-11 at \$1, to set the value of Parcel 13-127-030-10 at \$1, and to set the value of the sewer system components/infrastructure at \$1; second by Popp.** There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

Goss noted that she also provided the board with an e-mail she sent to Attorney Patterson on 3/22 with a couple concerns about the conference call that will eventually take place. The last page of the e-mail is a document she sent to Patterson; she believes it was in the board packet in November. It is a letter from the president of the Miami Beach Road Association, which he dropped off personally here at the township, delegating authority to represent the association regarding this matter to Tom Slopsema, Dave Vandyk, and John Nolan. Goss noted that on any conference call that takes place on this matter, at least one or two or all three of those people need to be present. Goss stated she advised Patterson of that.

Goss stated that she also thinks it is a good idea that there be two township board members present on the conference call and is asking the board to agree that, on any conference call that takes place regarding this system, there be two board members, and stated she is sure Popp wants to be one of them and is not insisting that the second person be herself.

Popp stated his recommendation is that it be Goss because she and him have probably been involved with this since the beginning, so we might be considered two good candidates.

Hubbell, Benak, and Lawson indicated their agreement with that.

There was consensus that there will be two township board members on any conference call related to the Miami Beach sewer system.

Goss stated her last issue, before we hear from Nolan and Slopsema, is that Popp would like to have further research done by the attorney on the advantages and disadvantages of transferring the system. Goss stated she looked back at the legal opinion, and does not care what the board does on this, but her personal opinion is that we know what those are, that board members know that we have to protect the township, it has to be done correctly, every T has to be crossed, every I has to be dotted. She stated she is not sure that we need to spend any more money at the attorney's office. We know that private entities can own sewer systems. They have already done a lot of their due diligence on these other agencies' involvement. She would like the board to make that decision.

Popp stated, in defense of that request, from the 11/30 e-mails from Patterson, which all board members got, he recommends that we do go through that process. He stated if the board chooses not to, that is up to you. He stated that he is recommending that we follow the attorney's recommendation and we have that advantage and disadvantage list prepared.

Discussion followed concerning statements of Patterson in various e-mails, including the following quote from Patterson's 11/30 e-mail at 5:46 p.m. (as read by Popp), "Ron and Cheryl: Attached is the legal opinion regarding the sale of Miami Beach system. As I noted in the opinion, the township may want to verify all of the paperwork has been completed for a potential sale. Otherwise, I would recommend that you also consider other advantages and disadvantages of selling the system, which were outside the purview of our opinion. These include who has best expertise to manage, who is in the best position to impose rates and may not approve of, and who is best able to consider long-range planning and ensure assets maintenance is completed and capital improvements are done when deemed necessary, new technology imposition and requirements by state and federal agencies. If you have additional areas that you would like to cover, please let me know."

Popp stated he does not know if that recommendation ever made it to the board level. It should have come with the legal opinion.

Goss noted the legal opinion was not dispersed in a board packet.

Discussion followed.

**Motion by Popp to hire Chris Patterson to generate his legal opinion as recommended 11/30/2018 for the advantages and disadvantages of selling the Miami Beach sewer system.**

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

Tom Slopsema, 9693 Miami Beach Road, thanked the board for their consideration on the parcel and infrastructure values in terms of a potential transfer. Regarding their request to the county road commission submitted on 03/13/2019, he stated it was odd to him at first, the form and who the applicant and contractor people are, but they were told to do this by Ron

Rohloff. Nolan spoke to Ron, and it was Ron's direction to use this form. Slopsema stated he and Nolan both spoke to Marc McKellar; he also said use this form. He stated he wants to clarify to the board what their request to the road commission was. He read the following: "Miami Beach Road Association requests that the road commission determine right of use requirements, permit costs and fees associated with the section of the force main buried in the public right of way on Cook Road." He stated this was not requesting a permit. This is requesting the road commission to tell us what all they need to do and then how to apply for a permit and the fees, so this was a request for them to look at it. He stated they have not heard back yet from them. He stated now that the snow is off the ground, they can see the cleanout manhole covers, and that gives them an opportunity to measure accurately how far off the pavement the pipe is buried, as well as how deep the pipe is buried. He stated that was other data that the road commission wanted, so they will get that over the next day or two and will follow up with the road commission by the end of the week on the status of their requests, again, the status of the request for the road commission's right to use requirements and permitting costs and fees and that sort of thing. He stated that is where they are at at this point, waiting for the road commission to get back with them.

John Nolan stated he does not have anything this week.

Goss clarified that they have talked about, for the 4/9 agenda, dealing with the other requests in Slopsema's letter dated 3/14, which has to do with the easement and the receiving fund.

Slopsema confirmed that he and Goss have talked about that a couple times, that it would occur on 4/9.

Popp stated before he is prepared to vote, he wants to see the agreement that releases us from liability.

Slopsema stated that is fair.

Popp stated we are not going to vote on something that is pie in the sky, in his opinion, and asked Lawson what is his thought.

Lawson stated everything needs to be in order across the board, and stated it is a process; we have to work through it.

Popp asked if that means the indemnification.

Lawson replied yes, all that, all the way across. All the permits, everything needs to be in order.

Popp stated whether or not that gets done by 4/9, he asked who is going to do that.

Goss asked Popp, when he says "agreement," what agreement is he referring to.

Popp stated before he is willing to even consider encumbering township land, we have to have the agreement that is going to encumber it in front of us.

Benak said: So the transfer agreement provisions?

Goss stated: Or a draft agreement.

Popp replied sure, a draft, yeah, absolutely. Again, the concern here is, and no offense, but what happens if you decide to leave \$5,000 in your maintenance fund; pick any number you want, and the very first thing that goes wrong is more than \$5,000 in cost. How do you cover that? So that is a default, and according to MI Waters, then the liability comes back to us.

Benak noted that part of the transfer agreement provisions that Patterson wrote up was the release of liability and the indemnification.

Popp stated those are the requirements, but we have not seen the document that does that.

Benak stated right, but he has already listed it out so he is aware of it.

Popp asked if that is something that Miami Beach is going to supply to us. Popp stated he thinks it is their request and, therefore, they supply it to us.

Goss said the thing that she is proposing that we can discuss on 4/9 is the easement. Goss stated as she mentioned earlier, all of the legal documents have to be drawn up. If you look at Patterson's e-mail of Friday, 3/8, under Easements, he is talking about the Lossie Road Nature Trail, the Cook Road, and he mentions easements over private property. Goss stated she did not understand there were any easements over private property.

Popp stated that is all on their side, the downstream side of the shutoff valves, and really is not part of this discussion because it is theirs already.

Slopsema agreed.

Goss stated Patterson does not address the whole agreement till later about what the transfer agreement provisions are going to say. Patterson says, "The township will need to grant the MBRA an easement for motorized access via the Lossie Road Nature Trail to the 5-acre parcel," and stated that is something we will have to do. Regarding Cook Road, "The township will need to transfer its use of the Cook Road right of way to the MBRA." Goss stated she is not talking about the agreement yet; we are not to the agreement yet. Goss stated we can be dealing with some of these other issues, and this is what Slopsema is asking for, an easement "to allow access for motorized service vehicles along the first 800' of Lossie Trail east from Cook Road and allow continued use of existing approximate 800' of buried 3" force main pipe and air release valve on Lossie Trail."

Goss stated we are talking about the easement part of this, not the whole agreement. Goss stated that is what she was suggesting we would discuss further on 4/9.

Popp stated the agreement has the indemnification in it and that is the part that he thinks is important to the rest of the taxpayer, because going back to whatever dollar amount they decide to set aside -- currently we have \$80,000, but if they decide a different value, it is going to be completely up to them. They could assign \$2 to set aside for maintenance repair. Not that they would, that is probably not a responsible thing to do, but are you going to keep the 80 grand? Probably not either. What happens if the first thing that breaks exceeds the amount of money they have set aside?

Goss stated the transfer agreement is going to deal with all of the things Popp just talked about, but stated an easement is just a right to use something, a right of access. Goss stated that she is not suggesting that we are going to do anything but get the township fully protected from any and all eventualities here. Goss is saying that the easement is one of the documents that is going to have to be drawn up, the transfer agreement, deeds, etc. They are going to have all their own documents with these other three agencies that the township is not going to be any part of.

Popp stated then let's just do the agreement first and the easement second, and asked what is wrong with just mixing up the order of it. If it gets us to the ultimate end, which is a transfer of sale, he stated he has no problem with this moving through provided that we provide protection to the taxpayer. So we have no control, no say over what they do in the future to it, but again, if a default occurs of any way, it is going to come back to us.

Benak asked if we couldn't prepare the easement so it's ready at the time the agreement is done, and asked isn't that how you do it when you are closing on property. All your paperwork gets done and at the time of the closing it's all there.

Popp replied this is not a typical transaction.

Benak stated it is very similar, and she understands Popp's concerns, but stated we did have a condition assessment done.

Ron Bachi stated Patterson did point out that he hadn't seen anything like this run across him in like 80 years of experience.

Goss noted there are private sewer systems all over the state, and in the document where Patterson stated that, he also gave three or four other examples of things they have been involved in with sewer systems which are not this exact scenario. Goss stated she is confident their office can deal with this exact scenario; it has been done in many other places and this is not that unusual of a transaction.

Benak stated her point is that the condition assessment has told us that this system should last for 50 years; they have had it for 20, and it lists out all the things in a scheduled manner that are going to have to be replaced. If they are replaced during the scheduled time frame that they are supposed to be replaced, the \$80,000 that they have sitting in their bank right now should more than cover that.

Popp stated that is only if they maintain it. We have no requirement for them to maintain it.

Benak asked if that is something you could put in the agreement.

Popp stated but we have to have the agreement and that is his point, so instead of working on the easement, instead of sneaking up on this thing, and that is really what we are trying to do. We are trying to do the cheap parts first and the expensive part last, but yet they want to know how much it is going to cost. Popp stated if you want to know how much it costs, you guys have an attorney that sits on the board. He was just elected here in July. Have him draw up the agreement. How much more can free be? Actually, how much less can free be. Popp pointed out that in Patterson's e-mail of 3/9, he indicates that "I'm sure there are various hybrids of all three above is not to say that transfers from the public to the private do not occur." So he is saying that he is sure that it does somewhere, but he is not indicating at all that this is a common practice, and everybody got that e-mail (and proceeded to list who got the e-mail.)

Bachi interjected that he hears a lot of ifs and I wonder and this will be taken care of, but he has heard, too, that legal counsel has said that they have an opinion, and their opinion has positives and it has negatives, and he is just wondering if those positive and negative opinions would just answer everything for us. And the public has heard that there were positive and negative opinions.

Benak raised a point of order and said she is a little disturbed that we are just allowing people from the public.

Popp stated that is why he tried to stop it; he indicated to Goss that we should not be debating with the public, and stated he gets it.

Directing her comment to Bachi, Goss noted that the supervisor's office is represented here.

Popp stated if the public does have a question, please raise your hand. Tom and John, same thing; if you have a question about what we are talking about or discussing, raise your hand and he will poll the board to see if we want to take questions. That is the same for both sides.

Goss stated, as far as dealing with the easement, she thinks the board understands that part of this entire transaction is an easement down Lossie Road Nature Trail by a service vehicle, by a motorized vehicle, to access the infrastructure of the Miami Beach sewer system for

whatever it takes for operation and maintenance. Goss stated she is going to vote for granting that access but does not know what the rest of the board is going to do. She stated she agrees that we do not need that easement document right now. She stated she thinks what Slopsema and Nolan are looking for is some assurance that it is going to happen.

Popp stated he believes we have that concurrence here tonight. He stated he is just looking out for the rest of the public; that's it. He stated he has experience in excavation and he can tell them that it is going to be a different easement, and stated their legal counsel will tell them the same. He stated if you ever need to dig it up, we want to make sure that you can dig it up, and the township is just going to be concerned that it is repaired to like condition so we do not have trenches left open; just let your mind wander. We just want to make sure that it is returned to its like condition, and that should be something very simple that can be covered.

Popp asked the board what is their thought about the agreement. Just have their attorney forward an agreement that covers those things?

Goss asked: That covers what things? Everything on Patterson's list of transfer agreement provisions?

Popp said specifically the indemnification, but we could also include the easement in that, too. Why not just generate the documents? He stated if we are going to move forward with a sale, and he sees no reason not to, we are going to have to generate them one time or another. Let's quit putting this on our agenda time after time after time. First of all, they asked to be on one agenda. Now they're on both.

Goss stated just like the renovation-addition project over at the building, once that got under way, or even before that, she asked for that to be on both meeting agendas of the month because there was always going to be some new information every two weeks. Goss noted it will only happen once a month now that we are going to one meeting a month. Goss stated the board asked for the transfer agreement a couple months ago. She does not know if that was ever relayed to Patterson or not, but we have been waiting for the transfer agreement.

Benak said she is not sure what we are debating here. If we all agree that we want to move forward with this, then let's just do it.

Goss agreed.

Popp stated it should not be our responsibility to generate the document. It is their request and their cost.

Goss stated she does not agree with that, and stated if Popp wants everything typed up just so to protect the township, our attorney needs to do it because he is the one that is working for the township.

Popp replied no, our attorney needs to review what they submit, and stated he is not going to spend taxpayer money to generate something.

Goss admitted we are spending some taxpayer money, but Popp needs to remember that these people pay taxes and they are entitled to services from the township. Over and above everything they have paid for the sewer system, they pay high taxes because they live on the water. They are entitled to services from the township and we do not need to be billing them. They have already paid for copies and digitizing things and stuff like that. Goss stated it has been the plan all along, and that is why we sought this legal opinion; it has been the plan all along that the township attorney would know all of the issues that need to be dealt with. Goss stated we need to get a draft transfer agreement from Patterson, at which point it will be shared with the Miami Beach Road Association. They will take it to their attorney, and then working back and forth, we will be able to come up with the final document. Goss stated they are not going to put everything in it probably that would protect the township. Goss stated if you want everything in it that is going to protect the township, the township attorney needs to draw it up.

Popp stated we have an ordinance that says we are not to expend township funds. If we want to pay for it out of the receiving fund, that's fine with him. He stated we paid for the first request in its entirety because he believes we did make that request, but from this point forward, it is their request to us. So just like when they originally came to us for the bond, they paid all of the fees, and that is the way it has to be according to the ordinance. He stated, again, the legal opinion he thinks will bear that burden to them, and he is not going to assume anything.

John Nolan, 9933 Miami Beach Road, stated as mentioned by Goss earlier, Slopsema and he have been delegated the authority from the association to represent the Miami Beach Road Association. He stated just recently he has also been appointed to the board of the road association. He stated back in December the board did pass a motion, which he thinks Popp made, for a transfer agreement to be done, and it was unanimously passed by the board. He stated right now their interest is how do we proceed to keep moving forward on this so we don't drag it out every month with utilizing the board's time and resources. He stated they are very willing to either draft it themselves and submit it or for the township. He stated, to him, the township, from the standpoint of identifying their issues that they want in there, seems most efficient. However, they are more than willing to engage their legal to draft a document to submit to the board also.

Popp asked: Does that mean pay?

Nolan replied that he would propose splitting it, but if it means paying it, in the interests of getting it done. He stated they are at a disadvantage; they cannot control what Patterson is asked to do in his performance of what he is doing. If he racks up a hundred hours on this, he does not think they should be obligated for the payment because this thing should be a

boilerplate document that is on the shelf. He stated they could take one hour and get this done.

Popp asked: To transfer use of public land to a private entity is something that is on the shelf?

Nolan stated one thing to mention, too, this drain field that was first installed was one of the first things 20 years ago, so us transferring this is new to everybody also. He stated he has recently tried to do a lot of research and there is a lot of stuff out there by Patterson's firm, that is out on the web, of guidance and advice, and he would not think that we are recreating the wheel here, in his opinion.

Popp said come up with a dollar amount that you are comfortable with spending.

Nolan stated they will contribute \$1,200.

Popp stated he is good with that. At least we can show that we do not have taxpayer money going out and we can document it.

Goss said: Toward the cost of the transfer agreement; is that what you are saying?

Nolan replied yes. He stated one invoice has been split.

Popp stated no, we paid for it all.

Nolan said there are two. There was one that they requested the board, because they elected to get the opine from Patterson, which the board agreed to pay in full. There was a second one, he believes dated January, that ended up being split between the township and the association.

Popp stated he thinks that provides us ultimate protection, if you guys are good with that.

Slopsema said yes, they actually have a structure of an agreement, but --

Popp stated if you have the bones of it, he thinks that that would save us money from, like Nolan says, recreating the wheel. We ship it off to Patterson and let him do the redlines that he does, and away we go.

Slopsema said where they are lacking is the total indemnification wording that the township would be looking for to protect all the taxpayers.

Popp admitted he does not even know what that is, to be honest, so that will probably be on us 100%, the township. He stated he sees that we have to protect the people, so the

indemnification clause can be separated out of Patterson's bill and we will take care of that. Is that reasonable?

Nolan said they understand the indemnification request and in concept do not have issue with proposing that to their membership. In the past 20 years, there have been very few requirements for repairs or added costs. When the gas line did come through, it caused some maintenance issues, which they were charged and they paid for, similar to that you don't plan for, and the membership ended up paying for it.

Popp stated he thinks it should have been billed back to Miller.

Slopsema agreed.

Popp stated he also gets Miller's point of view that the locating device was some four or five feet away.

Nolan said it was approximately two feet. It happened in front of Slopsema's house, so he was actually in the hole.

Goss mentioned that everybody can go back and look at the minutes of 12/11/2018; we had quite a discussion on the whole Miami Beach thing. There was a motion by Popp "to have Chris generate the transfer agreement documents as he has written in his instructions between Whitewater Township and Miami Beach Road Association. Benak seconded the motion. On voice vote, all those present voted in favor, none opposed, Lawson absent. Motion carried."

Goss noted that was back in December and it is 3/26, and stated she is not sure where the communication got lost to have Patterson generate the transfer agreement, but that needs to be conveyed to him immediately so that he can get busy on that; we have already handled this.

Popp stated but they are going to supply their copy of it, and stated if they get him that in the morning, he will forward it right to Patterson.

Slopsema asked if Popp wants him to give it to Popp.

Popp said yes.

Goss asked to be included on the e-mail.

Hubbell stated one more concern for you guys; all the stuff to get on the next agenda has to be in at what time?

Goss stated we need to finalize the agenda in two days for the 4/9 meeting. Goss stated there is no question that Patterson is not going to have the transfer agreement done for the 4/9 meeting, even if he had it in his hand right now.

Hubbell stated he didn't want them to be disappointed thinking we are going to have it on next month's meeting.

There was brief discussion of timelines for the 4/9 meeting.

**Finalize Event Barn Survey (2:01:37)**

The revised event barn survey was discussed. In the introductory paragraph, the word "typically" will be removed. Popp noted that he is against not adding the word "existing."

The picture of the barn will not be changed to the township logo.

Question 1: Popp asked if Goss's statement that "we would never put this next to residential" means a residential use in an agricultural district. Discussion followed. No changes were made to the question.

Question 2: Popp requested the "a" option be changed to 1 to 5 acres. There was no disagreement with the change.

Question 3: Popp stated we want people to understand that some events could last all weekend. Discussion followed. No changes were made to the question.

Question 4: Popp stated we need to indicate proximity to residential uses; it could be another choice. Discussion followed. Option "f" will be changed to "proximity to residential uses." "Other" will move to option "g."

Question 5: Popp noted the word "historic" was removed earlier on Question 5 and asked if it should be removed here. Discussion followed. The word "historic" will be removed from "b" and "c."

Question 6: Popp stated he has no issues with the question.

Question 7: Popp questioned the relevance of this question and said Question 8 should be deleted. Discussion followed. No changes were made to Question 7 or 8.

**Motion by Benak that we accept the proposed language change, minus the word "typically," to be placed on the Whitewater Township Event Barn Survey and to accept the rest with the added changes that were agreed upon; second by Lawson. There was no further discussion. On voice vote, Benak, Goss, Hubbell, and Lawson voted in favor, Popp opposed. Motion carried.**

**New Business (2:31:59)****Approval of March 2019 Planning & Zoning Newsletter**

**Motion by Popp to approve as submitted; second by Lawson.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

**Resolution #19-04 Salary for Supervisor 2019/2020 (2:33:22)**

**Motion by Goss to adopt Resolution #19-04; second by Lawson.** 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 #19-05 Salary for Clerk 2019/2020 (2:34:03)**

**Motion by Lawson to adopt Resolution #19-05; second by Hubbell.** 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 #19-06 Salary for Treasurer 2019/2020 (2:34:40)**

**Motion by Goss to adopt Resolution #19-06; second by Popp.** There was no further discussion. **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.

**Resolution #19-07 Salary for Trustees 2019/2020 (2:35:09)**

**Motion by Popp to adopt Resolution #19-07; second by Goss.** 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 #19-08 General Appropriations Act 2019/2020 (2:35:48)**

Goss noted there will be one change where the board made the correction to the Fire Fund to show the transfer out. Proposed expenditures will be \$450,416.

Popp inquired if we go through Sections 6 and 7 line item by line item.

Goss replied that all of the numbers were already stated, except for the change in the Fire Fund.

**Motion by Lawson to adopt Resolution #19-08 as amended; second by Benak.** There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, no. Motion carried.**

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

**Salary/Wage Schedule 2019/2020 (2:38:37)**

**Motion by Goss to approve the Salary/Wage Schedule 2019/2020; second by Lawson.** There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

**Graded Wage Scale 2019/2020 (2:39:21)**

**Motion by Hubbell to accept the Graded Wage Scale 2019/2020 as printed; second by Goss.** There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

**2018/2019 Fiscal Year Budget Amendments (2:39:58)**

**Motion by Lawson to approve the 2018/2019 budget amendments as outlined in the Clerk's Memo dated 03/21/2019; second by Hubbell.** There was no further discussion. **Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, yes. Motion carried.**

**2018/2019 Fiscal Year Budgeted Transfers (2:41:07)**

**Motion by Goss to transfer \$61,000 from the General Fund to the Ambulance Fund; second by Lawson.** There was no further discussion. **Roll call vote: Popp, yes; Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes. Motion carried.**

**Motion by Lawson to transfer \$5,000 from the General Fund to the Road Fund; second by Goss.** There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

**Motion by Lawson to transfer \$40,000 from the General Fund to the Recreation Fund; second by Hubbell.** There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

**Motion by Popp to transfer \$100,000 from the General Fund to the Road Repair/Replacement Fund; second by Lawson.** There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

**Appointment of 2019/2020 Parks & Recreation Administrator (2:44:28)**

**Motion by Benak to appoint Cheryl Goss to the position of Parks & Recreation Administrator for fiscal year 2019/2020 at an annual salary of \$6,800; second by Lawson.** There was no further discussion. **Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, yes. Motion carried.**

**Revised Whitewater Township Park Conceptual Plan and Costs (added) (2:45:27)**

Rick Stout has provided a revised plan. Goss stated we are looking at giving approval for Fleis & VandenBrink to submit a Waterways grant application on the township's behalf requesting \$200,000.

Lawson stated it is a good baseline to start from; they did a real good job on this.

Popp said his concern is the local match of \$200,000 far exceeds what we have available. He stated he is totally against using General Fund money as support. We could certainly loan the park money from the General Fund.

Benak stated we could also try to find the funding elsewhere.

Popp stated his point is that Goss has indicated we are supposed to have the funding according to policy and procedure already where we know it is coming from.

Goss stated when you need to have that funding is before you embark upon the project. We are not embarking upon any project right now. We are going to submit a grant application to see if we can get this money. No specific project is being approved here today. This is a concept to address some of the issues that we have at the park that we need to address, and it is an opportunity to maybe get some Waterways grant money, and noted the park has gotten Waterways money before. Goss stated we are not at the point yet where we are approving a project and the final costs of a project. We are simply taking this idea and going out to see if we can get grant funds. Goss stated, before we find out whether we are successful, we will be exploring other opportunities to bring more grant funds into the park. Goss stated she does not anticipate that we are going to use up all of the Park Fund's fund balance or that we are going to ask to use money from the General Fund. Goss stated she does not wish to borrow money. Goss reiterated that we are not approving this project; we are simply approving the submittal of a grant application on behalf of the township.

Discussion followed concerning the fact that it will take more than a year or two for the process to happen, and the township has a couple years to get funding in place.

Goss noted that, with the pumper tanker, the bids have gone out, and the board had to know where we are going to get at least the \$225,000 anticipated to be spent in the next fiscal year. That project will also be over a two-year cycle.

**Motion by Goss that we instruct Fleis & VandenBrink to apply for a Waterways grant for Phase One - Entry Drive and Boat Launch Improvements; second by Benak.** There was no further discussion. **Roll call vote: Popp, no; Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes. Motion carried.**

#### **Tabled Items (2:52:58)**

1. Review Administrative Policy Section 5 (tabled 10/14/2014)
2. Review Ordinance 22 Pension Plan (tabled 10/25/2016)
3. Review Whitewater Township Planning & Zoning Fees (tabled 02/28/2017)

Tabled items will remain tabled.

#### **Board Comments/Discussion (2:53:04)**

Goss reiterated that the deadline to finalize the agenda for the 4/9 meeting is on March 28.

Benak noted the spring newsletter is going out by 4/15.

**Announcements (as printed) (2:53:27)**

Beginning 04/01/2019, the township board is moving to a one-meeting-per-month schedule. The next township board meeting is on 04/09/2019 at 7:00 p.m.

**Public Comment (2:53:47)**

Ron Bachi, 6987 Cook Road, stated he would like to apologize to the board. He did not understand that he could not speak. Survey does matter. That has been shown in the past. The pot survey, Della says it's just a survey; it doesn't matter. But it really does.

Benak interjected that she didn't say it didn't matter.

Bachi said actually you did; get the recording out. He stated the survey does matter because he has seen you make decisions on the survey. Survey came back; you made a decision; it is not just a waste. If it didn't matter, we could have waited for Popp to get back so we could listen to his input, because everybody's input is important. Targeting: Della mentioned that he is targeting or Popp is targeting you. The fact that he brought up to the board that we had an illegal meeting, it had nothing to do with Popp. It had to do with him reading a book, understanding, trying to fit in to what the laws are and trying to prevent you from going to jail for breaking the law. He said laws were broken obviously. There was no targeting involved at all. It was him doing his job. He asked what do you think is going to happen to the public when he goes out there and says you live in residential or you live in agricultural. Then there is the commercial area, your commercial corridor, 72. You live in Whitewater; this is what you have. Are you ready for a big change; are you ready to bring the commercial corridor deep into our agricultural and residential districts. They are going to say no. He stated where he has wasted his time in the last six months is coming in here and sitting, because in the first week, in the first 48 hours that he found out, he had 180 signatures. Goss seems to say, hey, who cares about those 180 signatures; what about all the other voters; the rest of the voters matter. Of course, they matter, but these were the only 180 that were approached. He said there's 2,600; give me 30 days. Park Road, for the love of God, stop having these outrageous ideas that you want to dump all this crazy money into that park. That park is functional. Those roads to get to that park with the \$80,000 boats is not functional; it's dangerous. He stated he went to that park with his boat for years; thank God his boat was only worth \$15,000 at the time because he got shook up all over the place. Let's address that road. That's where our money should go, into roads. He understands the safety issues, though, but this is a safety issue. Any safety issues to do with the park, he understands. It is functional, though. He stated he is going to go into the public and he is going to see basically if the public has a brain. He stated he thinks they do have a brain. He thinks that 2,600 voters is what we have and we just need to find 1,500 to sign a petition and this whole event barn thing is just over.

**(2:58:37)**

Heidi Vollmuth, 8371 Winnie Lane, stated the road is bad at the park. She would not be beautifying anything until she fixed that road. It is terrible. You cannot even drive a little car down it, let alone a scooter. The thing that nobody has addressed yet, though, is the new fishing laws and boat laws. When you put water down in that park to take care of washing boats and reminding people to remove drain plugs, who is policing that. She stated she is sorry that you guys think that the survey deserves to put your age on there when you can't even ask somebody

how old they are to apply for a job, but we'll see how the results come back. She said you know what, Ron, your 1,800 is a little high; we just have to figure out how many people voted.

**Adjournment (2:59:57)**

Motion by Lawson to adjourn; second by Goss. On voice vote, all those present voted in favor, none opposed. Meeting adjourned at 9:57 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk