

**Whitewater Township Board  
Minutes of Regular Meeting held January 23, 2018**

**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: Benak, Goss, Hubbell, Lawson, Popp

Board members absent: None

Others present: Jim (MMR), Kevin (MMR), Tim Arbenowske, Nick Carpenter, Dave Tilley, Ken Fritz, and Kim Mangus

**Set/Adjust Meeting Agenda**

Goss noted that the board needs to set budget work session dates.

Added as New Business #8.

Goss noted one correction to the agenda: Under Announcements, the date of the next meeting should be 2/13, not 2/23.

**Declaration of Conflict of Interest**

None

**Public Comment**

Ken Fritz, 9809 Dell Road, Kingsley, Interim Rural Fire Chief, provided copies of a document to all board members. He stated it seems like the distribution of assets is getting overly complicated, so he put a lot of time and effort and thought into what the formula could look like for the distribution. He threw out the appraisal and applied a formula based on the percentages of ownership of each township. Regarding cash, Rural has about \$850,000 in cash. Regarding the physical assets, his proposal is that all three stations would retain what is currently in their stations, then divvy up all of the surplus equipment equally. All three stations would agree that the equipment they are getting is of equal value, again, throwing out the appraisal altogether. All scenarios include the ladder truck coming to Whitewater Township. He put together four scenarios. His goal is to simplify the process of distributing the equipment and the cash and make it as clean as possible, not selling anything, not trying to put anything on eBay. The three townships with stations would have to get together and agree to the amounts and what each station got. He stated he did speak to Jim Young, the Rural Fire attorney, on this and he did not see anything wrong with it.

Questions and discussion followed.

**Correspondence**

1. Grand Traverse County Sheriff Statistics for December 2017, 4th Quarter 2017, and YTD 2017

**Public Hearing**

None

**Reports/Presentations****Grand Traverse Rural Fire Department – Supervisor’s Supplemental Report**

Popp stated at the last meeting they had two main motions, one to have all of the equipment lists turned in by the February meeting. Any equipment not spoken for would be put up for immediate sale. Any title would transfer ownership after 3/31. If equipment is in your station and you don’t claim it, then you can’t buy it at the auction. Deadline is coming up. We need 30 to 60 days to get a fire department number.

**Unfinished Business****Final Review/Approval Resolution Authorizing Whitewater to Organize Fire Department**

Goss reported the document is not back from the attorney.

**Review/Approve Updated Fire Department Station Equipment, Apparatus, and Equipment on Apparatus Lists (moved from Unfinished Business #4 to #2)**

The list that was put together has been checked by the responders. There are a couple math errors, but it is a pretty accurate list of what is in the station. The truck values are pretty accurate, but the value of the equipment on the trucks has not been depreciated.

Arbenowske stated we know what we have, and Chief Weber did a really good job of making sure everything was fixed before he left. It is going to be a new game as far as starting a department, a big learning curve. One of the things we know is we have the equipment. We should not have to make any major purchases right away. We can look for a pumper tanker once things get going. A backup pump is needed on most structure fires. The tanker is 18, 19 years old and will need replacement soon.

Fritz added that a second pump is required to meet the ISO ratings.

Popp stated he extended the board’s offer of interim chief (to Arbenowske) and asked about the status of that offer.

Arbenowske stated he does not want to be the chief in the long run but stated there is a need to have a chief on 4/1. Unless the board can come up with one before then, he stated he would do it under the conditions that he is going to need some help, which would be Lt. Carpenter as deputy chief and maybe a third party, at an hourly rate, until we can find a permanent chief for Whitewater Township.

Discussion followed.

Hubbell questioned why we don’t get a chief right away.

It was pointed out that it will take a period of time to post the job, await resumés, review resumés, set up interviews, etc. In the meantime, there are things which need to be done.

Fritz agreed that a chief needs to be sought out as quickly as possible.

Possible position titles were discussed, i.e., chief consultant, deputy chief consultant, captain consultant.

Another meeting between Arbenowske, Carpenter, Goss, and Popp will take place to iron out details.

(Arbenowske exited the building.)

Typical duties, wages, and employment status (contract or employee) were discussed.

Popp stated he would like to have them covered by Workers Compensation insurance in case they were called to a Rural Fire call.

Benak stated if they are consultants of Whitewater, it is internal; it is paperwork. If they are on a scene, they are Rural Fire employees until March 31st. She does not see a problem with the contract basis.

Fritz stated he would agree that you are looking at administrative duties only, not firefighting duties.

Discussion followed.

The firefighters will give thought to what pay they would need. There will be a meeting set up with Arbenowske, Carpenter, and a third fire person, along with Goss and Popp.

Discussion turned to equipment and values shown on the appraisals. Popp stated the value of the trucks alone, without the equipment on them, is \$275,000 to \$285,000. Chief Fritz is proposing that we agree to a \$300,000 number, with the equipment.

Fritz clarified that he is not proposing that; he is just offering information and gave multiple numbers.

Discussion followed.

Fritz explained where he got the \$300,000, \$350,000, and \$400,000 per station numbers on the document he presented.

Regarding the ladder truck, Fritz agreed the value is grossly out of line compared to the other ones. For the truck itself, he places the value around \$30,000, stating there is not a lot of equipment on the truck. He feels \$35,000 to \$50,000 would be reasonable for the vehicle. It passed its last ladder and pump tests. Paradise Township has no interest in the truck.

Hubbell suggested the ladder truck be auctioned off.

Lengthy discussion followed.

There was consensus that the list presented in the packet tonight is the list of equipment that Whitewater wants, minus the ladder truck, and the township will offer \$300,000 for it.

Fritz suggested that Whitewater also add 1/3 of the surplus equipment located in Paradise Township. Surplus equipment consists of office desks, office cabinets, bunker gear, computers, etc., located at the administrative office. The value of this equipment is included in the proposed \$300,000 figure. Fritz stated there is approximately 15 or 20 sets of turnout gear, maybe 40 hoses, and office equipment. He defined surplus equipment as any equipment not in use right now.

Popp stated the Rural Fire Board will make a list of surplus or unclaimed equipment at the next meeting.

**Motion by Popp that we use our inventory list, the one that our responders have already verified, plus 1/3 of the surplus equipment, and we say it is \$300,000. Benak added that Popp has authorization to go up to the \$350,000. Second by Lawson.**

Brief discussion followed.

**On voice vote, all those present voted in favor, none opposed. Motion carried.**

#### **Review Sample Fire Department Budget**

Popp stated Goss put together a good synopsis and it is very supportive of what we have been looking at.

Referencing the Elk Rapids budget, Popp stated he does not see a building budget or a sinking fund for equipment. Popp is proposing \$15,000 for building expenses and \$40,000 per year into a sinking fund to replace equipment.

Hubbell stated now that we are going to do this, we have to do something with the tribe as far as some kind of recouping back.

Discussion followed regarding the costs of having a station, equipment, and personnel ready to respond, the staffing at Elk Rapids Township fire station, Whitewater response time, proposed budget figures, insurance costs, etc.

It was agreed that the fire department budget will be addressed first due to its high priority.

#### **Update on Junk Complaints**

Zoning Administrator Habedank provided a written update dated 01/19/2018.

#### **New Business**

##### **Review/Approve Fire Chief Job Description**

The Fire Department Subcommittee has recommended a fire chief job description. They started with the MTA sample job description and made various changes.

The recommended job description was discussed. The following changes were made:

1. Under Knowledge, Skills and Abilities, No. 1, Bachelor's degree will be changed to Associate's degree; 20 years of responsibility will be changed to 10 years of responsibility.
2. Under Required Qualifications/Certifications:
  - Bachelor's degree will be changed to Associate's degree. Delete "A master's degree is preferred."
  - Delete the sentence which states "20 years' experience working as a volunteer or paid on-call firefighter in a fire department"
  - Change 15 years tactical to 10 years tactical
  - Change "minimum of 5 years of command experience" to "minimum of 3-5 years of command experience"
  - "Minimum of 5 years financial experience running an emergency service" will be changed to "minimum of 3 to 5 years of fire service budget experience."
  - Delete all CDL licensing.
  - Delete Instructor II
  - Keep Fire Officer III
  - Delete Fire Inspector II
  - Delete Fire Plans Examiner
  - Driver training approved by Michigan Fire Fighters Training Council
  - The last line will say MFR required, EMT-B preferred.

**Motion by Lawson to adopt the Fire Chief Job Description as amended; second by Hubbell.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

**Motion by Lawson to post the job description as soon as it is finished; second by Popp.**

Popp inquired where we will post the job.

Discussion ensued concerning where to post the job, what the pay will be, whether the position is full-time or part-time, responsibility for incident command, the one full-time person should be the chief; when he is not in the area, there must be a second and even third person in command.

(A short break was taken.)

Discussion of the job requirements resumed, including a possible residency requirement and where to advertise for the position.

Goss will research where fire chief job descriptions are normally posted.

**Motion by Lawson to further amend the job description to add Employment Status: Full Time Salaried; second by Popp.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

### **Discuss Proposed Municipal Civil Infraction Ordinance**

**Motion by Goss to set the proposed Municipal Civil Infraction Ordinance for public hearing at the 02/13/2018 township board meeting; second by Lawson.** Popp outlined his concern about the daily fines. Discussion followed. Popp also expressed a concern about the timing of a public hearing when people are gone for the winter. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

### **Review Proposal to Purchase ArcGIS Software for Zoning Office**

**Motion by Hubbell to approve the purchase of a new license for the ArcGIS software at a cost of \$1,350; second by Lawson.** There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

### **Approve or Deny Payment of Final Rural Fire Assessment**

There was consensus that the payment will be made.

### **Review/Adopt Change to Planning Commission Bylaws**

**Motion by Popp to adopt the recommendation of the Planning Commission to add Section 5C to the Whitewater Township Planning Commission Bylaws; second by Goss.** There was no further discussion. **On voice vote, all those present voted in favor, none opposed. Motion carried.**

Popp noted that he will set some budget session dates, but this is it for him.

### **Review/Adopt Zoning Ordinance Amendment No. 73**

Due to the late hour, this agenda item was not addressed. Goss apologized to Mangus, who has been in attendance the entire evening awaiting this issue.

### **Approval to Seek Grants**

Goss inquired of the board if the Parks & Recreation Advisory Committee has to come to the board to seek grants.

Popp stated no.

Lawson added only if we have to provide match money.

Goss briefly explained two grant opportunities that are available.

Lawson suggested the committee apply for all of them, and if they require a match, then it comes to the board for a decision.

Benak stated they have to know when they are applying, and suggested that it be covered at budget time, that a certain amount of money is available for matching. If it is in the budget, then they do not have to keep coming back to the board.

### **Budget Work Session Dates**

The first budget work session was scheduled for Tuesday, February 6, at 6:00 p.m.

**Tabled Items****Review Administrative Policy Section 5 (tabled 10/14/2014)**

This agenda item will remain tabled.

**Review Ordinance 22 Pension Plan (tabled 10/25/2016)**

This agenda item will remain tabled.

**Review Whitewater Township Planning & Zoning Fees (tabled 02/28/2017)**

This agenda item will remain tabled.

**Board Comments/Discussion**

None

**Announcements**

The next township board meeting is February 13, 2018, except for the budget work session on February 6th.

**Public Comment**

Kim Mangus inquired when she should be back to answer questions on Zoning Ordinance Amendment No. 73.

Popp replied that it will be on the 2/13 agenda.

Regarding the proposed Municipal Civil Infraction Ordinance, Mangus stated she agrees with Popp that it is very, very ripe for abuse. It becomes very easy to use the hammer instead of persuasion fairly quickly. She stated she would love to see the amounts cut in half, and thinks the township will get just as much good out of them, with less potential abuse. She also suggested that most long-term items, 30-year-old problems, you are quite often dealing with some form of dementia, Alzheimer's and/or mental illness, and those should be taken into consideration. Also, any adjustment to the zoning administrator duties should include verbiage that require extensive measures to resolve before a ticket is issued, and the zoning administrator should be required to report monthly on enforcement action. Also, you can't set a policy based on having Denny; you could lose Denny at any time.

Brief discussion followed.

**Adjournment**

Motion by Lawson to adjourn; second by Goss. On voice vote, all those present voted in favor, none opposed. Meeting adjourned at 10:31 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk