

DRAFT MINUTES – FOR 11/13/2018 CONSENT CALENDAR

**Whitewater Township Board
Minutes of Regular Meeting held October 9, 2018**

Call to Order/Pledge of Allegiance

In the absence of the supervisor, Clerk Goss called the meeting to order at 7:01 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

Lawson nominated Hubbell to chair the meeting; second by Benak. There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Popp absent. Motion carried.**

The Pledge of Allegiance was recited by all.

Roll Call of Board Members

Board Members present: Benak, Goss, Hubbell, Lawson

Board Members absent: Popp

Others present: Fire Chief Brandon Flynn, County Commissioner Carol Crawford, Planning Commission Chair Kim Mangus, and 1 other

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment

None

Public Hearing

None

Reports/Presentations/Announcements/Comments**County Board of Commissioners Report**

Carol Crawford gave the following report:

- Last Wednesday, the BOC was presented with a budget in October. Alger and Bott are doing a great job getting the budget together. It is balanced. There is no need to dip into fund balance. The pension is still being paid with regular payments and they are contributing to OPEBs. They did not have cuts to any services, no loss of jobs. There are a few things they hope to get done before the end of the year for the employees. Negotiations are going well with the deputies, sergeants, and the sheriff department.
- They had a joint meeting with the city about the senior center. They agreed that the senior center should be rebuilt. The city owns the property and the building. The county runs the programs with the senior millage. The building is a shack; there is not enough structure there to rebuild or remodel, but it is going to stay there. The property was donated to the city; it has to be used for park land. It can't be sold or developed. Discussions about where the money is going to come from are still to come.

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- The Easling Pool has reopened after a 3-year closure.
- The BOC will have a budget study session on 10/24/2018.

The senior center was briefly discussed.

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

Mobile Medical Response Report – No one is present from Mobile Medical Response. September activity reports are in the packet.

Fire Department Report

Fire Chief Brandon Flynn gave the following report:

- September was a busy month for meetings and other. There were 3 emergency calls, an injury accident and a couple EMS assist calls.
- They had 4 training sessions (which were briefly described).
- They attended the Acme Fall Festival with the air truck and fire engine to do a demonstration and provide fire safety information.
- Meetings attended were at Northwest Regional Fire Training Center board of directors meeting, an LEPC meeting. He has been given a spreadsheet of the 302 sites in Whitewater Township (sites with reportable quantities of hazardous materials); there are two of them. He will be following up with those businesses to get their emergency response plan updated. He also attended the 911 Board monthly meeting and the County Fire Chiefs' meeting.
- Chief Flynn met on 9/26 with Chief Moldenhauer of the Grand Traverse Band Fire and Rescue Department. He offered the township a mutual aid agreement. Last March or April, the GT Band entered into a memo of understanding with Metro Fire for 6 months because they were unsure of Whitewater's fire department after the dissolution of Rural Fire. Chief Moldenhauer approached Flynn and wants the township to again be the responding agency for fire at the casino and other tribal properties in the township. The mutual aid agreement is in the board's packet for discussion.
- There was also an apparatus committee meeting. Scott Patchen from CSI attended and helped with specs on a new vehicle to replace the existing tanker.
- The local planning team's September meeting was cancelled.
- He attended the first session of the grant writing classes.
- Pro Image has finished all the lettering for the vehicles.
- Annual hose and ladder testing were completed on 9/14. Approximately 6,000 feet of hose was tested. Two lengths failed, one of which was a 5" supply line which is repairable. The 1.75" failed section is not repairable. Six thousand feet of hose is quite a bit for a small department; failed sections do not need to be replaced.
- Insurance Services Organization (ISO) will be paying the department a visit on November 13. Whitewater Township Fire Department currently does not have a rating. Chief Flynn explained the process of review.

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The work of the apparatus committee was briefly discussed. Chief Flynn explained that both sets of extrication equipment are 20 years old. The engine is 16 years old. The tanker is 20 years old. Replacement will need to be chosen wisely and spaced out accordingly.

Planning Commission Report

Trustee Lawson gave the following report:

- The meeting was last Wednesday. He sent out a letter from the planning commission (late today). The letter describes the PC's plan on where they are going, what they are going to do. Lawson read the letter aloud.
- Lawson stated he is having problems with his (township) e-mail. He asked that people text or use his personal e-mail.
- The PC would like to try and get something on the schedule maybe for the next regular board meeting, have a joint meeting as well as a regular meeting. They have a lot of plans and want to keep moving forward. They can keep reviewing articles, sending them to the board, having public hearings.
- The PC also recommends creating a list of everybody we are going to ask for quotes for recodification.

There was discussion of the RFP process, previous quotes received, and recodification.

Details of a joint meeting were discussed.

It was agreed that the planning commission's regular 11/07/2018 meeting will be re-noticed as a joint meeting of the township board and the planning commission.

Referring to Article 17, Lawson stated the planning commission agrees that language stating that taxes must be up to date before land use permits are issued should be added, but they are concerned about how to say it.

Goss noted that the attorney's response on the Article 17 question is that both the attorney version and the planning commission version of Article 17 can go to public hearing, and asked when it will be set for public hearing.

Mangus suggested the phrase from the land use permit (regarding taxes) be sent to the attorney, then the PC will add it to the document for public hearing in December, and asked for 5 minutes of the regular November meeting to vote to send the article to public hearing.

Discussion followed.

The verbiage concerning financial responsibility will be inserted in both the attorney's version and the planning commission's version of Article 17.

Goss said the PC's minutes can be checked to see if they have already voted to send their version of Article 17 to public hearing. If not, they can vote on that.

*DRAFT MINUTES – FOR 11/13/2018 CONSENT CALENDAR***Parks & Recreation Advisory Committee Report**

Clerk Goss gave the following report:

- The parks and recreation committee met last night. Four of the five members were present.
- Two gentlemen were present from the Land Conservancy. They have approached the township about helping out with the nature trail improvement project. Goss stated they will be hugely helpful with their expertise in trails and signage. They will send more information. They are very good at gathering volunteers. They would like to do a spring hike through the area to map the trail, strategize locations for signs, benches, kiosks, trailhead signs.
- Construction on the batting cage will begin this coming weekend. The netting will be ordered in the spring.
- Since the campground closes on Sunday, remaining playground equipment parts will be installed next spring.
- Two signs will be ordered and installed on either end of Lossie Road Nature Trail to address citizen complaints about trespassing.
- The ball field dugouts will be addressed next year.
- Items not purchased this year will need to be budgeted for next year. Grant monies will be reported on next year.

Consent Calendar

Receive and File

1. Supervisor's Report for September 2018
2. Clerk/Park & Recreation Administrator's Report for September/October 2018
3. Zoning Administrator's Report (none)
4. Mobile Medical Response September 2018 Activity Reports
5. Whitewater Township Fire Department September 2018 Report
6. Approved 01/25/2018 Zoning Board of Appeals Minutes
7. Approved 07/09/2018 Parks & Recreation Advisory Committee Minutes
8. Approved 08/13/2018 Parks & Recreation Advisory Committee Minutes
9. Approved 09/05/2018 Planning Commission Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for September 2018 and 3rd Quarter Totals
2. Letter 10/01/2018 Charter Communications re: Price Adjustments

Minutes

1. Recommend approval of 09/11/2018 and 09/25/2018 regular meeting minutes and 10/04/2018 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 43193 through 43301
2. Approval of First Community Bank Miami Beach vouchers # 1245
3. Approval of First Community Bank WMDLS vouchers # (none)

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Budget Amendments (none)

Revenue & Expenditure Report (to be distributed next week)

Goss brought to the board's attention a correction she received from John Nolan to the 09/25/2018 minutes. On Page 3230, about halfway down the page, 5% should be 0.5%.

Motion by Lawson to accept the Consent Calendar as presented, with revision to the 09/25/2018 minutes; second by Benak. There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, absent. Motion carried.**

Unfinished Business

Reconsideration of Road Name

Per Goss's memo, the previously chosen name was already in use in Grand Traverse County. A new name needs to be selected. The list of names submitted by the Historical Society chair person has been updated by the county with crossing out of names which are not available. Goss proposed that Chief Flynn be asked to comment from the emergency services perspective.

Scott Rozema, 9608 Miami Beach Road, interjected and stated he has a big concern because none of this was brought to their attention until their new neighbors built a house. He does not know what the concern is for this being changed. He stated he runs a small business. Why is this being changed? Who is bringing this up? What is the concern? Is it the people that live down on the lake? He stated their mailboxes sit out there. They live across from Timberline Road. Why would this become a problem after this many years? There's four people that have lived there for the last 20 some years. It should not be changed for four people who have been there for 20 some years. He stated he would have to change his business, his vendors. Everybody would have to change their bank accounts, their credit cards. They are no part of the Miami Beach Association. None of this was brought to their attention.

Goss explained how the need for naming of the 66' wide easement came about.

Benak stated that the letter from Grand Traverse County says the driveway has surpassed the number of allowable improved properties per the county ordinance and they want it named, and also pointed out the health safety aspect of it.

Discussion followed.

Rozema asked if it could be called Miami Beach Lane.

Benak explained that names have to be chosen from historical names.

Chief Flynn said there is a problem with that (naming it Miami Beach Lane). Either way, you are going to have to have a street sign. Sadly, whatever you call it, your numbers are going to have to change. Because the street goes north and south, the numbers are going to change.

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Goss explained that the county does all of the notification of central dispatch, the property owners, the post office.

Justin Nagy, 7440 Cook Road currently, stated he has a meeting with an attorney this week over this matter and they are hoping they can gain access to Easement B off Cook Road. If they can legally gain access to that easement, they would be able to keep the 7440 Cook Road address, therefore negating the requested address. They would like to come off Cook Road, which makes the most sense for fire, EMS, and anybody to come in. Ordinance 32 states private drives of certain sizes can only accommodate so many people. There were two properties already off Easement B. Theirs would have been the third property in 2004 when the land was split, and an exclusivity clause was put into a document on record. They do not know yet whether it is a legal document. If they can gain access to Cook Road, they are going to.

Brief discussion followed.

Motion by Goss to name the 66' wide unimproved easement south of Miami Beach Road as Timberline Road. There was brief discussion. **Second by Lawson.** The motion was re-read. **On voice vote, Goss, yes; Hubbell, yes; Lawson, yes; Benak, no; Popp absent. Motion carried.**

Goss will notify the county tomorrow.

Semi Annual Review of Medical Marijuana

After brief discussion, it was agreed there is nothing the board has to do right now.

New Business

Discussion of Zoning Administrator Position

Adjustments were made to the July 2017 job posting, i.e., change “16 to 24 hours” to “up to 32 hours a week.” Resumés will be due by October 31. The words “part time” will be taken out in the first line.

Goss will post the job in the places previously agreed upon.

Proposed Mutual Aid Agreement between Whitewater Township Fire Department and Grand Traverse Band of Ottawa and Chippewa Indians

Chief Flynn has received a proposed mutual aid agreement from the GT Band’s fire chief and brings it to the board for review.

Lawson stated he has questions. Mutual means they have something in return; they are going to help us and we are going to help them. He stated he is not sure this is the correct document to deal with the tribe. It also says ambulance service in there, and usually MMR does their own mutual aid agreements. Memo of understanding might be the way we need to go. Under Public Act 57, they (Metro) cannot enter into a mutual aid agreement with the tribe. He stated that might be something we need to look at. He stated he wants to be involved with the tribe but wants to use the correct document. We need to ask the attorney if this is the correct document.

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Benak pointed out that the tribe does have a fire department, but it is not in our township.

Hubbell stated that is a simple question of good housekeeping to ask, just to make sure it is the right document.

Chief Flynn stated those are his concerns, too, and he likes the idea of having our lawyer look at it. The current MOU with Metro expires November 17, so that is the deadline. He stated the document was given to him a week and a half ago.

Discussion followed.

Goss stated her concerns are the same as already stated.

There was consensus to send the document to the attorney's office for review and note the deadline of November 17. Goss will take care of sending it.

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 reminded everyone that the 43rd Annual Community Halloween Party is this Saturday at the campground and she would really appreciate any volunteers.

Brief discussion followed.

Announcements

Next regular township board meeting is Tuesday, October 23, 2018, at 7:00 p.m.

Public Comment

Kim Mangus, 1214 Cerro Drive, stated she got the Halloween brochure but does not think she will be able to make it. She wants to express to the board that she appreciates the information from the attorney. She did get the message that there was some clarification on procedures on how to proceed with Article 17. It has been tricky not having questions answered; some have been posed and not answered. She said she does not want to contribute to the issues that the ordinance has; the PC genuinely wants to get them cleaned up and ready for recodification. They have percolated their list down to three more articles. She thanked the board for setting a joint meeting.

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Adjournment

Motion by Goss to adjourn; second by Lawson. Meeting adjourned at 8:36 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk