

**Whitewater Township Board  
Minutes of Regular Meeting held January 8, 2019**

**Call to Order/Pledge of Allegiance**

Supervisor Popp called the meeting to order at 7:00 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance.

**Roll Call of Board Members**

Board Members present: Benak, Goss, Lawson, Popp

Board Members absent: Hubbell

Others present: Fire Chief Brandon Flynn, Tom Slopsema, John Nolan, Janet Bachi, Heidi Vollmuth

**Set/Adjust Meeting Agenda**

There were no adjustments.

**Declaration of Conflict of Interest**

None

**Public Comment**

**Heidi Vollmuth**, 8371 Winnie Lane, stated she wants to set the record straight. She was part of getting people to sign a petition. She was also part of dropping information off at people's residences. They used Facebook as a tool and a resource. They braved the elements; it was extremely hot out and they made sure that every house got the information, whether they were a resident or just a part-timer. They didn't play favorites. She stated she is also concerned that some rules and issues are starting to come up in different things, and she is wondering why we are not putting an attorney sitting at the table, maybe with the planning commission, maybe wind up saving some money instead of possibly not following rules. There are agenda issues. She stated she doesn't know; she didn't bring her evidence and she doesn't really want to point fingers, but we need to be a little more careful. Information is getting released that shouldn't be. That should be a concern. But what really bothered her was when she came to the last meeting and found out that because of the way everybody voted and the small amount of people that voted for proposition number 1, we've just decided to pooh-pooh a pot store, whatever you want to call it, marijuana, pot, whatever. Let's not blind ourselves, because our comprehensive plan is a mess, and we don't have the demographics to bring much else. And if you drive down 72, there is a store that does say glass pipes, so people are already willing to come over for that. So what makes you think they are not going to come over and let us reap some benefits of the added taxes that are contributed to that type of business? But why we would want to just throw it off the table and into the garbage – we need a lot of money right now. We are \$400,000 down for public safety. If we decide to opt in when everybody else decides to opt out, we get a higher amount of taxes. And guess what? Funny, isn't it, because guess what, you get to put the taxes toward whatever you want. You guys get to decide where you want to put that extra money. So maybe we need to not be so closed minded, because it's regulated, and it is regulated very well. And if you don't understand the process of the end result and how one of those stores works, then go on a field trip and be part of the process, because it will amaze you. You are more comfortable in that environment than you are going to buy ammunition, a gun, alcohol,

cigarettes. It's so controlled. The rules are boom, boom, boom, boom, boom, and you either follow those or you don't, because they will escort you right to the door. So I started thinking, what would the residents think about this new store that has opened up here, and I started to google and look around. Well, a lot of people are happy because it has cleaned up nasty parts of towns. It has also made the cops a little more visible because, ever notice when you're in a liquor store or you're by the casino, or let's see, where else that we can gamble, beer, wine, maybe restaurants at about 2 o'clock in the morning, you're always going to see the police because they have got to check and make sure everybody is following the rules. So, again, unless we up our demographics, a big box store is out. Sorry, Della, the bank, it's not gonna happen, we don't have the demographics. But we do have demographics for something that we can opt into and we don't have to have demographics because we are going to bring in the demographics. But, you know, it's just a thought process. Like I said, our public safety needs some money. We can't put all our eggs in one basket and keep relying on the same place for that revenue. We need to start thinking out of the box. Thank you.

**Tom Slopsema**, 9693 Miami Beach Road, stated he is here again to represent Miami Beach Road Association on the topic of the Miami Beach sewer and any potential ownership transfer of that system. They did receive from the township the next steps for a transfer as of 12/14, and Cheryl Goss provided copies of warranty and quit claim deeds on the properties. He said he is here for any new information regarding Miami Beach sewer topic, here to learn any new responses from the township attorney on this topic, and here to participate in any discussions that might be occurring on the Miami Beach sewer topic.

### Public Hearing

None

### Reports/Presentations/Announcements/Comments

**County Board of Commissioners Report** – Goss reported that Gordie LaPointe called earlier to say he was going to be attending the Acme Township Board meeting tonight and would not be here, but he will be at the next board meeting on January 22nd to give his report.

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

**Mobile Medical Response Report** – No one is present from Mobile Medical Response. December activity reports were provided.

### **Fire Department Report**

Chief Flynn gave the following report:

- December was an uneventful month except for six emergency calls. He is working on gathering up all the information for the 2018 calls. It will be a similar format as the 2017 calls he recently provided. Dispatch has given him all the information. 2018 will be more accurate because they have done their own reporting since April. He is looking forward to sharing that with the board. He noted that the trend of 25% of their calls being car accident related has continued.
- Priorities are working on the budget and getting pumper/tanker specs out very quickly in order to get the bid process going.

There were no questions from the board.

### **Planning Commission Report**

Lloyd Lawson gave the following report:

- The planning commission met January 2nd and one of the first topics they discussed was the recodification process, a lot of speculation on how it is done and what is done. We may need to send them copies of the proposals so they get an idea of what will be done and not done. A couple members are concerned that some of the work we have done may not be included because it is not finished. There were questions as to whether all the history and documentation is going to them from the beginning to current. Lawson offered that the only way to answer those things is for the PC to look at the proposals and see what is offered, not necessarily to recommend to the board but to get an idea of what the process is going to be.
- They also discussed putting stuff in the newsletter. They are not sure exactly what yet. One suggestion, either in the newsletter or on the website, was a short bio of each member of the PC so the community would know who they are.
- They also talked about an e-mail address for the PC, or maybe point to the PC through the zoning administrator's e-mail address on the website.
- They would like to get name tags on the tables. Lawson requested a purchase order for name tags.

Brief discussion followed with respect to name tags. Goss will look into it.

The subject of bios and possibly pictures of the PC members on the website was touched on.

Discussion turned to an e-mail address for the planning commission. There are no township e-mail addresses available. Who will be responsible for monitoring the e-mail address?

Discussion followed.

Popp said we should look into getting extra accounts.

The mechanics of an e-mail address for the planning commission were discussed.

Lawson also said they had a problem with the agenda at the meeting; there were two versions. The planning commission specified that the zoning administrator do it for now.

Popp stated Mangus did an excellent job at trying to reign in discussion during public comment at the 12/5 meeting and it got so convoluted, that it was almost another agenda topic.

Discussion followed.

Lawson suggested the topic of rewording of the agenda to include similar statements (re: unscheduled debates during public comment) be put on the agenda for the next meeting.

**Parks & Recreation Advisory Committee Report**

Cheryl Goss reported that the Parks & Recreation Advisory Committee will meet on January 14, 2019.

**Consent Calendar**

## Receive and File

1. Supervisor's Report for December 2018
2. Clerk/Parks & Recreation Administrator's Report for December 2018/January 2019
3. Zoning Administrator's Report December 31, 2018
4. Mobile Medical Response December 2018 Activity Reports
5. Fire Department December 2018 Report
6. Approved 12/05/2018 Planning Commission Minutes

## Correspondence

1. Grand Traverse County Sheriff Department Statistics for December 2018 (Delayed)
2. Letter December 2018 State of Michigan Department of Agriculture and Rural Development re: Farmland Preservation Program Brochures and Information

## Minutes

1. Recommend approval of 12/11/2018 regular meeting minutes

## Bills for Approval

1. Approval of Alden State Bank vouchers # 43533 through 43613
2. Approval of First Community Bank Miami Beach voucher # 1248
3. Approval of First Community Bank WMDLS voucher # (none)

## Budget Amendments (none)

## Revenue &amp; Expenditure Report – Third Quarter FY 2018/2019

Goss added to her Clerk/Parks & Recreation Administrator's report as follows:

- Regarding the recodification process, three recodification companies have been contacted, American Legal, General Code, and Municipal Code, and the township's entire original zoning ordinance and all 72 adopted amendments have been provided. No quotes have been received as of this date. General Code has requested a copy of the Recodified Ordinance adopted in Zoning Ordinance Amendment No. 23. Goss has looked extensively for such a document and has not found it. However, today, she found a complete zoning ordinance document from 1994 and will be supplying that document to General Code tomorrow.
- Also, she reported that her and Dan Belanger's application for a 2% tribal grant for shower renovations at the park was successful. The amount awarded is \$7,500.

Discussion followed regarding what was provided to the recodification companies, as well as the status of Article 11.

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

### Unfinished Business

#### **Emergency Services Building Asphalt Project**

Popp stated he put this item back on the agenda because it was previously a 2 to 2 vote (Lawson absent) and stated he has met with Chief Flynn a couple of times on it.

Discussion ensued as follows:

- RCI's role.
- Concrete versus asphalt. Chief Flynn talked to Nick Broad regarding the type of base required for 23-ton trucks.
- Pros and cons of concrete.
- The location of power entering the Emergency Services Building.
- Part of the front apron approach is in the right-of-way.
- The Old M-72 right-of-way is under the jurisdiction of the county road commission.

Chief Flynn, Nick Broad, and Popp will go over the project and come up with specifications.

### New Business

#### **MABAS – MI Division Agreement**

Chief Flynn is proposing that the township become a member of MABAS, the Mutual Aid Box Alarm System, and provided a 13-page document entitled Amended Michigan Mutual Aid Box Alarm System Association Agreement.

Numerous items were discussed as follows:

- Section 7 of the agreement refers to the Emergency Management Assistance Compact (EMAC). Chief Flynn will verify with Chief Parker, who is an executive board member of MABAS, whether there is a requirement to be affiliated with EMAC.
- Section 8: What are Special Operations defined as, and why are they not free? Is Special Operations separate from Technical Rescue? Does Hazmat or Extrication fall into Special Operations? Flynn will find out the definition of Special Operations.
- Section 8, the fee schedule for Special Operations should be obtained. Flynn reported that MABAS will help acquire funds for federal or state recognized disasters, and pointed out that Section 8 also says the parties reserve the right to waive any charges to a requesting party. He will get information from Chief Parker. Additionally, paragraph M in Section 2, Definitions, defines Special Operations Teams.
- Section 6, paragraph B, "The aid rendered shall be to the extent of available personnel and equipment not required for adequate protection of the territorial limits of the Responding Party." Chief Flynn clarified that if we sign the agreement, we are not required to send any resources.
- Flynn said the county is going through a great change. Parker is going to try to get rid of his fee schedule. With the new CAD system, part of dispatching is going to proximity dispatching. Before, it was just by station and equipment. They are working on a county-wide mutual aid agreement. Everything is up in the air right now. He stated he

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would like to see a copy of the MABAS fee schedule and maybe some history on charges that have been handed out to responding and requesting parties. The MABAS system is similar to what happened in the storm of 2015. He stated that Whitewater Township and one other township are the only two in the county who have not signed the agreement yet. He will get more details. He thinks it is a benefit to our community and the fire department overall.

- Section 12, Term, states that any party may withdraw at any time from this agreement, for any reason or for no reason, upon 30 days' written notice to the association.
- There are no membership fees.
- Section 13, paragraph G, Amendment, states that the agreement may be amended or an alternative form of the agreement adopted only upon written agreement and approval of the governing bodies of all parties.
- Referring to verbiage in Section 13, paragraph M, Notices, Goss stated that she assumes the township board would appoint Chief Flynn to the governing body of MABAS.
- Flynn is not sure if the Grand Traverse Band is a member of MABAS.
- Flynn stated that what the Whitewater Township Fire Department has to offer to MABAS is very little, but what we have to gain is quite a bit. He said we are the kind of department that this is set up for.

Goss said she does not have a problem entering into the MABAS agreement but wants the fee schedule attached to it before it is signed.

**Motion by Lawson to appoint Chief Flynn to be our representative at MABAS; second by Popp.** Brief discussion followed. **On voice vote, all those present voted in favor, none opposed, Hubbell absent. Motion carried.**

**Motion by Popp to accept this MABAS-MI division agreement as written with the attachment of the fee schedule referred to on page 161 (of the board packet); second by Benak.** Popp requested a roll call vote. **Roll call vote: Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

Goss asked Flynn to return a fully executed copy of the document to her office as soon as it is available.

#### **Fife Lake/Springfield Mutual Aid Agreement**

A 3-page document entitled Fife Lake Area Emergency Services Authority Mutual Aid Agreement has been presented to the board.

Flynn stated that, for some reason, Chief Scott Tinker is worried about the new proximity dispatching.

Popp stated that with ambulance there is a law that says the closest unit goes. That is what fire is moving to.

Chief Flynn described computer-aided dispatching (CAD), each unit having their own GPS locator, sending the closest unit to an incident. He explained how calls would be handled with

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the new system, how units would be dispatched for a fire alarm, and described how it would prevent multiple units from being dispatched to an incident until the alarm has been verified. Proximity dispatching will come into play when they go to second and third alarms.

Flynn explained that mutual aid fees do not start until you get to an incident which requires work, i.e., a boots-on-the-ground type incident, and described some recent fire alarms in the township. He stated Chief Tinker sent the mutual aid agreement to everybody in Grand Traverse County, even the city. Flynn stated he does not see a big change going on with the proximity dispatching; if anything, it will make things more streamlined. Until every piece of emergency equipment in the county gets outfitted with GPS, it is not going to be used to its full effectiveness.

Discussion turned to mutual aid charges, Whitewater's fee schedule, and possible inconsistent application of fees.

Flynn stated he told Tinker there would be some changes or we may have to talk about it some more, and Tinker was okay with that, and Flynn knows that Metro is not going to sign it until Parker figures out what their board is going to say about his recommendation to eliminate the fee schedule.

Brief discussion ensued as to whether other townships have signed the mutual aid agreement, whether Whitewater should eliminate their fee schedule, as well as county-wide fee schedules if there is a county-wide mutual aid agreement.

Flynn stated he also has an issue with paragraph number 1 of the proposed agreement, which also states emergency medical services; he told Tinker we don't do that and we can't make policy for MMR.

Popp suggested he and Flynn keep this on their radar and look at it in 30 days; if something changes, they will put it back on the agenda.

Flynn apologized for rushing this in and taking up some time tonight with this, and explained how it came about.

**Resolution #19-01 Traverse Bay Area Intermediate School District 2019 Summer Tax Collection**

**Motion by Goss, second by Lawson, to adopt Resolution #19-01.** There was no further discussion. **Roll call vote: Hubbell, absent; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

**Tabled Items**

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

This agenda item will remain tabled.

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

This agenda item will remain tabled.

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

This agenda item will remain tabled.

**Board Comments/Discussion**

With respect to the **Miami Beach Sewer System**, Goss stated we can go ahead and get the transferor/transferee agreement drawn up by Attorney Patterson so the board and the Miami Beach Road Association can review it. Also, the agreement has to be submitted with the transfer of the permit.

Regarding a comment in the supervisor's report concerning what other townships think of disposing of assets, Goss pointed out that there are other sewer systems in the township, i.e., Shores of Palastra, Millbrook, Elkwood Shores. Goss commented that there is no reason for the township to be involved in those systems, and asked, in the case of the parcels related to the Miami Beach sewer system, who are they an asset to. It is an asset only to the Miami Beach Road Association since they are the only ones who will be served by it, and went on to describe the township's extremely limited involvement in the Miami Beach sewer system.

Benak pointed out that the board decided at a previous meeting to send this on to Attorney Patterson.

Popp said the only reason he has not made the request is to get the actual permit in hand, because Patterson had questions of whether or not we actually had the permit. He stated he has verbal confirmation from Cadillac that the permit is in the township's name, but so far they have been unable to produce the permit.

Benak stated if they cannot produce the actual paper, perhaps they can supply an affidavit from them saying we have ownership.

Goss suggested that searching for the permit should not hold up preparation of the agreement, and said she would be happy to contact Patterson to get the process started.

Popp stated it is already handled, and stated again that we are waiting for the permit, and further reminded everyone that there were two holidays in the meantime, and suggested that maybe Goss does not celebrate "those Christian things."

Benak stated the **next newsletter** will be going out the end of March, beginning of April sometime, and asked everyone to keep it in mind.

Brief discussion followed concerning the planning commission submitting information for the newsletter, as well as fire department pictures and wildfire information.

**Announcements**

Next regular meeting date is January 22, 2019, at 7:00 p.m.



**Public Comment**

Heidi Vollmuth, 8371 Winnie Lane, stated now we are going to give the planning commission new emails; can we give them a little instruction book of rules so that they know what happens when they use that e-mail address, if they misuse it. That can be a big can of worms, but if you don't give them rules, then you got to go with the flow.

John Nolan, 9933 Miami Beach, inquired if there was a formal process to follow to put something on the agenda.

Popp advised that Nolan can give him a call or an e-mail and let him know what it is.

Benak asked, for someone requesting time on our agenda, do we also request that they give us the documentation that they want to talk about.

Popp replied yes, we get as much information in advance as possible and it goes out with the packet.

**Adjournment**

Motion by Lawson, second by Benak, to adjourn. On voice vote, all those present voted in favor, none opposed, Hubbell absent. Meeting adjourned at 8:41 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk