

**Whitewater Township
Parks and Recreation Advisory Committee
Minutes for Monday, February 10, 2014**

Call to order 7:05

Roll Call: Mouser, Melton, Knapp, Hubbell

Absent: Leach

Also in attendance: Board Rep. Benak, Recording Secretary, MacLean

Set / Approve Agenda, Set

Declaration of Conflict of Interest None

Public Comment None

Approval of Meeting Minutes of 01/13/2014: Motion to approve minutes by Melton, second by Hubbell. All in favor.
Motion carried.

Correspondence None

Reports/Presentations/Announcements/Comments: None

Old Business:

1. Parks and Rec Advisory Committee Election of officers.

Melton nominated as Chair, did not accept.

Hubbell nominated Mouser as Chair. Mouser accepted. Motion to elect Mouser as Chair by Hubbell, second by Knapp. All in favor. Motion carried.

Knapp nominated Melton as Vice Chair. Melton accepted. Motion by Mouser to elect Melton as Vice Chair, second by Knapp. All in favor. Motion carried.

2. Unfinished items from Petobego Management Plan: Read through the goal.

a. Identify plant species. Eradicate invasive species.

b. Soil testing and recommended plants to best suit the native plant species. (Work with Conservation District)

c. Water testing. In conjunction with Acme Twp. Della to get water testing info from Clerk.

d. Property boundary marking, fencing MNRFT plaque and entrance sign. Plan recommends removing barbed wire fence. Fence posts with the layout request had been previously forwarded to the Board and funding had been approved. The property was not meant to be ADA compliant. Supervisor Popp was to get ADA information to Brandon Hubbell.

e. Will recommend gravel for parking area.

f. Verify existing foundation location. Should be removed.

g. Trails: MNRFT recommends a mowed path.

h. Barrier-free hunting blind. (Check original site plan for location.) Optional to remove old blinds.

i. Over-look is recommended to be located on the trail leading to the blind.

j. Creek access point should be explored. Brandon will verify terms of hay cutting with Korsons.

Determine what has and has not been done. Prioritize and get some cost analysis on these to make recommendations to the Board. Mouser to request both complete Management Plans from the Clerk.

New Business:

1. Review and discuss Recent Township Board Actions:

Benak: There was a lot of discussion at the most recent Board Meeting. Melton requests a copy of the documentation Benak presented at the February 4, 2014, meeting. Knapp to Benak, do you perceive that this most recent discussion with the Board is going to be an on-going problem? No. The Parks and Rec. Committee feels that Benak is doing a good job with this group.

Mouser: The Board, January 14, 2014, placed a cease and desist on everything having to do with the BCNA. The order was rescinded at the special February 4, meeting, except for two things: the bridge and ownership. The term illegal may have been used based on information presented to this committee. In 2012, the Zoning Administrator reported that there was no documentation found for the bridge. We are lacking documentation of

conformance. FOIA request to see the land use permit from 1987. Meeting minutes indicates there was a public hearing of DNR during that time, amended permit was requested but there is not additional paperwork on that available. No drawings were provided to the township. Part of the process can be confirmed but not all of it. Report that was presented to the Board by the Zoning Administrator (ZA) in 2012 is available. Any reference to anything being called "illegal" was a statement made based on information available at the time. "The township SHALL erect a gate with signage on / at the bridge," is stated in the BCNA Plan. Previous ZA had gotten pricing on what it would take to comply. That will be up to the Board.

Benak: There are things that do not have anything to do with the dam, the bridge and the plug that can be addressed by this committee. The PRAC is to work with the Board gathering information regarding the dam, bridge and plug.

Mouser: Statement regarding the property owner of the creek. Hettinger from DNR states no body owns the water and the fist, only the bottom land under the water to the middle of the creek. Battle Creek is a designated trout stream. The DNR map defines the creek path. 1998 an aerial map shows no obstruction, by 2005 it changed. Previously, Supevisor Lake contacted DEQ to see about removing the blockage. It was not initiated by this committee. Supervisor Popp has made statements in meetings previously regarding the creek and the water backups. Benak points out that GIS map lines do not line up properly with property lines. The PRAC was given very specific documentation regarding property ownership. Multiple parcels were purchased at various times during a 2-3 year period. All documentation of purchases is in the Clerk's office. Board wants ownership information verified before this committee moves forward on the dam, the bridge and the plug. The information the committee has was received from the Board so the Board does have access to all information. The Clerk received a scanned PRAC book for all Board members to access.

Benak: Has requested Supervisor Popp offer an apology to this committee.

Mouser regarding Cosgrove statement of the July 8, 2013, meeting minutes. Read a statement that is part of these minutes. Motion to adopt correction of July 8, 2013 minutes by Melton, second by Knapp. All in favor. Motion carried.

Mouser read a statement regarding information, statements and comments. Motion to include statement with these minutes by Knapp, second by Hubbell. All in favor. Motion carried.

Public Comment: Mr. Cosgrove of 10300 Miami Beach Rd. Points out that there are six requirements listed on page six of the BCNA Management Plan. On page seven there are recommendations. Recommendations are not requirements. On page 15, #5 under the main heading, The Protection of neighbors: the former Snowday bridge, shall have barrier, is interpreted as a recommendation not a requirement. The intent of the barrier is to prevent trespass from the public land to the private land. Cosgrove does not necessarily agree or disagree with the property owner / property lines. Cosgrove asks this committee to please read through the document. Mouser states that there are signage, safety and liability issues.

Follow-up by Mouser. There is a map that was given by Supervisor Lake that shows evidence of various uses on the township park property. Cosgrove states Lake indicated that he had gotten to the bridge without getting wet. Cosgrove notes that is not possible. There will be items addressed in the future regarding the requirements of the BCNA.

Discussion. Read through the plans. Will try to get the plans in pdf format and sent out..

Adjournment at 9:15 p.m. by Knapp, second by Melton

Respectfully submitted,
Lois MacLean,
Recording Secretary

Mr. and Mrs. Cosgrove were in attendance for the Jan. 13th 2014 Whitewater Township Parks and Recreation Advisory Committee meeting.

During the public comments portion Mr. Cosgrove made reference to the meeting minutes of the Whitewater Water Township Parks and Recreation Advisory Committee of July 8th 2013 under Reports/Presentations/Announcements/Comments, Item 2.

Mr. Cosgrove referenced two portions of Item 2 from the meeting minutes. Those are as follows.

The owner put the bridge and the dam in - and (Mr. Cosgrove) built the dam.

Mr. Cosgrove stated that the bridge and the blockage of Battle Creek were in place when he purchased the property.

To clarify the minutes it should be noted that none of the statements in the meeting minutes were accusatory in nature, but a verbalization of antidotal comments. A review of public documents do ~~not~~ corroborate Mr. Cosgroves statement that the bridge and creek blockage were in place prior to his purchase of the property.



During the course of the last few weeks there has been a great deal of discussion on the public record during PRAC meetings and Whitewater Township Board meetings concerning the Whitewater Township Parks and Recreation Advisory Committee and the BCNA.

As a member of the PRAC I have responded to and disagreed with some of the statements made during those discussions.

For the benefit of the Township as a whole, I feel it would be more productive to move forward rather than belabor each and every point of disagreement with lengthy discussion and rebuttals, so long as there is a clear understanding that lack of discussion or rebuttal at this time should not be construed as acceptance or agreement with many of the statements on the public record directed at the PRAC.