Whitewater Township Board
Minutes of Regular Meeting held April 9, 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: Treasurer Benak, Clerk Goss, Trustee Hubbell, Trustee Lawson, Popp
Board Members absent: None
Others present: County Commissioner Gordie LaPointe, Fire Chief Brandon Flynn, and 12 others

Set/Adjust Meeting Agenda
Goss noted the following addition: Under Consent Calendar, Budget Amendments, add Clerk's Memo of 04/05/2019 re: Fire Fund Budget Amendment.

Added as Budget Amendment No. 1 Fire Department.

Declaration of Conflict of Interest
None

Public Comment (6:16)
Jan Garvey stated she is here with Shelly Rybarsyk, 9525 and 9543 Palaestrum Road, and she sent a letter to the board electronically on the Whitewater Township Park planning process. She provided a copy to each board member and read the letter aloud.

(10:13)
John Nolan, 9933 Miami Beach Road, gave a brief update on the drain field transfer. They anticipate draft documents from their attorney by the end of this week. They are awaiting the road commission's legal direction regarding the requirements of the right of way.

Public Hearing (11:29)
None

Reports/Presentations/Announcements/Comments (11:38)
County Board of Commissioners Report
Gordie LaPointe gave the following report:

- A lot of people are very concerned about the cutting at the airport. He personally met with the director, Kevin Klein, and the chair of the commission, Doug DeYoung, who described their notification to the Grand Traverse County commissioners and the city. It was very well publicized. They went over the mandates they got from the FAA in terms of the clearing, etc.
- The county discovered a $600,000 positive on the revenue and $1.5 million under budget on expenses, for a $2.1 million positive closing out 2018. They met today with MERS.

They are going to direct more money to that. They are committed to be 100% funded by 2032.
- They met with Equalization. Real property across the county went up by 5.3%.
- Regarding the jail, he provided information on a couple diversion programs, sobriety court and drug court, and stated the jail can be operated much more efficiently. They will tour the Wexford County jail soon, which operates with fewer corrections officers.

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

Mobile Medical Response Report - No one is present from Mobile Medical Response. March 2019 Activity Reports were provided.

Fire Department Report (18:45)
Fire Chief Brandon Flynn gave the following report:
- March was an uneventful month. He attended all his usual meetings.
- On March 1, Whitewater Township received its ISO rating. The township was given a 6/10 rating, a dual rating that many rural townships receive. He explained some of the factors affecting the rating.
- He signed up today for Target Solutions, which is an online based training format for the firefighters. They do all of the required OSHA, MIOSHA, and State of Michigan training.

Planning Commission Report (22:50)
Lloyd Lawson gave the following report:
- The meeting was on 4/3. They discussed accessory structures on land without houses. The PC does not see much of a problem with having a structure without a dwelling, but it needs to be regulated and controlled.
- They talked about the 5 acres here on the south side of town. Not knowing what the standing is with that particular ordinance, they feel it is a burden on the people down there, but they would like to maybe recommend doing a survey on the people that live back there and then maybe a survey on the whole township to get a feeling for them and a feeling for overall what people want, if it needs to be taken away. If it is not able to be enforced because it was not legally done, then they would just let it go away. If people want it, they can petition to have it. Lawson stated there was a lot of good discussion and he urged everyone to listen to the recording of the meeting.
- The zoning administrator brought a checklist to their attention on the planning and zoning act. It goes through a checklist on creating ordinance, how the township board is supposed to process, and a rezoning checklist.

Parks & Recreation Advisory Committee Report (25:21)
Cheryl Goss gave the following report:
- The committee met last night; all members were there.
- They asked when an alternate is going to be appointed and were told the township supervisor is responsible for bringing forward new appointments.

- The status of the batting cage project was discussed. Some volunteers plan to get the metal roof and wind bracing installed later this month. Over the winter, Josh Tress supplied an informal quote for leveling the area inside the cage and spreading gravel and/or diamond dust. Goss has asked Tress to provide a formal quote. The committee has recommended the purchase of a batting cage net and hardware, and a purchase order has been issued.
- Regarding the new dugouts, approval is sought on this agenda to purchase the posts, roof material, and benches recommended by the committee. There is a 7-week lead time to get the components. Tress's quote will also include removal and disposal of the old dugouts and leveling of the area.
- Regarding the nature trail project, Melton has scheduled next Monday, 4/15, to walk all of the trails with a person from the Land Conservancy in order to map out locations for kiosks and signs at Lossie Road Nature Trail, signs at Battle Creek Natural Area, and signs and benches at Whitewater Township Park.
- Update on the campground playground equipment at Whitewater Township Park is that Brandon Hubbell and another person will finish assembling the merry-go-round and hanging the swings sometime this month. A new slide was budgeted for. The committee is recommending that it be purchased, although it was agreed to wait till next month to seek approval.
- Playground inspections for all township playground equipment are scheduled in early May.
- A grant opportunity presented itself through Paddle Antrim, but it was decided last night to wait until their fall grant cycle to submit a request.
- The committee was updated on the status of the Whitewater Township Park Master Plan.

Brief discussion followed.

Consent Calendar (30:17)

Receive and File

1. Supervisor's Report for March 2019
2. Clerk/Parks & Recreation Administrator's Report for March 2019
3. Zoning Administrator's Report for March 2019
4. Mobile Medical Response March 2019 Activity Reports
5. Fire Department Amended February 2019 Report
6. Fire Department March 2019 Report
7. Approved 01/09/2019 Historical Society Minutes
8. Approved 01/24/2019 Zoning Board of Appeals Minutes
9. Approved 02/11/2019 Parks & Recreation Advisory Committee Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for January/February/March 2019 (delayed due to technical issue at county)
2. Michigan Capital Confidential Article 03/04/2019: Ban It? Tax It? Leave it Alone? Michigan Cities and Airbnb
3. E-mail 03/07/2019 Dave Hauser re: Skegemog Point Road

4. Letter 03/20/2019 Gourdie-Fraser re: Parcel 13-004-038-00

Minutes
1. Recommend approval of 03/04/2019 special meeting minutes, 03/07/2019 special meeting minutes, 03/12/2019 regular meeting minutes, 03/13/2019 special meeting minutes, 03/18/2019 special meeting minutes, 03/25/2019 special meeting minutes, and 03/26/2019 regular meeting minutes

Bills for Approval
1. Approval of Alden State Bank vouchers # 43791 through 43851
2. Approval of First Community Bank Miami Beach vouchers # 1252
3. Approval of First Community Bank WMDLS vouchers # (none)

Budget Amendments
1. Fire Fund Budget Amendment (added)

Revenue & Expenditure Report (none)

Popp stated he has questions on some minutes that he would like to pull out and put as New Business No. 7.

Discussion followed.

Goss noted a correction to the 03/07/2019 minutes, that being the addition of the footer at the bottom of the page which will read "Whitewater Township Board - Minutes of 03/07/2019."

There was no objection to moving the Consent Calendar to New Business #7.

(See Page 3410 for continued discussion of the Consent Calendar.)

Unfinished Business (31:48)

Emergency Services Building Driveway Project

Chief Flynn stated he and Popp met with Patrick Machin last week for his firm to provide engineering services for the asphalt project at the fire station. Jessie Mitchell from Mitchell and Associates has also offered to do engineering services for the township. A representative from that firm will be stopping by the station tomorrow to look at the project. Flynn also met with Zoning Administrator Wolf. She got information from Elmer's about porous concrete, which would alleviate the drainage issues, but it does not work well in Northern Michigan. Wolf is willing to help with the rain garden part of it.

Discussion followed, including Hubbell's suggestion to look into putting heat in front of the doors.

Proposed Pumper Tanker Purchase (40:39)

Chief Flynn stated tonight is the grand bid opening. Several manufacturers are present.

Additional .ORG E-mail Addresses 01/08/2019 (41:29)
After brief discussion, it was agreed that Benak, Popp, and Goss will meet at 9:00 a.m. tomorrow.

New Business (43:07)
Pumper Tanker Sealed Bid Opening
Goss read the sealed bid opening statement provided by Chief Flynn.

Flynn noted he sent the specifications to seven manufacturers and received five bids.

Chief Flynn opened each sealed bid package and recited the name of the company submitting the bid, the manufacturer, and the bid price.

The following bids were received:
1. West Shore Fire. E1 is the apparatus manufacturer. $340,000.
2. Spencer Manufacturing. Factory direct. $384,642.
3. CSI Emergency Apparatus. Spartan. $343,886.
4. Sutphen. Chief stated he went through Apollo down in Romeo, so he is not sure which vendor this is, but the manufacturer is Sutphen. $388,881.
5. Pierce Manufacturing. Vendor is Halt Fire. $380,347.

It was noted that representatives are present from Pierce, CSI, and Spencer.

The board had no questions for the manufacturer representatives.

Chief Flynn stated he is happy with the close pricing, and noted they are all very reputable manufacturers and do a lot of business in Michigan. The fire department will contact vendors for questions they have.

Popp stated a spot will be reserved on the May agenda to award a bid.

Flynn stated he is hoping to have the review completed, but they will not rush through them.

There was consensus that a special meeting date may be called if needed.

There were no questions for the board from any of the manufacturer representatives.

Approval of County Road Improvement Agreement for 2019 (Brining) (58:05)
Motion by Goss to authorize the supervisor and clerk to sign the 2019 County Road Improvement Agreement authorizing up to three brine applications; second by Lawson. There was no further discussion. **Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

Resolution #19-09 Elk Rapids Schools Summer Tax Collection (59:26)
Per parcel costs were discussed.

Motion by Goss to adopt Resolution #19-09; second by Lawson. There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.**

Benak noted the agreement has to be signed by the supervisor and herself, and asked that it be signed tonight or tomorrow.

Approve Bid for Shower Renovations at Whitewater Township Park (1:04:47)
Goss provided a memo detailing the successful 2% grant application for this project and the bids received.

Discussion followed.

Motion by Benak to approve the Northern Floor & Tile Service bid in the amount of $14,774 for tiling of 4 shower rooms at the Whitewater Township Park bathhouse; second by Hubbell. Brief discussion followed concerning architect/engineer services versus facility repair and maintenance item. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.**

Approval of Beacon Athletics Purchase - New Dugouts at Hi Pray Park (1:10:50)
Goss provided a memo detailing the research that was completed by former PRAC member Decker, as well as updated price quotes. The Parks & Recreation Advisory Committee has recommended the purchase of these dugouts. Two grants were received toward the Hi Pray Park baseball improvements. The existing dugouts will be removed and the area prepped for installation of the posts, roof material, and benches. Two PRAC members have contacted the YMCA regarding offering this field as another available field in Grand Traverse County for games. There is a 7-week lead time on getting the dugouts.

Popp noted the project exceeds the $15,000 threshold for engineering services and we should get an opinion that this does or does not violate state statute.

Lawson noted PA 170 of 1933, bidders on public works, the exception is public buildings. Public works is more implying large projects like septage, sewer, power systems, roads. On cursory review, public buildings may not.

Motion by Hubbell to approve the purchase of two dugout packages from Beacon Athletics at a total cost of $18,120; second by Lawson. Hubbell stated it does not hurt to inquire on it. **Roll call vote: Lawson, yes; Popp, no; Benak, yes; Goss, yes; Hubbell, yes. Motion carried.**

Approval of Road/Site Work at Whitewater Township Park (1:17:26)
Goss provided a memo and the Avery Excavating proposal detailing the work to be completed.

Discussion followed.

Motion by Hubbell to approve the Avery Excavating proposal for road and campsite improvements in the amount of $14,600; second by Lawson. Popp stated there is quite a bit

of proposed work. **Roll call vote: Popp, no; Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes. Motion carried.**

Consent Calendar (moved to New Business #7) (1:24:00)
Popp raised the following questions on minutes:

- ZBA minutes of 01/24/2019, asked why questions 4, 6, and 7 are marked yes and no.

  Goss relayed the zoning administrator's explanation that those are findings of fact; some members felt one way and others felt another way; it is not the decision form.

  Brief discussion followed.

- Township board minutes of 03/04/2019, asked if the zoning administrator wage went from $26/hour to $28/hour as of 04/01/2019.

  Goss confirmed all wage increases take effect 4/1.

- Township board minutes of 03/04/2019, asked Goss if she was able to find out what public improvement money can be used for.

  Goss replied that she never got a response from the auditors, but Benak informed the board that it can be used for any public improvement.

- Township board minutes of 03/04/2019, asked Hubbell to elaborate on his comment under Board Comments/Discussion.

  Hubbell said we were very concerned for Popp and his family, and throughout that meeting there were things that, maybe if Popp had been at that meeting, could have been resolved.

  Brief discussion followed.

- Township board minutes of 03/07/2019, pointed out public comment by Ron Bachi regarding an issue with the meeting posting dates and how members felt they were targeted to cancel the meeting, and stated the deputy supervisor did try and bring a question of proper notice and date to the attention of the clerk via e-mail.

  Discussion followed, with Popp suggesting that Bachi's e-mail should be in the minutes and Ron Bachi deserves an apology from the board regarding the "targeting" comment.

  Benak explained the broader context in which she made the "targeting" statement and said she is not going to be raked over the coals because she used the word "targeting."

- Township board minutes of 03/12/2019, suggested there should be some type of documents submitted for the agenda so people know what is going to be discussed for the Miami Beach Sewer System update; whatever the Miami Beach

representatives would read during that agenda item should be provided for the packet.

Discussion ensued.

It was noted that people who are not employed by the township have no duty to provide documents for the packet. Additionally, documents from the attorney are expected soon.

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

Tabled Items (1:44:33)

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 (1:44:35)

Goss raised a concern about delay in getting the supervisor's signature on purchase orders and said she is looking for direction as to whether the supervisor has a plan for reviewing purchase orders or if there should be a policy change to assign someone else to provide the second signature.

Popp explained the delay on a recent purchase order and said he does not see it as an issue and no backup plan needs to be done, stating the clerk should send him an e-mail if something needs to be signed in the same day.

Announcements (1:49:41)

Next township board meeting date is May 14, 2019, at 7:00 p.m.

Public Comment (1:49:58)

Ron Bachi, 6987 Cook Road, commented on the purchase order issue.

Adjournment (1:51:20)

Motion by Lawson to adjourn; second by Hubbell. On voice vote, all those present voted in favor, none opposed. Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk