

WHITEWATER TOWNSHIP BOARD
AGENDA REGULAR MEETING – SEPTEMBER 12, 2023
9:00 a.m. at the Whitewater Township Hall
5777 Vinton Road, Williamsburg, MI 49690
Phone 231-267-5141/Fax 231-267-9020

At this time, the Board invites everyone to silence their electronic devices.

Whitewater Zoom is inviting you to a scheduled Zoom meeting.

Topic: Whitewater Township Board Meeting

Time: Sep 12, 2023 09:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/83122647338?pwd=V0c5U2I0K1hzMDJVR0laTU4xVVhVdz09>

Meeting ID: 831 2264 7338 Passcode: 817013

*One tap mobile: +16465588656,,83122647338#,,, *817013# US (New York)*
*+16469313860,,83122647338#,,, *817013# US*

Dial by your location: 1 646 558 8656 US (New York), 1 301 715 8592 US (Washington DC)
1 305 224 1968 US, 1 312 626 6799 US (Chicago), 1 720 707 2699 US (Denver)

Find your local number: <https://us06web.zoom.us/u/kcaCqqUTdX>

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities upon reasonable advance notice. Contact the Township Clerk at 231.267.5141 Ext. 24 at least 5 days in advance of the meeting.

- A. Call to Order /Pledge of Allegiance**
- B. Roll Call of Board Members**
- C. Set/Adjust Meeting Agenda**
- D. Declaration of Conflict of Interest**

- E. Public Comment.** Any person shall be permitted to address a meeting of the township board. Public comment shall be carried out in accordance with the following board rules and procedures:
 - 1. Comments shall be directed to the board, with questions directed to the chair.
 - 2. Any person wishing to address the board shall speak from the lectern and state his or her name and address.
 - 3. Persons may address the board on matters that are relevant to township government issues.
 - 4. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer board member's questions. The chair shall control the amount of time each person shall be allowed to speak, which shall not exceed five (5) minutes.
 - 5. In order to avoid unscheduled debates, the board generally will not comment or respond to public comment. Silence or non-response from the board should not be interpreted and disinterest by the board.

F. Public Hearing – None

G. Reports/Presentations/Announcements/Comments

1. County Board of Commissioners -
2. Fire Department Report – See consent calendar
3. Planning Commission Report – See consent calendar
4. Parks & Recreation Advisory Committee Report – See consent calendar

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H. Consent Calendar

Receive and File

1. Supervisor's Report for August 2023
2. Clerk's Report for August 2023 – None Provided
3. Treasurer Report August 2023
4. Trustee Vollmuth's August 2023 Report
5. Trustee Glenn's August 2023 Report
6. Zoning Administrator's Report for August 2023
7. Mobile Medical Response's July 2023 Activity Report
8. Fire Department July & August 2023 Reports
9. Planning Commission August 2023 Report
10. Historical Society August 2023 Report – None provided - Vacation
11. Park & Recreation Report August 2023
12. PC Minutes
 - a. PC Special Meeting Resident Outreach Subcommittee 2023.07.06.
 - b. PC Regular Meeting 2023.07.12
13. PRAC – July 2023 Minutes.

Correspondence

1. Response to PC questions 8.16.2023
2. Memo Access to Public Records 9.12.2023
3. Memo FOIA Request S-22 Follow Up 8.23.2026
4. FEMA Hazard Mitigation plan adoption 2023
5. Slalom for whom Request for Letter of No Objection
6. Memo Proposed Credit Card Policy 8.2023
7. Grand Traverse County Sheriff Report July 2023

Minutes for Approval

1. Whitewater Township Regular Board Meeting Draft Minutes 2023.08.08

Bills for Approval

1. Approval of Alden State Bank Vouchers # 49486 to 49615

Budget Amendments Proposed Planning Commission Budget Amendments.

Revenue & Expenditure Report

1. None Provided

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I. Unfinished Business

1. Camping Park Questions
2. Request for Clarification - Ordinance Enforcement
3. Roles and Responsibilities - Zoning Administrator 9.12.2023
4. Memo FOIA Procedure Document 09.12.2023
5. Memo FOIA Process 09.12.2023 Summary
6. Memo Proposed P and P 6.4 8.21.2023 FOIA

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J. New Business –

1. Fire Engine Bid Opening
2. Planning Commission Appointment Memo Linda Slopsema 9-2023
3. Proposed Ambulance Service Agreement 9.12.2023
4. Proposed Assessing Department Policies 9.12.2023
5. Proposed Appendix I Assessor Policies 8.21.2023
6. Lawn Maintenance Bids
7. NB 7 - Proposed Slalom Water Ski Course 8-2023
8. NB 8 - TB 09.12.2023 PC Submission
9. NB 9 - Rod Rebant Resignation 8.8.2023

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K. Tabled Items

1. None

L. Board Comments/Discussion

M. Announcements

1. Regular Township Board Meeting October 10, 2023

N. Public Comment

O. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the township clerk at 231-267-5141.

To: Whitewater Township Board

From: Ron Popp, Township Supervisor

Date: 9.12.2023

Re: Proposed Consent Calendar September 12, 2023 Whitewater Township Board Meeting

Consent Calendar

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Whitewater Township Supervisor's Report

August 2023

1) Citizen observations:

- A. STR Complaints – One received this month. Residents who live next door and around some of these uses are beginning to express concerns that some Township Board Members are suppressing complaint material on this topic. In support of their claims they point towards the lack of meaningful enforcement action on part of the Zoning Administrator. There is more on enforcement on the September agenda.
- B. Complaints about Moore Road powerline construction, specifically the debris left behind in the valleys has several citizen's attention. Consumer's Energy is the sponsoring utility of this project. They can be reached at 800.477.5050.

2) Office duties:

A. Meetings:

- 1) Attended the monthly Supervisor's meeting. Difficulty with all things zoning from building without permits, junk, and personnel issues dominated the meeting time.
- 2) Was invited to participate in an Acme Township Meeting with Mobile Medical Response. The service contract expires later this year and new proposal has been provided. More on this topic later in the September Agenda.
- 3) Thank you to Planning Commission Member Keith Deyoung for taking up Zoom Services for the Planning Commission! Training is open to anyone wishing to learn more about the application. Simply contact the Supervisor's Office via email at supervisorwhitewater@gmail.com

3. Other Items of Interest:

- 1) FOIA request S-26 was finished up in the early part of this month. With more than 800 pages, this has been the largest request for public document the Supervisor's Office has handled to date.
- 2) No time was afforded to the discharge water permit for the proposed boat wash station at the Whitewater Township Boat Ramp.
- 3) The Township currently has openings on the Board of Review, Park & Recreation Advisory Committee, and the Zoning Board of Appeals. If you have any desire to serve the community in this way, please contact the Supervisor's Office at 231.267.5141 ext. 23 for more information.

- 4) No time was allotted to verify the legal description of the N- Industrial Zoning District.
- 5) The boat launch construction will begin in the next few days. The ramp will be closed to all traffic beginning 9.11.2023. Currently, the plan to keep the camping park open during construction.
- 6) The move to Dot Gov email extensions is underway. Look for our new email addresses coming soon.
- 7) The camping park emergency action plan (EAP) that was put together by Deputy Supervisor Tim Arends before his departure, has been distributed to several people for final comments. The plan should be fully implemented for next year. Thank you, Tim!

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Ron Popp', with a stylized flourish at the end.

Ron Popp
FOIA Coordinator
Whitewater Township Supervisor.

Whitewater Township
Cash Balance Report
August 31, 2023
Prior to Balancing with the Clerk

101 General Fund

101-000-001	General Fund-ASB - 101	\$ 1,032,993.71
101-000-003	General MM - 101	119,245.84
101-000-005	Tower Removal FCB Savings	11,039.62
Total 101		1,163,279.17

203 Road Fund

203-000-001	Road Fund-ASB- 203	7,216.64
203-000-003	Road Fund MM - 203	20.31
Total 203		7,236.95

204 Road Repair/Replacement Fund

204-000-001	Road Repair/Rep-ASB - 204	420,964.08
Total 204		420,964.08

206 Fire Fund

206-000-001	Fire Fund-ASB- 206	328,253.49
206-000-003	Fire MM - 206	25,855.07
Total 206		354,108.56

208 Park Fund

208-000-001	Park Fund-ASB - 208	209,404.86
208-000-003	Park MM - 208	2,792.35
Total 208		212,197.21

209 Recreation Fund

209-000-001	Recreation Fund-ASB - 209	23,386.76
Total 209		23,386.76

210 Ambulance Fund

210-000-001	Ambulance Fund-ASB- 210	485,665.26
Total 210		485,665.26

211 Ambulance Replacement Fund

Total 211		0.00
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401 Public Improvement Fund

401-000-001	Public Imprvmt Fund-ASB - 401	128,941.96
Total 401		128,941.96

406 Fire Capital Improvement Fund

406-000-001	Fire Cap Imprvmt Fund-ASB- 406	189,734.28
406-000-003	Fire Cap Imp MM - 406	7,239.36
Total 406		196,973.64

Whitewater Township
Cash Balance Report
August 31, 2023
Prior to Balancing with the Clerk

Federal Fund (ARPA) - FCB

285-000-001	Federal Fund FCB 285	174,391.84
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Total 285

174,391.84

703 Property Tax Fund

703-000-001	Property Tax Fund FCB - 703	650,779.62
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Total 703

650,779.62

750 Payroll Clearing Fund

750-000-001	Payroll Clearing-Gen Fund-750	6,080.01
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Total 750

6,080.01

Grand Total

\$

3,824,005.06

Whitewater Township
Bank Accounts
August 31, 2023
Prior to Balancing with Clerk

	Balance
General Fund Checking - ASB	
General Fund-ASB - 101	1,032,993.71
Road Fund-ASB- 203	7,216.64
Road Repair/Rep-ASB - 204	420,964.08
Fire Fund-ASB- 206	328,253.49
Park Fund-ASB - 208	209,404.86
Recreation Fund-ASB - 209	23,386.76
Ambulance Fund-ASB- 210	485,665.26
Public Imprvmt Fund-ASB - 401	128,941.96
Fire Cap Imprvmt Fund-ASB- 406	189,734.28
Payroll Clearing-Gen Fund-750	6,080.01
	2,832,641.05
Total General Fund Checking	2,832,641.05
 General Fund MM - ASB	 155,152.93
 General Fund Savings - FCB	 11,039.62
 Property Tax Fund - FCB	
Property Tax Fund FCB - 703	650,779.62
 Federal Funds (ARPA) - FCB	
Federal Fund FCB 285	174,391.84

Trustee Report for August 2023
from the desk of
HeidiVyour trustee

Summer seems to be flying by as the Master Plan starts to take on some chapters. If you have not taken a look at the website at the first four chapters please take some time and do. These four chapters are all about the important history of our community. If any resident needs a paper copy they should be available in township hall on the information table.

Now more then ever your valuable input is needed on Thursday September 28, 2023 at Millcreek Elementary School between 4 and 7pm. This Master Plan workshop will consist of several stations manned by facilitators to take your ideas and visions of how you see the future of our small township develop and grow into to the next decade.

Thank you to those who served our township recently and felt our environment was too noxious and trying not allowing them to continue to serve. Sometimes these issues unfold because people serve too long in office. Decision to run for the 2424 election comes up in April, please contact the Grand Traverse county clerk for more information. Whitewater Township is also looking for volunteers for several open spots on commissions and committees, check the website or feel free to reach out to me.

Heads up to all the Whitewater Township ONLY the BOAT LAUNCH will close on September 10th, 2023 for major renovations.

Several residents reached out this month on several concerning issues such as short term rentals, zoning concerns and issues along with attorney questions. Short term rental issues continue to be noise, garbage and rudeness. First and foremost, it is important to always be a good neighbor and respect each others wants, needs and property. This issue is locked up somewhere in the states legislative mess of things. Maybe it is time we put an email out there for residents to voice their concerns, mines easy folks, type away. Simply put, if we write an ordinance for short term rentals,however it seems everyone wants to wait for the state regulations. In the mean time, maybe the board can put the police power ordinance back on the books making it easier to add a short term rental ordinance in the near future.

Hoping everyone took advantage to attend the several area town fairs and festivals these past few months, and remember there are more to come this fall season. The Whitewater township Halloween party is September 30, 2023 and Summer Taxes are due too OH boy!

Until next month....
HeidiVyourtrustee@gmail.com

September 2023

Whitewater Township Trustee report – Don Glenn

Citizen communications and/or observations

- As we move closer to the start of the boat launch expansion project, the number of phone calls has increased. However, the call inquiries have primarily been focused on the project scope of work and the status of the boat wash station installation rather than the start date.
- For those that may have missed it, the Elk Rapids News had a nice article and pictures in their August 17th edition of the Elk Rapids Girl Scout Troop 8745 and the Little Free Library they donated and had installed at Hi Pray Park that the board approved in our July 18th meeting.

Educational opportunities

Webinars:

- a. Participated in the August 9th Michigan Townships Association (“MTA”) webinar **Now You Know: Spending Public Money** / Townships need statutory authority to spend public money. This webcast reviewed the general guidelines and included specific examples of lawful and unlawful expenditures determined by statute & case law.
2. **“Other” continuing education opportunities:** none worked on since the report last month due to assistance in Park operations.

AUGUST 2023 ZONING REPORT

Baggs Road / Site Condo Development

Upon the direction of the Whitewater Township Board, the Zoning Board of Appeals did conduct a public hearing at their regularly scheduled August 24th, 2023 meeting to consider the application for a variance from the terms and provisions of ordinance No. 26 – being the Whitewater Township Land Division Ordinance. After considerable public comment, deliberations, findings, and conclusions, the ZBA granted a variance to the subject parcel from the 4:1 (four to one) depth to width ratio requirement.

Considering the above variance being granted, the Zoning Administrator has submitted a request for action to be considered by the Township Board, attached and made a part of this report.

SHORT-TERM RENTALS

Multiple staff reports in the past years have mentioned the fact that the ZA was receiving an inordinate amount of calls inquiring about various aspects related to the short-term rental of dwellings in Whitewater Township. Shortly after the winter tax newsletter and a posting on the website made it clear that short-term rentals were indeed ‘not’ a permitted use, the calls, personal inquiries, and emails increased exponentially related to short-term rentals. The short-term rental property owners are concerned about the return on their investment, and the neighbors are concerned about the effects on their quality of life.

Briefly, it has become a compliance / enforcement nightmare that the Township should consider dealing with. It absorbs an unusual amount of administrative time that was not previously accounted for. Many communities have ordinances in place that respect everyone’s individual property rights.

TRAINING OPPORTUNITY

The [Michigan Townships Association](#) is back with their professional development retreats. As a previous attendee, I can highly recommend the quality of this unique training and networking opportunity. Training this year is October 3rd and 4th in Harbor Springs.

PLANNING COMMISSION | MASTER PLAN | ZONING ORDINANCE

Please – make time to look at the progress being made both on the Master Plan and the reorganization of the Zoning Ordinance. It is very apparent that the resident outreach committee has been a tremendous benefit on behalf of Whitewater Township. [*The ‘draft’ master plan to date, can be found here. Pages 12 and 13 of the September 2023 PC Packet will give a brief overview of the work being done on the Zoning Ordinance.*](#)

For your review,



August 31, 2023

REQUEST FOR ACTION BY THE WHITEWATER TOWNSHIP BOARD

Re: Parcel #28-13-136-001-02 | a/k/a: 6631 Baggs Road – Williamsburg, Michigan 49690

- At a special meeting on May 3, 2023, the Whitewater Township Board by way of a motion declared that the above-referenced parcel is not eligible for any building permits or zoning approvals such as special land use approval or site plan approval.
- At a June 20, 2023 meeting, the Whitewater Township Board directed the ZBA to hear an application for a variance related to the above referenced parcel, requesting a deviation from the 4:1 (four to one) lot depth to width ratio requirements.
- At an August 24, 2023, meeting, the Whitewater Township Zoning Board of Appeals did grant a variance from the 4:1 (four to one) lot depth to width ratio requirements for parcel #28-13-136-001-02.

Based upon the above occurrences, the findings relied upon at the May 3, 2023 meeting wherein the above-referenced parcel was declared ‘*not eligible for any building permits or zoning approvals such as special land use approval or site plan approval*’ by the Whitewater Township Board, appear to have been negated.

The Zoning Board of Appeals was ‘not’ authorized to consider an appeal of the May 3, 2023 decision of the Whitewater Township Board.

Possible motion language:

Motion to rescind the motion of the Whitewater Township Board made on May 3, 2023, declaring that parcel #28-13-136-001-02 is not eligible for any building permits or zoning approvals such as special land use approval or site plan approval; further, finding that based upon the variance granted from the 4:1 (four to one) lot depth to width ratio requirements by the Zoning Board of Appeals on August 24, 2023, that the subject property is now in compliance with all applicable Whitewater Township ordinances.

Detailed information on properly rescinding a motion can be found on [this MSUE \[Michigan State University Extension\] web page](https://www.canr.msu.edu/news/parliamentary_procedure_what_is_a_motion_to_rescind).

(https://www.canr.msu.edu/news/parliamentary_procedure_what_is_a_motion_to_rescind)

Thank you for your prompt attention to this matter,



Robert (Bob) Hall
Whitewater Township | Zoning Administrator

White Water RT July 2023

Response Time Minutes	Call Count	Cumulative Call Count	Percentage	Cumulative Percentage
00:00:00 - 00:00:59	0	0	0.00%	0.00%
00:02:00 - 00:02:59	1	1	3.85%	3.85%
00:05:00 - 00:05:59	1	2	3.85%	7.69%
00:06:00 - 00:06:59	3	5	11.54%	19.23%
00:07:00 - 00:07:59	1	6	3.85%	23.08%
00:08:00 - 00:08:59	6	12	23.08%	46.15%
00:09:00 - 00:09:59	1	13	3.85%	50.00%
00:10:00 - 00:10:59	3	16	11.54%	61.54%
00:11:00 - 00:11:59	1	17	3.85%	65.38%
00:12:00 - 00:12:59	1	18	3.85%	69.23%
00:13:00 - 00:13:59	1	19	3.85%	73.08%
00:14:00 - 00:14:59	3	22	11.54%	84.62%
00:15:00 - 00:15:59	1	23	3.85%	88.46%
00:16:00 - 00:16:59	1	24	3.85%	92.31%
00:17:00 - 00:17:59	1	25	3.85%	96.15%
00:23:00 - 00:23:59	1	26	3.85%	100.00%

Whitewater Twp Responses

July 2023

Nature of Call	WW	Total
10-Chest Pain (Non-Traumatic)	1	1
17-Falls	4	4
18-Headache	1	1
1-Abdominal Pain/Problems	1	1
21-Hemorrhage/Lacerations	2	2
25-Psychiatric/ Abnormal Behavior/Suici	1	1
26-Sick Person (Specific Diagnosis)	4	4
28-Stroke (CVA)	2	2
29-Traffic/Transportation/Accidents	8	8
30-Traumatic Injuries (Specific)	2	2
31-Unconscious/Fainting (Near)	2	2
Total	28	28

Call Disposition	WW	Total
Transport	18	18
Refusal	8	8
Cancelled	2	2
Total	28	28

Response Priority	WW	Total
P-1 Emergency ALS	5	5
P-2 Emergency BLS	23	23
Total	28	28

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
87,047	07/01/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	10:49:56	10:58:15	00:08:19
87,058	07/01/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 55A1	Canceled	11:18:41		
87,064	07/01/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	10:49:56	10:58:15	00:08:19
87,065	07/01/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	10:49:56	10:58:15	00:08:19
87,189	07/01/2023	P-2	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	17:16:15	17:30:32	00:14:17
87,636	07/02/2023	P-1	28-Stroke (CVA)	Whitewater	10 GTA3	Transport	18:12:52	18:19:40	00:06:48
87,650	07/02/2023	P-2	25-Psychiatric/ Abnormal Behavi	Whitewater	10 55A1	Refusal	18:45:43	19:02:52	00:17:09
88,133	07/03/2023	P-2	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	18:48:13	18:56:41	00:08:28
88,471	07/04/2023	P-2	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	4:01:40	4:13:13	00:11:33
89,408	07/05/2023	P-2	18-Headache	Whitewater	10 55A1	Transport	23:21:52	23:45:28	00:23:36
89,992	07/06/2023	P-2	17-Falls	Whitewater	10 GTA3	Transport	23:00:26	23:05:43	00:05:17
90,016	07/07/2023	P-2	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	0:18:34	0:28:49	00:10:15
91,616	07/10/2023	P-2	17-Falls	Whitewater	10 GTA3	Transport	13:02:08	13:14:08	00:12:00
92,377	07/11/2023	P-1	17-Falls	Whitewater	10 GTA3	Refusal	23:39:24	23:45:36	00:06:12
93,497	07/13/2023	P-2	17-Falls	Whitewater	10 GTA3	Refusal	19:00:41	19:16:26	00:15:45
93,774	07/14/2023	P-2	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	11:58:07	12:09:03	00:10:56
93,980	07/14/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	19:46:58	19:49:25	00:02:27
93,987	07/14/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 55A1	Transport	20:07:15	20:20:32	00:13:17
94,883	07/16/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	17:31:05	17:39:00	00:07:55
95,193	07/17/2023	P-2	1-Abdominal Pain/Problems	Whitewater	10 GTA3	Transport	13:01:41	13:15:58	00:14:17
95,346	07/17/2023	P-1	30-Traumatic Injuries (Specific)	Whitewater	10 GTA3	Transport	19:00:20	19:16:44	00:16:24
96,405	07/19/2023	P-2	30-Traumatic Injuries (Specific)	Whitewater	10 GTA3	Transport	21:49:11	21:59:58	00:10:47
99,192	07/25/2023	P-1	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	5:45:50	5:54:00	00:08:10
99,957	07/26/2023	P-2	31-Unconscious/Fainting (Near)	Whitewater	10 GTA3	Refusal	13:37:11	13:45:39	00:08:28
99,964	07/26/2023	P-2	31-Unconscious/Fainting (Near)	Whitewater	10 GTE7	Refusal	13:46:22	14:01:14	00:14:52
100,699	07/27/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	16:26:41	16:32:52	00:06:11
100,933	07/28/2023	P-1	28-Stroke (CVA)	Whitewater	10 GTA3	Refusal	6:16:36	6:25:59	00:09:23
102,228	07/30/2023	P-2	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Canceled	18:58:16		

GT-A3 Activity (July 2023)

Call Disposition	Acme	WW	Elk Rapids	Elk Rapids	Milton	East Bay	Total
Transport	29	16	1	1	0	2	49
Refusal	5	6	0	0	0	2	13
Cancelled	14	1	3	0	1	0	19
Total	48	23	4	1	1	4	81

Response Priority	Acme	WW	Elk Rapids	Elk Rapids	Milton	East Bay	Total
P-1 Emergency ALS	8	5	1	0	0	1	15
P-2 Emergency BLS	34	18	3	1	1	3	60
P-3 Non-Emergent	6	0	0	0	0	0	6
Total	48	23	4	1	1	4	81

Nature of Call	Acme	WW	Elk Rapids	Elk Rapids	Milton	East Bay	Total
10-Chest Pain (Non-Traumatic)	4	1	0	0	0	0	5
11-Choking	1	0	0	0	0	0	1
12-Convulsions/Seizures	1	0	0	0	0	0	1
13-Diabetic Problems	1	0	0	0	0	0	1
17-Falls	11	4	2	0	0	0	17
19-Heart Problems / A.I.C.D.	2	0	0	0	0	0	2
1-Abdominal Pain/Problems	0	1	0	0	0	0	1
20-Heat/Cold Exposure	1	0	0	0	0	0	1
21-Hemorrhage/Lacerations	1	2	0	1	0	0	4
25-Psychiatric/ Abnormal Behavior/Suici	1	0	0	0	0	0	1
26-Sick Person (Specific Diagnosis)	7	4	0	0	1	1	13
28-Stroke (CVA)	0	2	0	0	0	0	2
29-Traffic/Transportation/Accidents	7	6	0	0	0	3	16

	Acme	WW	Elk Rapids	Elk Rapids	Milton	East Bay	Total
30-Traumatic Injuries (Specific)	2	2	0	0	0	0	4
31-Unconscious/Fainting (Near)	4	1	0	0	0	0	5
32-Unknown Problem (Man Down)	0	0	2	0	0	0	2
4-Assault/Sexual Assault	2	0	0	0	0	0	2
6-Breathing Problems	2	0	0	0	0	0	2
8-Carbon Monoxide/Inhalation/HazMat	1	0	0	0	0	0	1
Total	48	23	4	1	1	4	81

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
87,012	07/01/2023	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	8:58:42	9:02:23	00:03:41
87,047	07/01/2023	P-2 F	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	10:49:56	10:58:15	00:08:19
87,064	07/01/2023	P-2 F	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	10:49:56	10:58:15	00:08:19
87,065	07/01/2023	P-2 F	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	10:49:56	10:58:15	00:08:19
87,189	07/01/2023	P-2 F	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	17:16:15	17:30:32	00:14:17
87,221	07/01/2023	P-1 L	32-Unknown Problem (Man Dow	Elk Rapids	10 GTA3	Canceled	18:55:13		
87,378	07/02/2023	P-2 F	26-Sick Person (Specific Diagno	Milton	10 GTA3	Canceled	4:03:22		
87,446	07/02/2023	P-2 F	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	8:58:23	9:02:45	00:04:22
87,636	07/02/2023	P-1 L	28-Stroke (CVA)	Whitewater	10 GTA3	Transport	18:12:52	18:19:40	00:06:48
87,726	07/02/2023	P-2 F	11-Choking	Acme	10 GTA3	Transport	22:07:47	22:15:22	00:07:35
88,076	07/03/2023	P-2 F	21-Hemorrhage/Lacerations	Acme	10 GTA3	Transport	16:22:15	16:33:13	00:10:58
88,133	07/03/2023	P-2 F	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	18:48:13	18:56:41	00:08:28
88,471	07/04/2023	P-2 F	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	4:01:40	4:13:13	00:11:33
88,723	07/04/2023	P-2 F	29-Traffic/Transportation/Accider	Acme	10 GTA3	Refusal	17:57:22	18:00:24	00:03:02
88,745	07/04/2023	P-2 F	29-Traffic/Transportation/Accider	Acme	10 GTA3	Refusal	18:39:03	18:42:11	00:03:08
88,746	07/04/2023	P-2 F	29-Traffic/Transportation/Accider	Acme	10 GTA3	Transport	17:57:22	18:00:24	00:03:02
89,146	07/05/2023	P-1 L	6-Breathing Problems	Acme	10 GTA3	Transport	13:44:00	13:58:40	00:14:40
89,388	07/05/2023	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	22:14:09	22:23:41	00:09:32
89,762	07/06/2023	P-2 F	17-Falls	Acme	10 GTA3	Canceled	14:19:35	14:26:28	00:06:53
89,922	07/06/2023	P-2 F	17-Falls	Acme	10 GTA3	Refusal	19:43:31	19:54:15	00:10:44
89,967	07/06/2023	P-3 L	17-Falls	Acme	10 GTA3	Canceled	21:35:01		
89,992	07/06/2023	P-2 F	17-Falls	Whitewater	10 GTA3	Transport	23:00:26	23:05:43	00:05:17
90,016	07/07/2023	P-2 F	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	0:18:34	0:28:49	00:10:15
90,165	07/07/2023	P-1 L	13-Diabetic Problems	Acme	10 GTA3	Transport	9:16:31	9:19:01	00:02:30
90,579	07/08/2023	P-2 F	4-Assault/Sexual Assault	Acme	10 GTA3	Canceled	0:50:55		
90,829	07/08/2023	P-2 F	19-Heart Problems / A.I.C.D.	Acme	10 GTA3	Transport	15:17:44	15:24:27	00:06:43

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
90,870	07/08/2023	P-3 I	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	17:18:02	17:19:00	00:00:58
91,050	07/09/2023	P-2 I	29-Traffic/Transportation/Accider	Acme	10 GTA3	Canceled	5:17:37		
91,131	07/09/2023	P-1 I	17-Falls	Acme	10 GTA3	Transport	10:56:12	11:01:28	00:05:16
91,492	07/10/2023	P-2 I	8-Carbon Monoxide/Inhalation/H	Acme	10 GTA3	Canceled	7:30:12		
91,616	07/10/2023	P-2 I	17-Falls	Whitewater	10 GTA3	Transport	13:02:08	13:14:08	00:12:00
91,730	07/10/2023	P-2 I	30-Traumatic Injuries (Specific)	Acme	10 GTA3	Canceled	17:10:23		
92,091	07/11/2023	P-2 I	29-Traffic/Transportation/Accider	Acme	10 GTA3	Transport	12:11:23	12:13:56	00:02:33
92,123	07/11/2023	P-2 I	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	13:12:18	13:19:43	00:07:25
92,251	07/11/2023	P-2 I	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Transport	17:30:52	17:32:33	00:01:41
92,289	07/11/2023	P-2 I	30-Traumatic Injuries (Specific)	Acme	10 GTA3	Transport	19:11:30	19:17:33	00:06:03
92,377	07/11/2023	P-1 I	17-Falls	Whitewater	10 GTA3	Refusal	23:39:24	23:45:36	00:06:12
93,313	07/13/2023	P-3 I	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	12:23:06	12:28:27	00:05:21
93,389	07/13/2023	P-2 I	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	15:00:48	15:04:38	00:03:50
93,497	07/13/2023	P-2 I	17-Falls	Whitewater	10 GTA3	Refusal	19:00:41	19:16:26	00:15:45
93,774	07/14/2023	P-2 I	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	11:58:07	12:09:03	00:10:56
93,888	07/14/2023	P-1 I	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Canceled	15:52:00	16:09:07	00:17:07
93,980	07/14/2023	P-2 I	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	19:46:58	19:49:25	00:02:27
94,282	07/15/2023	P-2 I	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	9:40:20	9:48:29	00:08:09
94,333	07/15/2023	P-2 I	29-Traffic/Transportation/Accider	East Bay	10 GTA3	Transport	11:48:54	11:53:45	00:04:51
94,399	07/15/2023	P-2 I	12-Convulsions/Seizures	Acme	10 GTA3	Transport	14:20:47	14:25:32	00:04:45
94,775	07/16/2023	P-3 I	17-Falls	Acme	10 GTA3	Canceled	12:42:05	12:52:21	00:10:16
94,843	07/16/2023	P-1 I	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	15:53:49	16:00:17	00:06:28
94,883	07/16/2023	P-2 I	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	17:31:05	17:39:00	00:07:55
95,193	07/17/2023	P-2 I	1-Abdominal Pain/Problems	Whitewater	10 GTA3	Transport	13:01:41	13:15:58	00:14:17
95,321	07/17/2023	P-3 I	17-Falls	Acme	10 GTA3	Transport	17:46:56	17:56:14	00:09:18
95,346	07/17/2023	P-1 I	30-Traumatic Injuries (Specific)	Whitewater	10 GTA3	Transport	19:00:20	19:16:44	00:16:24
95,471	07/18/2023	P-2 I	26-Sick Person (Specific Diagno	Acme	10 GTA3	Canceled	1:24:35	1:38:53	00:14:18
95,620	07/18/2023	P-2 I	21-Hemorrhage/Lacerations	Elk Rapids Twp	10 GTA3	Transport	10:54:58	11:11:45	00:16:47
95,727	07/18/2023	P-2 I	17-Falls	Elk Rapids	10 GTA3	Canceled	14:43:14		
96,004	07/19/2023	P-2 I	17-Falls	Acme	10 GTA3	Transport	7:30:21	7:39:41	00:09:20
96,313	07/19/2023	P-1 I	29-Traffic/Transportation/Accider	Acme	10 GTA3	Transport	18:26:13	18:33:21	00:07:08
96,405	07/19/2023	P-2 I	30-Traumatic Injuries (Specific)	Whitewater	10 GTA3	Transport	21:49:11	21:59:58	00:10:47
96,968	07/20/2023	P-2 I	17-Falls	Acme	10 GTA3	Transport	15:29:31	15:39:05	00:09:34
97,636	07/21/2023	P-2 I	17-Falls	Acme	10 GTA3	Canceled	21:40:12		
98,169	07/22/2023	P-2 I	17-Falls	Elk Rapids	10 GTA3	Canceled	23:18:17		
98,204	07/23/2023	P-1 I	6-Breathing Problems	Acme	10 GTA3	Transport	1:34:55	1:45:07	00:10:12
98,542	07/23/2023	P-1 I	26-Sick Person (Specific Diagno	East Bay	10 GTA3	Transport	20:02:37	20:12:22	00:09:45
98,739	07/24/2023	P-2 I	17-Falls	Acme	10 GTA3	Transport	9:10:52	9:17:57	00:07:05

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
98,896	07/24/2023	P-2 F	4-Assault/Sexual Assault	Acme	10 GTA3	Transport	15:05:27	15:15:02	00:09:35
99,192	07/25/2023	P-1 L	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	5:45:50	5:54:00	00:08:10
99,371	07/25/2023	P-3 L	17-Falls	Acme	10 GTA3	Refusal	12:52:11	12:56:09	00:03:58
99,957	07/26/2023	P-2 F	31-Unconscious/Fainting (Near)	Whitewater	10 GTA3	Refusal	13:37:11	13:45:39	00:08:28
100,412	07/27/2023	P-2 F	19-Heart Problems / A.I.C.D.	Acme	10 GTA3	Transport	6:33:56	6:48:00	00:14:04
100,699	07/27/2023	P-2 F	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	16:26:41	16:32:52	00:06:11
100,788	07/27/2023	P-2 F	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Canceled	19:32:41		
100,933	07/28/2023	P-1 L	28-Stroke (CVA)	Whitewater	10 GTA3	Refusal	6:16:36	6:25:59	00:09:23
101,060	07/28/2023	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Refusal	12:25:21	12:28:16	00:02:55
101,124	07/28/2023	P-2 F	20-Heat/Cold Exposure	Acme	10 GTA3	Canceled	14:10:00		
101,209	07/28/2023	P-2 F	29-Traffic/Transportation/Accider	East Bay	10 GTA3	Refusal	16:34:35	16:40:48	00:06:13
101,222	07/28/2023	P-2 F	29-Traffic/Transportation/Accider	East Bay	10 GTA3	Refusal	17:09:31	17:09:38	00:00:07
101,868	07/29/2023	P-2 F	25-Psychiatric/ Abnormal Behavi	Acme	10 GTA3	Canceled	20:51:04	21:00:00	00:08:56
102,177	07/30/2023	P-1 L	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Transport	16:28:59	16:35:35	00:06:36
102,228	07/30/2023	P-2 F	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Canceled	18:58:16		
102,275	07/30/2023	P-2 F	29-Traffic/Transportation/Accider	Acme	10 GTA3	Canceled	20:29:24	20:37:23	00:07:59
102,662	07/31/2023	P-2 F	32-Unknown Problem (Man Dow	Elk Rapids	10 GTA3	Transport	17:29:47	17:44:26	00:14:39

A-3 Transports By Month (Billable Calls)

Dispatch Zone	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Total
Antrim-City of Elk Rapids	1	3	0	1	1	1	1	0	3	1	0	1	1	14
Antrim-Elk Rapids	3	0	0	0	0	1	1	0	0	0	2	0	1	8
Antrim-Milton	0	2	0	0	0	2	0	0	2	1	0	1	0	8
GT-Acme	50	51	24	41	29	34	30	19	30	36	33	37	34	448
GT-East Bay	2	0	0	1	3	2	1	0	0	1	1	2	4	17
GT-Green Lake	0	0	0	0	0	0	0	0	0	1	0	0	0	1
GT-Traverse City	1	1	1	0	0	0	1	1	0	0	0	3	0	8
GT-Whitewater	23	14	15	7	12	12	19	13	14	17	18	11	22	197
Kalkaska-Rapid River	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Total	80	71	41	50	45	52	53	33	49	57	54	55	62	702



WHITEWATER TOWNSHIP FIRE DEPARTMENT

8380 OLD M-72 ♦ PO BOX 9 ♦ WILLIAMSBURG, MICHIGAN 49690 ♦ 231.267.5969 ♦ FIRECHIEF@WHITEWATERTOWNSHIP.ORG

July 2023 Monthly Report Fire Chief Brandon Flynn

Alarms: The fire department responded to 9 calls in July.

4 – Vehicle Crash
2 – VASA Trail Extractions, EMS assist
CO Alarm activation
EMS Assist, CPR
Vehicle Fire

YTD: 2023 = 70, 2022 = 75

Training: 4 training sessions were held in July.

- Target Solutions, Lock-out Tag-out
- Boat Rescue
- Pump Operations, Turbo Draft
- Annual Gear Inspection

Meetings/Other:

EMPT, July 17
All others cancelled

General:

An update on the Ram 5500 chassis order. The order has been processed and placed in the production queue. A production date has not been determined yet but we do have a VIN number.

The Department of Treasury grant has been completed and we are waiting on an award status. We applied for \$7,387.00 worth of firefighter PPE.

Air 3 had a flat tire that needed repair on July 6. Pomp's Tire from Traverse City completed the repair and two new front tires were ordered.

Supervisor Ron Popp, Trustee Donald Glenn and Fire Chief Flynn attended the Grand Traverse Band 2% Grant media event on Friday, July 14. The fire department accepted a check in the amount of \$5670.00 to replace 14 structural firefighting helmets.



Committed to proudly serving the community with professionalism and integrity.



WHITEWATER TOWNSHIP FIRE DEPARTMENT

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August 2023 Monthly Report Fire Chief Brandon Flynn

Alarms: The fire department responded to 13 calls in August.

Vehicle fire
Outdoor smoke investigation
Residential Fire Alarm
1 – Dirt bike accident on State land
3 – Crash notifications, no incident found
Central 911 accidental dispatch
Public Relations, Harbor Days Parade
3 - EMS Assist
Possible water rescue

YTD: 2023 = 83, 2022 = 81

Training: 4 training sessions were held in August.

- Monthly Vehicle checks with full inventory & SCBA
- Target Solutions, Ropes & Knots
- Boat Rescue
- Ropes & Knots, Ladders

Meetings/Other:

Regional Training Center (RTC), Aug. 4
County Chiefs, Aug. 16
LEPC, Aug. 17
911 BOD, Aug. 17
EMPT, Aug. 21, Cancelled
MI Prevention/State Fire Marshal meeting, Aug. 30 via Zoom

General:

An update on the Ram 5500 chassis order. The truck has been built and shipped with an estimated delivery date of September 14 given. The truck is then scheduled to go to Versalift Midwest to have the service body installed.



Committed to proudly serving the community with professionalism and integrity.

The pumper truck specifications have been sent out and 5 manufacturers have stated they will be sending in a bid proposal:

- Pierce Manufacturing, Hatt Fire
- Rosenbauer, FLSI
- CSI Custom pumper
- Spencer Manufacturing
- Fouts Brothers, Axes & Irons

Sealed bids are due on September 11 for public opening at the September 12 regular township board meeting.

Chief Flynn met with representatives of Pierce Manufacturing on August 18 to discuss some items for the pumper specifications.

Two new front tires were installed on Air 3 and all of the wheels had PM completed.

Chief Flynn attended a one-day Fire Investigators Summit in Roscommon on August 10.

14 new structural firefighting helmets were ordered and received in August, compliments of a 2% grant.

Firefighter Josh Morgan attended a Train-The-Trainer class on August 27. Josh can now teach the State approved VFIS driver training course.

Chief Flynn attended a media event for the RTC announcing the partnership with NMC and the RTC. Students who take Firefighter and EMT classes at the RTC can now receive credit to apply towards a General Education degree.

One inspection and one plan review conducted this month.



Ron Popp <supervisorwhitewater@gmail.com>

Septembers Planning commission report

1 message

Heidi Vollmuth <heidivourtrustee@gmail.com>
To: Ron Popp <supervisorwhitewater@gmail.com>

Thu, Aug 31, 2023 at 2:52 PM

Team,

This months update will consist of several Plan Commission meetings and workshops, therefore I will present an update to the board in my Plan Commission line item report.

Thank you

Heidi

Memo

To: Whitewater Township Board
From: Don Glenn, Trustee
Date: August 27, 2023
Subject: Liaison report from PRAC meeting August 22, 2023

Below is a hyper-link to the August 2023 PRAC meeting agenda and packet for those that wish to view those documents which can be accessed by keying **Ctrl+Click** on the link or paste into your web browser.

https://www.whitewatertownship.org/uploads/2/1/9/6/21966412/parksrec_agenda_packet_august_2023.pdf

The majority of the meeting time was spent on reviewing the two (2) bids received for engineering services on the Lossie Trail wetland / bridge improvement project. The bids received were from the firms Gourdie Fraser, Inc. and Gosling Czubak Engineering.

The bids were reviewed and due to the large differential in the bid amounts, the discussion was centered on the services being rendered by each firm. In the end, there were questions regarding both bids and the PRAC members determined that further answers would be needed for the PRAC to make a recommendation to the board as to which firm they would like to use. A "special" meeting date was set for August 31st and the PRAC Chairperson would seek answers to those questions for review at this "special" meeting.

The next PRAC regular meeting is scheduled for Tuesday, September 19, 2023 @ 7:00 pm.

WHITEWATER TOWNSHIP PLANNING COMMISSION
RESIDENT OUTREACH SUBCOMMITTEE
SPECIAL MEETING MINUTES
July 6, 2023

Call to Order at 8:30 a.m.

No Zoom available

There will be discussion at the regular PC meeting regarding subcommittees, the bylaws and zoom access.

Roll Call: Rebant, Mielnik, Beam, McElwee

Absent: Steelman, Peltonen

Also in attendance: Recording Secretary MacLean

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None

Public Comment:

None

Special Meeting Business:

1. Review remaining ROS critical path activities regarding the survey that were to be completed by 07/01/2023. Everything went well getting the surveys out and back. Road signs were out about a week late. There has been a delay in getting the pricing from Networks Northwest (NN). They will not move forward until the contract is complete and signed. NN is making internal transitions and that could be causing delays in communication. NN previously indicated that it would be \$5 per paper survey. They indicate it will take two weeks to get the paper surveys input into their database. Suggest the contract include language indicating a two week turn-around. We have had good feedback on survey and upcoming proposed workshops.
2. Correct or Revise rollout activities as necessary. None discussed.
3. Phase II (ROS Communications and Workshops Facilitation) Discussion:
Types of public engagement would include workshops and general listening sessions learning more specifics in more specific areas which lead to small groups and interaction on specific topics.
SMART goals =
Specific (clear outcomes),
Measurable (quantifiable objectives),
Achievable (realistic),
Relevant (important benefits),
Timebound (deadlines or anticipated milestones).
Would hope for 100 people to attend. Will include the public input in the appendix of the master plan.
Different areas of need and growth and change need to be defined, such as roads, the village, infrastructure, etc.
The township seems to be broken into five areas: lake front, ag, state forest, M72 corridor including the industrial area and the village. This may be why the township seems fragmented.
Format of additional input is like a funnel – the big picture working down to individual topics.

Do an Request For Proposal (RFP) for a couple different entities to bring in for the workshops and community engagements.

Ideas and examples from NN include a recommendation to have at least two engagements with the PC and ROS being listeners, letting them run and lead the events.

First session: VISIONING and review of the survey results. NN would then move to begin to interpret the data with five facilitators being present from NN. They would share photos, pictures and visual input.

LIAA (Land Information Access Association) is an option and we would need their information on what they propose. LIAA also writes grants. LIAA has a lot of experience in the Northern Michigan area and could be used in the future moving forward.

Will present the RFP to one or two other entities with experience.

Once the information is presented and gathered how does the township move forward on the master plan? Do the visual build outs based on current and proposed zoning.

Builders, developers and businesses are reaching out into the Whitewater Township area. Current statistics available are based on information gathered during the pandemic – that data could be skewed.

The visioning sessions could be in the fall, with some of the “snowbirds” not in the area. How do we engage with them? Capture the majority with the first session. They will decide if they want to stay to supply input. Will want to get the first session in September. Hopefully the second in October.

Engagements would be three hours each, with two or three sessions planned. Data would be provided within 2-4 weeks. PC would process the data.

Set up a pop-up with a table with information regarding master plan input at the Park Halloween Party, 9/30.

Need to get the PC to approve an RFP and the get approval of the Board in August. The Board can do a special meeting to address and approve. Timing is very important getting RFPs out, returned and contracts signed.

MOTION by Rebant, second by Beam to take the Request For Proposal plan to engage Networks Northwest and LIAA for their bids on the project to the PC on July 12 and ask for their support to send out by July 13. All in favor. Motion carried.

4. Any related topic the subcommittee wishes to discuss.
Connect with Zach of NN for a contract for the paper survey data input and an established date of return.
5. Prepare an initial motion for PC to vote 07/12/2023 on funding package for Phase II, ROS Communications and Workshop Facilitation.
6. Next Meeting for this committee: July 31 at 8:30 a.m. to address the RFPs; will need to set places and dates for the workshops, especially the first workshop. Will check with the school and the casino.

Next Regular Meeting July 12, 2023, 7 p.m.

Public Comment:

None

Committee discussion:

Adjournment: 9:50 a.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
July 12, 2023

Call to Order at 7:00 p.m.

Roll Call: Jacobson, Keaton, Rebant, Vollmuth, Wroubel

Absent: DeYoung, Steelman

Also in attendance: Planner Mielnik and Recording Secretary MacLean

Set / Adjust Agenda: Vollmuth requested and everyone agreed to add SOP pay as UB e (5) and add Amendment #81 as NB a (2) (per Vollmuth SOP = Standard Operating Procedures. Should be labeled as Special PC Subcommittee pay)

Declaration of Conflict of Interest: None

Public Comment:

Began at 7:05 p.m.

Ron Popp – regarding contract, regarding possibly not signing the contract. Additional discussion ensued:

PC was requesting an additional \$5000 for Networks Northwest. \$800 to get started immediately. The “Up to \$5000” would include the cost for the total tabulation of the survey. The Supervisor interprets the minutes different than the PC. The totals have now been verified with a total number of responses that will need to be tabulated.

Public comment ended at 7:15 p.m.

Public Hearing: None

Approval of Minutes:

MOTION by Jacobson second by Rebant, to approve the PC regular meeting minutes of June 7, 2023.

Keaton–yes; Jacobson–yes; Wroubel–yes; Rebant–yes; Steelman–NA; DeYoung–NA; Vollmuth–yes. Motion carried.

Correspondence: None

Reports:

Zoning Administrator Report, Hall: None

Chair’s Report, Steelman: None

Township Board Rep, Vollmuth: No news.

ZBA Representative, Wroubel: No cases in June.

Committee Reports: None

Additional items: None

Unfinished Business:

1. Bylaws – review feedback from legal and discuss edits and approval – Mielnik clarification and background information on the bylaws being presented. Draft provided by the township attorney. Executive Committee and Adhoc committees have not been used at this point. The subcommittee is a valuable tool and moves projects forward. The legal amendment makes things more clear. Keaton wants to make sure this does not slow things down moving forward.
MOTION by Rebant second by Jacobson, to adopt the PC bylaws as presented by the township attorney.
Rebant–yes; Steelman–NA; DeYoung–NA; Vollmuth–yes; Keaton–no; Jacobson–yes; Wroubel–yes.
Motion carried.
Vollmuth will present the bylaws as updated by Mielnik to the Board for their record.
2. North Place Planning LLC contract has been approved. Working on the Zoning Ordinance: As work gets done it can be presented to the full PC or to a subcommittee and present to the Board periodically. It can be presented to the Board via the Board Rep and there can be joint meeting scheduled. Reserve a slot in Unfinished Business on each PC agenda. Can add subcommittee work as necessary. Rebant suggests a Board Rep and a PC Rep communicate with Mielnik and possibly include the Zoning Administrator and a member of the ZBA. Mielnik will bring what he has to the August meeting for the full PC review.
3. Budget update, Rebant – data presented and explained. We are approximately 15% through the budgeted funds and 25% of the year. More expenses (signs, Networks Northwest, etc.) for the survey will be hitting the general ledger in the next month or so.

4. Master Plan update Rebant has resigned from the PC.

We had 132 responses that were submitted online. The contract that needs to be signed by the Board representative with Networks Northwest is for the data entry of the 483 paper surveys. The expectation is that the data will be completed by the end of July.

MOTION by Rebant second by Vollmuth, to recommend the Networks Northwest contract #1730 be accepted and forwarded to the Whitewater Township Board for approval and signature by the Supervisor for an amount of \$2,415.00, payable in two installments.

DeYoung-NA; Vollmuth-yes; Keaton-yes; Jacobson-yes; Wroubel-yes; Rebant-yes; Steelman-NA.
Motion carried.

Request For Proposal (RFP) for facilitation of workshops may be about \$5000.

MOTION by Rebant, second by Jacobson, to send the presented Request For Proposal (RFP) for a community engagement partner, requesting the proposal be returned by 5 p.m. on July 26th.

Jacobson-yes; Wroubel-yes; DeYoung-NA; Vollmuth-yes; Keaton-yes; Steelman-NA; Rebant-yes.
Motion carried.

Keaton asked for input from Popp. Popp indicates he will call a special meeting of the board as soon as possible to approve and get the Networks Northwest contract signed.

Rebant notes that it seems extreme to have to call a special meeting in order to spend \$2,415.00.

Jacobson noted the history as presented in the Master Plan is interesting. There is information available through the Historical Society regarding diphtheria that could be included.

5. Standard Operating Procedures (SOP) pay, postpone to August. Information presented to and approved by the township board refers to it as Special PC Subcommittee pay.

New Business:

1. Subcommittees - postpone
Resident Outreach Committee (ROS)
Procedures / Checklists / Chain of command
2. Amendment #81, postpone to August.

Next Regular Meeting August 2, 2023, 7 p.m.

Agenda: Amendment 81, subcommittee pay, zoning ordinance updates, master plan updates

Public Comment:

Began at 9:25 p.m.

Via Zoom:

Sue

Ended at 9:28

Commission Discussion/Comments: Thank you Rod for all your time and efforts!

Meeting Synopsis: Bylaws updated; process moving forward on zoning ordinance updates; budget reviewed; Networks Northwest contract for survey tabulation approved and sent to Board for approval and signature; RFP approved for community engagement.

Continuing Education: Vollmuth shared information regarding zoning and police power ordinances.

Adjournment: 9:30 p.m.

Tabled items: Article 5 Districts; Article 25, Special Use Permits: campgrounds

Respectfully Submitted
Lois MacLean,
Recording Secretary

**Whitewater Township
Parks and Recreation Advisory Committee
Minutes for Regular Meeting
July 17, 2023**

Call to order 7:00 p.m.

Roll Call: Butler, Melton, Cosgrove, Voice, Glenn

Absent: Hubbell

Also present: Recording Secretary MacLean

Set / Approve Agenda: Set

Declaration of Conflict of Interest: None

Public Comment: None

Approval of minutes:

MOTION by Cosgrove, second by Melton to approve May 16, 2023, meeting minutes.

On voice vote, all in favor. Motion carried.

Reports/Presentations/Announcements/Comments/Correspondence:

RFP example included in the packet for discussion.

Clean spread sheet of the SPARK application provided by the Clerk.

Unfinished Business:

1. BCNA remainder tree removal – completed June 7-8. Removed the debris. They also included a mowing of LRNT and BCNA.

A shooting range is set up on the LRNT by an adjacent property owner.

Largent / Grand Traverse Conservation District (GTCD) went in and mowed both trails. It takes approximately four hours for each trail. They charged \$400.

Glenn notes that the trail maintenance will be discussed during the 2024/2025 budget time. Lawn maintenance company may be able to handle it mowing the trails a couple times each year. Can plan / contract with GTCD.

2. Lossie Trail wetland/bridge improvement: Create Request For Proposal (RFP) for preliminary engineering design services for bids. A couple samples are included. The RFP would go out to the local papers and specific firms such as, Gordie Frasier, F&V, Gosling Czubak, Builders Exchange, etc. Additional information and trail map will be provided upon request. Include a due date of August 14.

3. Hi Pray playground: Final inspection done – PASSED. Park closed signs were removed.

Discussion of budgeting for weed removal in batting cage and playground area.

4. SPARKS grants were resubmitted for second round of funds with some clarification and modifications.

5. BCNA Trail design: requested “official” quote from Steve Lagerquist of the Grand Traverse Regional Land Conservancy (GTRLC) for a design for the BCNA loop and possibly connector trail.

6. Whitewater Township Park playground toddler equipment addition: Melissa has not received anything back from Mark Pressel to request engineering quote to do a drawing. Any other suggestions? Was this ever added to a board agenda as a project to approve? Glenn notes that there are \$30,000 in unspecified funds in the Rec Fund with his recollection that it may have been line itemed there rather than in the Park Fund.

Packet provided to the Board previously with all of the details from the equipment manufacturer. Need an engineer to

do the map, per the Board.

New Business:

1. Zoom discussion – The majority of the time there is not anyone on Zoom when we have operated with it. Address again when the Board resolves the issues of access.
2. Mowing contract for LRNT and BCNA trails – discussed previously.

Committee Comment and Discussion:

Next regular meeting: Tuesday, August 15, 2023, 7 p.m.

Public Comment: None

Adjournment: 8:07 p.m.

Respectfully submitted,
Lois MacLean
Recording Secretary

Memo

To: Rachel Steelman Planning Commission Chairwoman
CC: None
Date: 8.16.2023
Re: Response to PC Questions 7.25.2023

Rachel -

The following are responses to questions you posed to the Board for the August 8, 2023 meeting. Thank you to Trustee Don Glenn for providing this material.

Question No. 1 –

During the Special TB Meeting dated 07/18/2023 it was indicated the TB's "practice" has been the TB approves all "Contracts" and "Agreements" regardless of cost. It was also stated, a "Purchase Order" can be approved with two signatures (Clerk and Supervisor) up to \$5,000. The PC requests written clarification distinguishing a "Purchase Order", "Agreement", and "Contract". Likewise, can a "Service" be approved via a "purchase order"? If so, under what circumstances? Please discuss and provide written clarification to the PC Chairperson no later than 08/22/2023.

Response to Question No.1 -

Some services will have an agreement and some will not. If there is a form of agreement, contract, or other instrument that binds the township to some action other than payment then it is a board function. The following is an inconclusive sample of key phrases that may help identify an agreement, contract, or other instrument as noted above: Documents containing provisions for stipulations, terms, terminations, or indemnification.

Can a "service" be approved via a "purchase order"? If so, under what circumstances?" Yes, a reoccurring charge for a service that is usual and customary for the operation of the township, can be approved via a PO. Some examples include; utility bills, equipment rental, small repairs, sewer cleaning, well repair, etc.

Here are a few definitions that may help to define differences between various instruments.

1. **Purchase Order (PO):** A purchase order (PO) is a legally binding document issued by a buyer to a seller. It outlines the specific details of goods or services that the buyer intends to purchase. The PO typically includes information such as the item names, quantities, agreed-

upon prices, payment terms, delivery date, and any other terms and conditions relevant to the transaction. By sending a purchase order, the buyer formally communicates their intention to proceed with the purchase and creates an offer to the seller.

2. **Contract:** A contract is a legally enforceable agreement between two or more parties. It establishes the rights and obligations of the involved parties and serves as a legally binding promise that certain actions will be taken, or certain conditions will be met. A contract can be oral or written, though it's always advisable to have written agreements to avoid potential misunderstandings. Contracts typically include terms, conditions, performance expectations, timelines, and any other specific details relevant to the agreement.
3. **Agreement:** An agreement is a broader term that refers to a mutual understanding or arrangement between two or more parties concerning their rights and responsibilities, even if it might not always be legally binding. Agreements can be informal, such as a verbal agreement between friends to meet at a specific place, or formal, such as a written agreement between business partners outlining the terms of their partnership.

Question No. 2 –

At the Special TB Meeting dated 07/18/2023 it was requested the PC provide an estimate or forecasted cost for the Master Plan project. At this time, we can offer the following: To date, approximately 1/3 (or more) of the Master Plan project has been completed and approximately \$12,000 has been spent (part of this was out of last FY's budget). The next steps are to engage the public through workshop/s which should be considered the most important piece of the project. We are in the planning stages of our first workshop and cannot predict where this will lead. While we could throw figures out, it would not be prudent or wise to do so until we have a better understanding of our community's involvement, topics of interest, and needs. Thus, we respectfully ask to give you a more accurate forecasted cost necessary for completion of the Master Plan project at your October Regular TB meeting. Please provide the PC Chairperson written confirmation of this no later than 08/22/2023.

Response to Question No. 2 -

Preparing a total project cost estimate initially, rather than in steps, offers several advantages. Here are some reasons why it's generally considered a good idea:

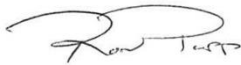
1. **Comprehensive Overview:** Creating a total project cost estimate upfront provides a holistic view of the entire project's financial requirements. This prevents the risk of underestimating costs during the initial steps and helps to allocate resources more effectively. Accurate budgeting reduces the likelihood of costly surprises later in the project.
2. **Risk Identification:** An upfront total project cost estimate allows you to identify potential risks and uncertainties that could impact the project's financial aspects. This enables proactive risk management strategies to be put in place to mitigate these challenges before they become major issues.

3. **Decision Making:** With a complete cost estimate, informed decisions about the project's feasibility is essential for making choices about whether to proceed with the project or explore alternatives.
4. **Project Control:** An upfront total project cost estimate serves as a baseline against which actual project costs can be compared. This enables ongoing monitoring and control of project expenditures, making it easier to identify deviations from the plan and take corrective actions as needed.

While there are clear advantages to preparing a total project cost estimate initially, it's important to acknowledge that project estimates can never be entirely accurate due to uncertainties and unforeseen changes. Therefore, regular reviews and updates of the cost estimate throughout the project are essential to ensure alignment with the evolving project reality.

In closing, anytime you or one of your team members have a question on procedure, I am sure any board member would be willing to provide input or assist with additional fact finding.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

To: Whitewater Township Board
From: Rachel Steelman, PC Chairperson
Date: 07/25/2023



The Planning Commission (PC), requests the Township Board (TB) act on the following agenda items at the August 8th, 2023, TB Regular Meeting:

1. During the Special TB Meeting dated 07/18/2023 it was indicated the TB's "practice" has been the TB approves all "Contracts" and "Agreements" regardless of cost. It was also stated, a "Purchase Order" can be approved with two signatures (Clerk and Supervisor) up to \$5,000. The PC requests written clarification distinguishing a "Purchase Order", "Agreement", and "Contract". Likewise, can a "Service" be approved via a "purchase order"? If so, under what circumstances? Please discuss and provide written clarification to the PC Chairperson no later than 08/22/2023.
2. At the Special TB Meeting dated 07/18/2023 it was requested the PC provide an estimate or forecasted cost for the Master Plan project. At this time, we can offer the following: To date, approximately 1/3 (or more) of the Master Plan project has been completed and approximately \$12,000 has been spent (part of this was out of last FY's budget). The next steps are to engage the public through workshop/s which should be considered the most important piece of the project. We are in the planning stages of our first workshop and cannot predict where this will lead. While we could throw figures out, it would not be prudent or wise to do so until we have a better understanding of our community's involvement, topics of interest, and needs. Thus, we respectfully ask to give you a more accurate forecasted cost necessary for completion of the Master Plan project at your October Regular TB meeting. Please provide the PC Chairperson written confirmation of this no later than 08/22/2023.
3. The attached RFP was originally sent to 5 Vendors and subsequently forwarded to more. Several of the Vendors were unable to provide a proposal due to not having the bandwidth to take on additional work at this time. Two proposals were returned and have been included in this packet for informational purposes as of today, 07/25/2023. The PC will review these proposals at our 08/02 meeting and inform you in writing of our recommendation.
4. The PC Respectfully asks an appointment for Rod Rebant's vacated seat be filled as expeditiously as possible. It is imperative the PC operate at full capacity to complete the tasks before us successfully and dutifully.
5. The PC Bylaws have been updated and are attached for informational purposes.

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 8.23.2023
Re: Access to Public Records – Second Reminder

Board Members –

Here is a reprint of correspondence contained in the August 8, 2023 Whitewater Township Agenda Packet. This request is unfulfilled as of this writing.

Here is a reprint of Whitewater Township Board approved business from 6.13.2023. We are awaiting receipt of the recordings as of this date.

“ACCESS TO PUBLIC RECORDS

Motion by Popp directing the clerk to provide digital copies of audio recordings for all meetings that have taken place in the township hall since and including 05/09/2023 to all board members; second by Glenn. Discussion followed.

Popp refused to list the meeting dates he is requesting.

Roll call vote: Benak, no; Glenn, yes; Goss, no; Vollmuth, yes; Popp, yes. Motion carried.”

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 8.23.2023
Re: FOIA Request S-22 Follow Up – Second Reminder

Board Members –

Here is a reprint of two items we are waiting on from the Clerk's Office.

Here is a reprint of two Whitewater Township Board approved business items from 6.13.2023. We are awaiting the documents as of this date.

"Motion by Popp directing the clerk to provide all responsive documents provided to the requestor for FOIA Request S-22 to the Whitewater Township FOIA Coordinator for further processing; second by Glenn. It was clarified that S-22 is the thumb drive to Altonen. Discussion followed.

Roll call vote: Vollmuth, yes; Goss, yes; Glenn, yes; Benak, yes; Popp, yes. Motion carried."

"Motion by Popp directing the clerk to certify those documents provided to the FOIA Coordinator for FOIA Request S-22 are a true, accurate, and a complete copy of what was provided to the requestor using attached certification form; second by Vollmuth.

Goss will provide her own certification form.

Roll call vote: Goss, no; Glenn, yes; Benak, yes; Popp, yes; Vollmuth, yes. Motion carried."

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

FEMA letter ref. May. Hazard Mitigation plan adoption

1 message

Gregg Bird <gbird@gtcountymi.gov>

Mon, Aug 28, 2023 at 3:45 PM

To: Ron Popp <supervisorwhitewater@gmail.com>, Cheryl Walton <clerk@whitewatertownship.org>

Your FEMA letter of approval is attached.

Regards,

Gregg

Gregg Bird, PEM
Emergency Management Coordinator
Grand Traverse County
(231) 995-6059



GTC_AL8.pdf
247K



FEMA

August 25, 2023

Mr. Matt Schnepf
State Hazard Mitigation Officer
Michigan State Police
Emergency Management and
Homeland Security Division
P.O. Box 30634
Lansing, MI 48909

Dear Mr. Schnepf:

Thank you for submitting adoption documentation for the 2022 Grand Traverse County Natural Hazard Mitigation Plan. The plan was reviewed based on the local plan criteria contained in 44 CFR Part 201, as authorized by the Disaster Mitigation Act of 2000. The plan met the required criteria for a multi-jurisdictional hazard mitigation plan and the plan is now approved for Whitewater Township. Please submit adoption resolutions for any remaining jurisdictions who participated in the planning process.

The approval of this plan ensures continued availability of the full complement of Hazard Mitigation Assistance (HMA) Grants. All requests for funding, however, will be evaluated individually according to the specific eligibility and other requirements of the particular program under which the application is submitted.

We encourage the communities to follow the plan's schedule for monitoring and updating the plan and to continue their efforts to implement the mitigation measures. The expiration date of the 2022 Grand Traverse County Natural Hazard Mitigation Plan is September 27, 2027. The plan must be reviewed, revised as appropriate, resubmitted, and approved no later than the plan expiration date.

Please pass on our congratulations to these communities for completing this significant action. If you or the communities have any questions, please contact Meghan Cuneo at (202) 615-5294 or meghan.cuneo@fema.dhs.gov.

Sincerely,

John Wethington
Chief, Risk Analysis Branch
Mitigation Division



Ron Popp <supervisorwhitewater@gmail.com>

Slalom for whom? Request for Letter of No Objection

1 message

su mac <suemccraven@gmail.com>

Mon, Aug 28, 2023 at 12:54 PM

To: Bob Reider <robertreider@hotmail.com>, Ron Popp <supervisorwhitewater@gmail.com>

Hi Ron

Has any thought been given to doing away with this "slalom course" so that riparian, residents, loons & other birds can live in peace & quiet?

We're supposed to be doing everything we can to help the loons recover lost numbers due to our shoreline development. This is supposed to be a DNR priority.

The dirty buoys are certainly an eyesore whenever we kayak over. Likely other boaters feel the same way.

How many people even use the slalom? I'll bet it's less than a dozen young male skiers who are too self-absorbed with their play time to give thought to the loon recovery and natural lakeshore environment.

Let these daring brave skiers try the open waters of Elk Lake when the wind is up.

Now there's a real test of skill & talent.

Enough catering to this self-centered group.

From a former slalom skier,

Sue McCraven
9435 Fairview Rd
Williamsburg MI
49690

On Mon, Aug 28, 2023 at 11:56 AM Ron Popp <supervisorwhitewater@gmail.com> wrote:

Hi Bob and Sue - We have a request to provide a letter of No Objection for the renewal of a DNR permit for a slalom water ski course in the south end of Elk Lake. In the past the Board has received correspondence from your group or one of its members. I wanted to make sure you knew about the 8.2023 request in case you wanted to provide additional comments for the September 12, 2023 Board meeting.

Thank you
Ron Popp
Whitewater Township Supervisor
231.267.5141 Ext. 23
supervisorwhitewater@gmail.com

----- Forwarded message -----

From: **Isaac Moothart** <zmoothart0@gmail.com>
Date: Thu, Aug 17, 2023 at 11:02 AM
Subject: Request for Letter of No Objection
To: <supervisorwhitewater@gmail.com>

Dear Board:

Please see attached for my request to be considered for a letter of no objection from this body to the renewal of a permit to place buoys for a water ski course in the waters adjacent to the property owned by this township in the south east corner of Elk Lake.

Sincerely,
Isaac Moothart

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 8.31.2023
Re: Township Credit Card Policy Second Follow up

Board Members –

Still waiting for the Clerk to provide this material.

At the 7.11.2023 Whitewater Township Board Meeting the need to update the credit card policy was acknowledged and approved by Board action. This process is waiting for a current copy of the policy from the Clerk's Office.

Respectfully submitted,



Ron Popp
FOIA Coordinator
Supervisor, Whitewater Township

MINUTES
FOR THE BOARD OF COUNTY ROAD COMMISSIONERS OF
GRAND TRAVERSE COUNTY
REGULAR BOARD MEETING OF
THURSDAY, JUNE 22, 2023 – 6:00 P.M.
1881 LAFRANIER ROAD, TRAVERSE CITY MI 49696

1. PLEDGE OF ALLEGIANCE

Commissioner Underwood led in the Pledge of Allegiance.

2. ROLL CALL

Jason Gillman - Present
Haider Kazim – Present
Alisa Korn – Present
Alan Leman – Absent and Excused
Joe Underwood - Present

3. APPROVAL OF AGENDA

Motion by Gillman, seconded by Korn to approve the agenda.

CARRIED Unanimously.

4. CONFLICT OF INTEREST

No conflict of interest was offered at this time.

5. PUBLIC COMMENT

No public comment was offered at this time.

6. ACTION ITEMS

A. Appointments

6:05 PM – Bill Zipp stated that it was a slower month. They are finalizing the revised traffic numbers. MDOT wants to see a funding plan, which they are working on. They are also working on a phasing plan. They are meeting again with MDOT on the 14th to convince them how important this project is.

Gillman asked if they have been speaking with a local MDOT representative.

Zipp stated that they are in contact with Dan Wagner.

Kazim asked if the funding plan is broken down into phases.

Zipp stated there are 4 phases, roughly 2 years for each phase. (ROW acquisition and three construction phases) It could be an 8-year project.

Korn asked if it is critical to be a part of the MPO.

Zipp states the MPO would be a positive thing.

Gillman stated it could end up reaching out to the community for assistance.

B. Consent Calendar

Kazim stated that on Page 5 of the Minutes, it stated Senator Roth and it should read Representative Roth.

Minutes were corrected.

Motion by Kazim, seconded by Korn to approve the Consent Calendar.

1. Minutes The Board approves the minutes of Regular Meeting of April 27, 2023, and Special Meeting of May 11, 2023.
2. Payroll
The Board approves Payroll #23-09 and \$23-10 for \$154,726.95 and \$177,538.61, respectively.
3. Accounts Payable
The Board approves Accounts Payable in the amounts of \$1,135,311.55 and \$691,350.97.
4. Financial Reports
No new reports at this time.
5. Communications
The Board directs staff to receive, file and respond to communications, as necessary.

ROLL CALL VOTE:

YEAS: Gillman, Kazim, Korn, Underwood
NAYS: None
ABSENT: Leman
CARRIED Unanimously

C. Items Removed From The Consent Calendar

No items were removed from the Consent Calendar.

D. Reports

Kluczynski stated that they have come to an agreement with the Union. The next meeting should have a Union Contract.

He also stated that they are looking for financial assistance. They have spoken with Rehman Group out of Traverse City. They are assisting 7 other road commissions.

He added that the auditor has been onsite. Things are going well.

He stated that the GTCRC will be in the parade. We have a 1938 Studebaker that will be pulled on a trailer.

Lastly, he stated that the maps are in.

Underwood added that the crew restored the Studebaker.

Kluczynski stated that the mechanics donated their own time to fix this up.

E. Commissioner Updates

Korn had none.

Kazim stated that he attended the County Board Meeting regarding the deer issue.

Korn thanked Kazim for attending.

Underwood stated that Paradise has authorized their half portion for the Scharmen Road Project.

Gillman stated that Whitewater is happy with the brining and seems to be holding up.

F. 23E301 HMA Bid Recommendation River Road and Nessen Road (Blair, Paradise and Grant Townships)

Schoonover stated the bid opening was June 15th. There were no addendums. Elmer's was the only bidder. Staff reviewed and they were 10.73% over the engineer's estimate and Team Elmer's prices were consistent with bids in the past.

Gillman asked if this works with our Asset Management Plan.

Schoonover stated that it does. These two projects for HMA were moved up because of the chip seal issue with not being able to do all projects this year.

Kazim stated that we need to make more of an effort to get bidders. He added that we are planning to have more projects and will need contractors to do it.

Kluczynski stated that there are two road commissions that own their own asphalt plant, which is a very big investment.

Korn asked how long the time frame is for this project.

Ryan Wurtz, with Elmer's, stated that it should be a 5 – 6 week project.

Korn asked if it was a company from downstate, where do their employees stay.

Schoonover stated that for out-of-town contractors to bid on projects, gets pricy as they must find a place for the workers to stay. This would reduce their profits.

Korn acknowledged that there would be a limit to vendor availability due to places to stay.

Motion by Gillman, seconded by Korn to approve Elmer's Crane and Dozer, Inc. for the HMA Overlay for River Road and Nessen Road in the amount of \$1,983,607.02, more or less.

ROLL CALL VOTE:

YEAS: Gillman, Kazim, Korn, Underwood

NAYS: None

ABSENT: Leman

CARRIED Unanimously

G. 23E302 HMA Bid Recommendation County Road 633 and Karlin Road (Grant, Mayfield, Green Lake and Blair Townships)

Schoonover stated again, we had one bidder, Elmer's. They came in at 4.72% over the engineer's estimate.

Gillman asked about complete streets.

Kluczynski stated that we adopted policy that states we will pave shoulders where there is a need.

Gillman added that he likes wide shoulders. It makes the roads last longer and safer.

Motion by Korn, seconded by Kazim to approve the HMA Overlay bid for County Road 633 and Karlin Road be awarded to Elmer's Crane and Dozer, Inc., in the amount of \$2,613,030.73, more or less.

ROLL CALL VOTE:

YEAS: Kazim, Korn, Gillman, Underwood

NAYS: None

ABSENT: Leman

CARRIED Unanimously

H. Preliminary Engineering Services for Signal Modernizations at Hammond/Garfield and N. Long Lake/Cedar Run (Garfield Township)

Schoonover stated that this is for signal modernization at Hammond Road at Garfield Road and N. Long Lake Road at Cedar Run Road, both Garfield Township. This is for the fiscal year 2024.

Kazim stated that this bid is necessary for structural deficiencies.

Schoonover added that the equipment is failing, these intersections are well past their life span.

Kazim asked what the average life span is.

Schoonover stated different parts are all different. Signal heads are around 10 years, wiring is around 10-15 year maximum, strain poles are typically 20-25 years.

Kazim asked if this was part of the Asset Management Plan.

Kluczynski stated not yet, it is in the process though.

Gillman asked about the height of the signals.

Schoonover stated that there is a standard for the height that they follow.

Underwood confirmed that all these will be prepped for the generators.

Schoonover stated yes.

Motion by Kazim, seconded by Gillman to approve Hubbell, Roth & Clark, Inc. for Preliminary Engineering Services for the Hammond at Garfield and N. Long Lake at Cedar Run Intersections in the amount of \$64,553.80, more or less.

ROLL CALL VOTE:

YEAS: Korn, Gillman, Kazim, Underwood

NAYS: None

ABSENT: Leman

CARRIED Unanimously

I. Kingsley Building

Kluczynski stated that the original estimate for the building was around 10.5 million. It is now around 13.5 million. They are in the process of working with building codes to get some forgiveness on some insulation factors and the vehicle storage building. He said that the masonry came in more than double. They are looking to find ways to reduce costs. He added that they have spoken with Nate and Dean Bott at the county that put us in contact with the Building Authority. They will take care of getting the bonds.

Kazim asked if forgiveness was in process yet with a plan review.

Kluczynski stated that Grand Traverse Construction was meeting there tomorrow.

Kazim also asked about the bonds and if we could afford it, but we could extend the bond period to make it work.

Kluczynski stated that the bond counsel will present us information on this.

Kluczynski added that Kingsley schools are interested in washing their buses at our wash bay and so is the Village.

J. MPO Discussion

Kazim stated he attended the TTCI Policy Board Meeting. They were recommending equal votes and equal dues. Kazim suggested, as recommended, 4 votes for us, 3 for City of Traverse City, 2 for Garfield, East Bay and Blair Townships, then 1 for the others. He stated that his concern was that votes will determine priorities of projects and our Asset Management would not get priority. No one was able to ensure that that would not happen. He added that the City of Traverse City, the County and the Road Commission voted no, but it passed 11-3. They also voted on some amendments. They voted on eligible entities to get added or to withdraw. It was originally a majority vote on both cases. Kazim stated that he thought that if they want in, they should be in. If they want out, they should be out. They agreed and that language was removed. Kazim suggested that if we participate, it should be contingent until January 2025. He wants to see if his concerns will be an issue.

Underwood stated that ACT51 only goes to eligible agencies.

Kluczynski stated Leelanau County, Traverse City and us.

Korn stated that it would not affect our Asset Plan.

Gillman stated that there are too many stakeholders involved. TART is getting a portion of the gas tax.

Kazim would like a resolution to present for our contingency.

K. Bluff Road Discussion

Kluczynski stated that Saksewski has been in contact with the Peninsula Township Supervisor. A new batch of grants will be coming out soon. (NOFO – Notice of Funding Opportunities)

Korn added that she has sent a letter to Coffia and has not heard anything back from her.

L. Communications Audit

Kluczynski stated that they have created a document explaining how we communicate currently. He asked the commissioners to look it over and to reach out to him with any comments.

Kluczynski stated that he has started meeting with townships regarding projects and developments. They are also looking at doing an annual report. They are wanting to get a blurb into the township newsletters also.

M. Public Engagement

Kluczynski stated they are looking at doing a quarterly newsletter to the townships and pre-project notifications/meetings.

Korn asked when the South Airport and Silver Lake Project starts.

Schoonover stated it has not been determined yet. We provide them with a progress clause giving them a range. When they have their construction meeting, they will bring their schedule. When this is determined, we will put out message boards two weeks in advance, giving notice of the project and the start date.

N. Upcoming Events

Kluczynski stated that we are in the Cherry Festival Grand Royale Parade and the Manton Days Truck Show. Crews are volunteering their time for both events.

O. Parsons Road Project Explanation

Kluczynski stated that the attachment in the board packet explains why we did the Parsons Road Project and the different types of Federal Funding available for roads.

Korn stated that explaining why we are doing projects. It's better to be proactive, than reactive.

7. INFORMATIONAL ITEMS

A. Manager's Comments

Kluczynski stated he will be on vacation for two weeks starting next week.

B. Commissioners' Comments, Questions and Future Agenda Items

Gillman asked about the format for the managers evaluation. He thought it was a little confusing last time and would like to see some changes.

Kazim asked if our contracts have a clause for penalties for delay.

Schoonover stated that we do.

Kazim also stated it appears that Cedar Run Road has been damaged through a project and asked if we require them to fix it.

Schoonover stated that that project would be a permitted project. When the project wraps up, the permit agent will check for damages. If there is damage, we require them to fix it.

Kazim asked about getting another Construction Engineer.

Kluczynski stated that this would be another full-time position to keep busy all year long. It is easier to hire it out for a small portion of the project.

Gillman asked if we could have an engineer work on upcoming projects and have them sit on a shelf until they are ready.

Schoonover stated that they could put bids out November 1st, with a progress clause, but it is too hard for us to schedule that far out. It becomes a game of Tetris.

Gillman then asked if they could work on kits for upcoming projects.

Kluczynski stated the new engineer will be very helpful in design.

Gillman questioned if we could recover engineering costs from the MPO.

Kazim said yes.

Kazim asked about S. Airport at the Mall advanced detection for Eastbound is not operational.

Schoonover stated that the advanced detection by Aldi was wiped out in an accident. They looked to Garfield Township Parks/Recs Department to use one of their poles. (They are the landowners in that area). They were also looking at going on the inside of the curb. There is room and they will go that route. He reached out to the Parks/Rec Department thanking them for considering our request but let them know we have found another option.

Korn commented that the SCOOT system works, and she has noticed the difference.

Underwood asked about Franke Road.

Kluczynski stated that the Montessori is not completed yet. Once it is complete, we will go out engineering, surveying, etc.

Underwood also added that the Spy Cams that people are seeing on Hammond and Three Mile Road, they are not ours. That is a contract with the townships and law enforcement agencies.

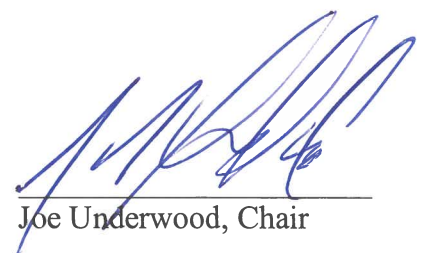
8. PUBLIC COMMENT

No public comment was offered at this time.

9. ADJOURNMENT

Upon a motion made by Gillman, seconded by Kazim, the Board adjourned at 8:05 PM.


Kylie Hendges, Clerk


Joe Underwood, Chair

Grand Traverse Sheriff's Office Citation, Accident & Arrest Statistics

July 2023

Location	Citations	Traffic Crashes			Arrests		Traffic Crash Totals
		Fatal	PIA	PDA	OWI	Criminal	
01 Acme	12	0	5	25	0	4	30
02 Blair	25	0	6	18	2	18	24
03 East Bay	38	0	5	21	4	11	26
04 Fife Lake	2	0	1	6	0	4	7
05 Garfield	77	0	11	66	10	59	77
06 Grant	1	0	0	2	0	0	2
07 Green Lake	10	0	3	7	0	10	10
08 Long Lake	18	0	2	5	1	2	7
09 Mayfield	3	0	0	4	0	1	4
10 Peninsula	12	0	1	6	0	6	7
11 Paradise	7	0	1	11	1	1	12
12 Union	2	0	1	2	0	0	3
13 Whitewater	5	0	1	9	3	1	10
29 Fife Lake Vlg	1	0	0	1	0	0	1
30 Kingsley Vlg	3	0	0	1	0	3	1
66 Traverse City	10	0	0	0	3	77	0
84 Out of County	0	0	0	0	0	20	0
Totals	226	0	37	184	24	217	221

Ticket stats are based on what District Court has entered as of 8/04/23.

Arrest stats are as of 8/06/23.

*DRAFT MINUTES***Whitewater Township Board
Minutes of Regular Meeting held August 8, 2023****Call to Order/Pledge of Allegiance**

Supervisor Popp called the meeting to order at 9:00 a.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 in person: Clerk Goss, Trustee Glenn, Trustee Vollmuth, Popp

Board members absent: Treasurer Benak,

Others present in person: Fire Chief Brandon Flynn, Planner Randy Mielnik, and 3 others

Others present via Zoom: 5

Set/Adjust Meeting Agenda

New Business # 2 (Planning Commission Items) and 4 (Master Plan Chapters 1 through 4) were moved to after Public Comment.

The 08/03/2023 Additional Submission memo from Planning Commission Chairperson Steelman was added and placed after Public Comment.

Proposed Mobile Medical Response Contract added as New Business #6.

Expiration of .GOV Contract added as Unfinished Business #7.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:05 a.m.

Gary Buczkowski

Vicki Beam

Connie Hymore

Lois MacLean

Denise Peltonen

Public comment ended at 9:28 a.m.

PLANNING COMMISSION ITEMS (moved from New Business #2 to after Public Comment)

Motion by Vollmuth to authorize the supervisor to sign the LIAA proposal as presented; second by Popp.

Discussion followed, including comments from Planner Mielnik.

DRAFT MINUTES

Roll call vote: Vollmuth, yes; Benak, absent; Popp, yes; Glenn, yes; Goss, yes. Motion carried.

The motion was revised to include the amount of the proposal.

Motion by Vollmuth to authorize the supervisor to sign the LIAA proposal in the not to exceed amount of \$18,230 as presented; second by Goss.

Roll call vote: Goss, yes; Vollmuth, yes; Glenn, yes; Popp, yes; Benak, absent. Motion carried.

Addressing questions in Steelman's 7/25 memo:

- Question 1, Goss will send Steelman the purchase order policy. Popp will send written clarification of purchase order, agreement, and contract, as requested by the PC chairperson.
- Question 2, Popp will add a comment to the previous clarification document.
- Question 3, no response required.
- Question 4, Popp will get with Rebant to clarify his status.

MASTER PLAN CHAPTERS 1 THROUGH 4 (moved from New Business #4 to after Public Comment)

Goss noted she will supply her comments on the four chapters to the planning commission by the date requested.

Glenn and Popp provided comments.

Public Hearing

None

Reports/Presentations/Announcements/Comments

County Commissioner Report

Darryl Nelson is not present.

Fire Department Report

Brandon Flynn gave the following report:

- Uneventful month. Rolled in 9 calls. Other busy work was uneventful. Countywide they cancelled most of the meetings because of Cherry Festival.
- Flynn, Glenn, and Popp went to the 2% grant media event to receive checks for an AED for Whitewater Township Park and fire helmets for the Fire Department.
- Flynn and Popp have submitted all documents for the Department of Treasury PPE grant.
- Flynn was notified on Sunday the new brush truck has been entered into the production queue, estimated delivery date of 10/18/2023.

Regarding the helmet purchase, red helmets are for captain and lieutenant positions.

DRAFT MINUTES**Planning Commission Report**

Heidi Vollmuth gave the following report:

- PC went really well, accomplished a lot, need a new member. Only requirement missing is resident at large.
- Provided details of her new plan for communicating to and getting feedback from the members of the planning commission and township board.
- Thanks for taking care of contract today.

Parks & Recreation Advisory Committee Report

Don Glenn gave the following report:

- PRAC did a good job, cobbled together an RFP for preliminary engineering design service needs for project on LRNT wetlands and bridge improvement. Will allow them to go out for bids. Proposal due date is next Monday.
- Next meeting is 8/15 (not 7/15 as previously reported).
- They are moving along, taking good steps to work toward a good finished product.

Consent Calendar**Receive and File**

1. Supervisor's Report July 2023
2. Clerk's Report July 2023
3. Treasurer's Cash Balance Report 06/30/2023
4. Trustee Vollmuth's Report July 2023
5. Trustee Glenn's Report July 2023
6. Zoning Administrator's Report July 2023
7. Mobile Medical Response June 2023 Activity Reports
8. Fire Department Report June 2023
9. Planning Commission Report July 2023
10. Historical Society Report July 2023
11. Parks & Recreation Report July 2023
12. Draft 05/31/2023 Planning Commission Resident Outreach Subcommittee Meeting Minutes
13. Approved 06/07/2023 Planning Commission Minutes
14. PRAC July 2023 Minutes Not Yet Approved (NOT IN PACKET)

Correspondence

1. Proposed Credit Card Policy 07/2023
2. Planning Commission Computers 07/26/2023
3. E-mails 07/13/2023 Sue Mielnik to Ron Popp re: PC Meeting
4. E-mail 07/26/2023 Clerk Cheryl Goss to Ron Popp re: Baggs Rd/Lakeside Trl Parking Signs
5. Meeting Recordings 07/26/2023
6. AED Purchase 2% Grant Glenn 07/18/2023
7. Free Library 07/18/2023 Glenn
8. E-mail 07/18/2023 Treasurer Ardella Benak to Ron Popp re: PA 660 Audit Results for Whitewater Township
9. Michigan Department of Treasury
10. Vollmuth Handout
11. E-mail 07/13/2023 Sue Mielnik to Ron Popp (cc township board members) re: PC Meeting
12. FOIA Request S-22

DRAFT MINUTES

13. Grand Traverse County Sheriff Statistics June 2023 and Second Quarter Totals 2023

Minutes for Approval

1. Draft 07/11/2023 Regular Meeting Minutes
2. Draft 07/18/2023 Special Meeting Minutes

Bills for Approval

1. Approval of Alden State Bank voucher #s 49368 through 49485

Budget Amendments – 1st Quarter Budget Amendments

**Revenue & Expenditure Report 07/06/2023 – Revenue 05/31/2023 - Expenditures
06/30/2023**

Motion by Vollmuth to approve the Consent Calendar for discussion purposes only; second by Popp.

Discussion followed.

Roll call vote: Benak, absent; Glenn, yes; Goss, yes; Vollmuth, yes; Popp, yes. Motion carried.

Unfinished Business**CAMPING PARK QUESTIONS**

Glenn inquired about closing off the beach and pavilion ahead of boat launch construction.

Discussion followed.

There was consensus of the board to close the beach and pavilion area beginning 9/11.

Glenn reported he is working with WESA, Benak, and MacLean regarding the Halloween party. Notifications of boat launch closure have been sent to bass fishing organization, Northshore Dock, Poseidon Marine, Elk Rapids Marina. Has also been working with FastSigns for signage to be placed at Whitewater Township Park and Hi Pray Park.

PROPOSED CIVIL INFRACTION ORDINANCE

Motion by Popp to send proposed Whitewater Township, Grand Traverse County, Civil Infraction Ordinance No. 51 to legal for review; second by Vollmuth.

Discussion followed.

The motion was not voted on.

Motion by Popp to remove Approve Ordinance Enforcement Officer Job Description from agenda; second by Vollmuth.

Roll call vote: Popp, yes; Goss, yes; Vollmuth, yes; Benak, absent; Glenn, yes. Motion carried.

Lengthy discussion ensued regarding the first motion.

DRAFT MINUTES

Goss re-read the motion: ***Motion by Popp to send proposed Whitewater Township, Grand Traverse County, Civil Infraction Ordinance No. 51 to legal for review; second by Vollmuth.***

Roll call vote: Glenn, yes; Popp, yes; Benak, absent; Goss, yes; Vollmuth, yes. Motion carried.

At 12:25 p.m., the meeting recessed.

At 12:36 p.m., the meeting reconvened (clerk not present).

REVIEW/ADOPT CODE ENFORCEMENT MANUAL

Motion by Popp to adopt the Whitewater Township Code Enforcement Policy and Procedure Manual as amended 08/08/2023; second by Vollmuth.

Discussion followed.

The motion and second were withdrawn.

At about 12:43 p.m., the clerk returned to the meeting.

Popp will bring this agenda item back, and the same for Unfinished Business #4, and noted #5 has already been removed.

APPROVE COMPLAINT FORM

This agenda item will be brought back.

APPROVE ORDINANCE ENFORCEMENT OFFICER JOB DESCRIPTION

Removed from agenda; see page 4147.

SUBCOMMITTEE WAGES

Motion by Goss to approve payment to Keith DeYoung and Al Keaton for their participation in the 04/13/2023 and 04/27/2023 Special Subcommittee meetings at the rate set forth on the current Salary/Wage Schedule; second by Vollmuth.

Discussion followed.

Vollmuth will bring something back for volunteers.

Roll call vote: Benak, absent; Vollmuth, yes; Popp, no; Glenn, yes; Goss, yes. Motion carried.

.GOV EXPIRATION (added)

Popp provided the current status of the request for a .GOV domain.

Motion by Popp to move to .GOV; second by Vollmuth.

DRAFT MINUTES

Discussion followed.

Roll call vote: Popp, yes; Benak, absent; Vollmuth, yes; Goss, yes; Glenn, yes. Motion carried.

Popp will e-mail the clerk a PO request.

New Business**FIRE HELMET PURCHASE**

Motion by Glenn to permit Chief Flynn to purchase 14 new fire helmets from The Fire Store and 14 new helmet shields from Golfire, Inc. not to exceed \$6,300, which includes \$5,670 of 2% grant funds; second by Vollmuth.

Roll call vote: Vollmuth, yes; Goss, yes; Glenn, yes; Benak, absent; Popp, yes. Motion carried.

PLANNING COMMISSION ITEMS

Moved to after Public Comment.

SNOW REMOVAL SPECIFICATIONS

Motion by Popp authorizing the clerk to publish the snow removal specifications, as amended, in the Traverse City Record-Eagle and the Elk Rapids News for bidding purposes; second by Vollmuth.

Discussion followed.

Popp amended the motion to authorize the clerk to publish the notice we are receiving snow removal bids; see township website for specifications and bid form; second by Vollmuth.

Bids to be returned by 9/22.

Goss will look up the past ad, revise it, send it to the Record-Eagle and Elk Rapids News, as well as provide it to the board.

Roll call vote: Goss, yes; Glenn, yes; Benak, absent; Popp, yes; Vollmuth, yes. Motion carried.

MASTER PLAN CHAPTERS 1 THROUGH 4

Moved to after Public Comment

TIM ARENDS RESIGNATION LETTER 07/25/2023

Motion by Popp to accept the resignation letter of Tim Arends dated 7/25/2023; second by Glenn.

Discussion followed.

DRAFT MINUTES

Roll call vote: Glenn, yes; Popp, yes; Goss, no; Vollmuth, yes; Benak, absent. Motion carried.

PROPOSED CONTRACT FOR MOBILE MEDICAL RESPONSE (added)

Motion by Glenn to approve the MMR contract renewal effective 12/01/2023; second by Popp.

Discussion followed.

Popp will set up a joint meeting between Whitewater Township, Acme Township, and MMR, preferably before the end of August.

Available dates include day of 8/16, day of 8/17, anytime 8/22, 8/23, or 8/24.

Tabled Items

None

Board Comments/Discussion

Goss requested an update on the launch of the township's YouTube channel.

Popp said to his knowledge it is up but does not know where it is on the website.

Announcements

Next regular meeting 09/12/2023 at 9:00 a.m.

Public Comment

Public comment began at 1:56 p.m.

Carl Wroubel
Denise Peltonen
Connie Hymore
Heidi Vollmuth
Township Clerk Cheryl Goss
Vicki Beam

Public comment ended at 2:10 p.m.

Adjournment

Motion by Popp to adjourn; second by Glenn. Roll call vote: Vollmuth, yes; Benak, absent; Popp, yes; Glenn, yes; Goss, yes.

Meeting adjourned at 2:10 p.m.

Cheryl A. Goss
Whitewater Township Clerk

**Bills for Approval
September 12, 2023**

ALDEN STATE BANK

ACCTS PAYABLE 8/1

PAYROLL 8/11

ACCTS PAYABLE 8/16

REISSUE CHECK 8/16 (replaces Ck 49393)

PAYROLL 8/25

ACCTS PAYABLE 8/28

49486 - 49615

49486 - 49506

49507 - 49537

49538 - 49564

49565

49566 - 49595

49596 - 49615

Grand Total \$16,922.38

Gross Payroll \$15,703.77

Grand Total \$47,950.07

Gross Payroll 112.50

Gross Payroll \$16,620.39

Grand Total \$19,542.18

ALDEN STATE BANK - MONEY MARKET

FIRST COMMUNITY BANK - FEDERAL FUND

Check Register Report

Bills for Approval 09/12/2023

Date: 08/29/2023

Time: 9:44 am

Page: 1

Whitewater Township

BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
ALDEN STATE BANK Checks								
49486	08/01/23	Printed			AD ASSESS	AD ASSESSING INC	AUG 2023	2,525.00
49487	08/01/23	Printed			AFLAC	AFLAC	JULY 2023	211.80
49488	08/01/23	Printed			BOUND	BOUND TREE MEDICAL LLC	MED SUPPLIES	175.63
49489	08/01/23	Printed			BRANDON F	BRANDON FLYNN	AUG 2023	50.00
49490	08/01/23	Printed			CHARTER	CHARTER COMMUNICATIONS	07/30-08/29/2023	179.98
49491	08/01/23	Printed			CHERRY PRC	CHERRY PROPANE	347.2 GALS	709.05
49492	08/01/23	Printed			CHERRYLANE	CHERRYLAND ELECTRIC COOP	M72 & COOK RD	63.61
49493	08/01/23	Printed			CONSUMERS	CONSUMERS ENERGY	06/23-07/24/2023	107.32
49494	08/01/23	Printed			DON WAY	DON WAY	150 BUNDLES	1,375.00
49495	08/01/23	Printed			DTE ENERGY	DTE ENERGY	06/23-07/24/2023	51.52
49496	08/01/23	Printed			EFTPS	EFTPS	7/28/23 PAYROLL	4,004.76
49497	08/01/23	Printed			GILL-ROY	GILL-ROY'S HARDWARE 6737	OPERATING SUPPLIES	252.77
49498	08/01/23	Printed			GRAND TRA	GRAND TRAVERSE CONSERVATION	MOWING BCNA & LOSSIE TRL	400.00
49499	08/01/23	Printed			HOME CITY	HOME CITY ICE COMPANY	195 BAGS	350.40
49500	08/01/23	Printed			KSS ENTER	KSS ENTERPRISES	JANITORIAL SUPPLIES	548.92
49501	08/01/23	Printed			LAWN-N	LAWN-N-ORDER	07/25-07/31/2023	1,995.00
49502	08/01/23	Printed			CULLIGAN	MCCARDEL CULLIGAN WATER COND	AUG COOLER RENTAL	12.00
49503	08/01/23	Printed			NETLINK	NETLINK BUSINESS SOLUTIONS	07/28-10/27/2023 MAINT AGRMT PLUS COPIES	1,159.55
49504	08/01/23	Printed			QUAD FINAN	QUADIENT FINANCE USA, INC	PREPAID POSTAGE	1,000.00
49505	08/01/23	Printed			ROBERT HA	ROBERT A. HALL-CZS	07/01-07/31/2023	1,710.06
49506	08/01/23	Printed			VERIZON	VERIZON WIRELESS	06/24-07/23/2023	40.01
49538	08/16/23	Printed			ACE	ACE HARDWARE	4 FT LADDER AND MISC SUPPLIES	95.03
49539	08/16/23	Printed			ANDREW BU	ANDREW BUTLER	BEAR SPRAY	49.81
49540	08/16/23	Printed			CHARTER	CHARTER COMMUNICATIONS	008/01-08/31/2023	189.97
49541	08/16/23	Printed			CONSUMERS	CONSUMERS ENERGY	07/12-08/09/2023	1,000.59
49542	08/16/23	Printed			DON WAY	DON WAY	300 BUNDLES	1,650.00
49543	08/16/23	Printed			EFTPS	EFTPS	8/11/2023 PAYROLL	3,516.69
49544	08/16/23	Printed			FAHEY	FAHEY SCHULTZ BURZYCH RHODES	6631 BAGGS RD APPEAL	7,692.00
49545	08/16/23	Printed			FUELMAN	FUELMAN	JULY 2023	332.19
49546	08/16/23	Printed			GFL ENVIR	GFL ENVIRONMENTAL	AUGUST 2023	1,045.67
49547	08/16/23	Printed			GILL-ROY	GILL-ROY'S HARDWARE 6737	PEPPER DEFENSE/CAUTION TAPE	56.14
49548	08/16/23	Printed			GMOSER	GMOSER'S SEPTIC SERVICE, INC	7/01-7/31/2023 TOILET RENTAL	1,180.00
49549	08/16/23	Printed			GRAND TRA	GRAND TRAVERSE CONSERVATION	08/02/2023 MOW BCNA & LOSSIE	350.00
49550	08/16/23	Printed			GTC ROAD	GRAND TRAVERSE COUNTY ROAD	1ST APPLICATION BRINE	17,786.60
49551	08/16/23	Printed			HOME CITY	HOME CITY ICE COMPANY	172 BAGS	310.84
49552	08/16/23	Printed			JOHN HANCC	JOHN HANCOCK LIFE INS CO	APR/MAY/JUN 2023 BENAK/FLYNN/VOLLMUTH	2,812.13
49553	08/16/23	Printed			KSS ENTER	KSS ENTERPRISES	JANITORIAL SUPPLIES	526.04
49554	08/16/23	Printed			LAWN-N	LAWN-N-ORDER	08/13-08/15/2023	1,050.00
49555	08/16/23	Printed			MICHIGAN T	MICHIGAN TOWNSHIPS ASSOCIATION	DON GLENN WEBINAR SPENDING PUBLIC MONEY	25.00
49556	08/16/23	Printed			MR. ROOT	MR. ROOTER	CLEAR DUMP BACKUP	416.50
49557	08/16/23	Printed			NORTH PL	NORTH PLACE PLANNING LLC	07/01-07/31/2023	1,200.00
49558	08/16/23	Printed			ROTO	ROTO-ROOTER, LLC	DUMP STATION BACKUP	422.10
49559	08/16/23	Printed			STATEWIDE	STATEWIDE COMMUNICATIONS INC	08/14-09/13/2023	179.45
49560	08/16/23	Printed			TC GOLF C	TC GOLF CARTS	GOLF CART REPAIR	360.00
49561	08/16/23	Printed			TC RECORD	TC RECORD-EAGLE, INC.	07/11/2023 MEETING SYNOPSIS	345.55
49562	08/16/23	Printed			TOBIN	TOBIN & CO PC	PROGRESS BILLING FOR FYE 03/31/2023 AUDIT	3,500.00
49563	08/16/23	Printed			VISA	VISA	TWP BRD/PARK	1,774.17
49564	08/16/23	Printed			WELLS F	WELLS FARGO FINANCIAL	AUG 2023 LEASE COLOR COPIER	83.60
49596	08/28/23	Printed			AFLAC	AFLAC	AUG. 2023	211.80

Check Register Report

Bills for Approval 09/12/2023

Date: 08/29/2023

Time: 9:44 am

Page: 2

Whitewater Township

BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
ALDEN STATE BANK Checks								
49597	08/28/23	Printed			BRANDON F	BRANDON FLYNN	3 DAY TRAINING ON SCENE EXAM/ WRITING & COURTROOM TEST	595.00
49598	08/28/23	Printed			CHARTER	CHARTER COMMUNICATIONS	08/30-09/29/2023	179.98
49599	08/28/23	Printed			CONSUMERS	CONSUMERS ENERGY	07/13-08/10/2023	2,541.05
49600	08/28/23	Printed			DTE ENERGY	DTE ENERGY	07/25-08/22/2023	50.75
49601	08/28/23	Printed			EFTPS	EFTPS	8/25/2023 PAYROLL	3,661.92
49602	08/28/23	Printed			FAST SIGNS	FAST SIGNS TRAVERSE CITY	13 CONSTRUCTION SIGNS	2,017.94
49603	08/28/23	Printed			JOHN HANCC	JOHN HANCOCK LIFE INS CO	APR/MAY/JUN 2023 FEES	30.00
49604	08/28/23	Printed			KIM FINCH	KIM FINCH	JULY/AUG 2023	225.00
49605	08/28/23	Printed			LOIS MAC	LOIS MACLEAN	07/25-08/23/2023	136.24
49606	08/28/23	Printed			CULLIGAN	MCCARDEL CULLIGAN	DEL. FEE 08/14/2023	5.00
49607	08/28/23	Printed			NETLINK	NETLINK BUSINESS SOLUTIONS	NETWORK ISSUE	65.00
49608	08/28/23	Printed			POMP	POMP'S TIRE SERVICE, INC	2 FRONT TIRES FOR AIR 3	1,141.02
49609	08/28/23	Printed			ROBERT WIL	ROBERT B WILKINSON	INTERMENT OF E. THOMAS	500.00
49610	08/28/23	Printed			ROTO	ROTO-ROOTER, LLC	DUMP STATION BACKUPS	701.10
49611	08/28/23	Printed			PAYR/SALES	STATE OF MICHIGAN - TREASURY	PAYROLLS 07/14/23 & 07/28/23	1,605.61
49612	08/28/23	Printed			THE COPY	THE COPY SHOP	1000 GEN CK ACCT CHECKS	205.62
49613	08/28/23	Printed			TRAVERSE R	TRAVERSE REPRODUCTION	COPIES OF WTP ELECTRICAL AND SEWER SYSTEM PLANS	89.10
49614	08/28/23	Printed			TRUGREEN	TRUGREEN	3RD APPLICATION	266.25
49615	08/28/23	Printed			WITMER P	WITMER PUBLIC SAFETY GROUP	14 CAIRNS 1044 HELMETS	5,313.80
					Total Checks: 68		Checks Total (excluding void checks):	84,414.63
					Total Payments: 68		Bank Total (excluding void checks):	84,414.63
					Total Payments: 68		Grand Total (excluding void checks):	84,414.63

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Fund: 101 GENERAL FUND							
Dept: 000							
101-000-015	Prepaid Postage						
	QUADIENT FINANCE USA, LLC	0000011465695	PREPAID POSTAGE	49504	07/24/2023	08/01/2023	1,000.00
							1,000.00
Total Dept. 000:							1,000.00
Dept: 101 Township Board							
101-101-727	Office Supplies & Exp						
	VISA		TWP BRD/PARK	49563	07/28/2023	08/16/2023	50.86
							50.86
101-101-802	Audit & Accounting S						
	TOBIN & CO PC	1000004740	PROGRESS BILLING FOR	49562	08/03/2023	08/16/2023	3,500.00
							3,500.00
101-101-830	Pension Plan						
	JOHN HANCOCK LIFE INS CO		APR/MAY/JUN 2023	49552	08/15/2023	08/16/2023	995.52
	JOHN HANCOCK LIFE INS CO	0230701-A12139-JHFE-A	APR/MAY/JUN 2023 FEES	49603	06/30/2023	08/28/2023	20.00
							1,015.52
101-101-880	Education & Training						
	MICHIGAN TOWNSHIPS ASS	226961	DON GLENN WEBINAR	49555	07/28/2023	08/16/2023	25.00
							25.00
101-101-940	Equipment Rental						
	WELLS FARGO FINANCIAL	5026161645	AUG 2023 LEASE COLOR COP	49564	08/03/2023	08/16/2023	83.60
							83.60
Total Dept. Township Board:							4,674.98
Dept: 209 Assessor							
101-209-807	Assessing Services						
	AD ASSESSING INC		AUG 2023	49486	08/01/2023	08/01/2023	2,525.00
							2,525.00
Total Dept. Assessor:							2,525.00
Dept: 210 Attorney							
101-210-801	Legal Services						
	FAHEY SCHULTZ BURZYCH	12999	FOIA S-26	49544	08/01/2023	08/16/2023	1,672.00
	FAHEY SCHULTZ BURZYCH	13000	LOSSIE RD-OOSTERHOUSE	49544	08/01/2023	08/16/2023	110.00
	FAHEY SCHULTZ BURZYCH	13001	6631 BAGGS RD APPEAL	49544	08/01/2023	08/16/2023	5,910.00
							7,692.00
Total Dept. Attorney:							7,692.00
Dept: 215 Clerk							
101-215-727	Office Supplies & Exp						
	THE COPY SHOP	21370451	1000 GEN CK ACCT CHECKS	49612	07/31/2023	08/28/2023	205.62
							205.62
101-215-847	Software Support						
	NETLINK BUSINESS SOLUTI	147000	NETWORK ISSUE	49607	08/15/2023	08/28/2023	65.00
							65.00
101-215-901	Publishing						
	TC RECORD-EAGLE, INC.	07232055	6/20/2023 MEETING SYNOPSIS	49561	07/31/2023	08/16/2023	105.30
	TC RECORD-EAGLE, INC.	07232055	07/11/2023 MEETING SYNOPSIS	49561	07/31/2023	08/16/2023	133.95
							239.25
Total Dept. Clerk:							509.87

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Total Dept. Cemetery:							917.46
Dept: 400 Planning Commission							
101-400-804	Professional Services						
	NORTH PLACE PLANNING LI		07/01-07/31/2023	49557	08/02/2023	08/16/2023	1,200.00
							1,200.00
Total Dept. Planning Commission:							1,200.00
Dept: 405 Zoning Administrator/F							
101-405-804	Professional Services						
	ROBERT A. HALL-CZS	JUL 2023	07/01-07/31/2023	49505	07/27/2023	08/01/2023	1,683.07
							1,683.07
101-405-860	Mileage Reimbursemen						
	ROBERT A. HALL-CZS	JUL 2023	07/01-07/31/2023	49505	07/27/2023	08/01/2023	26.99
							26.99
Dept. Zoning Administrator/Planning:							1,710.06
tal Fund GENERAL FUND:							22,705.08
Fund: 203 ROAD FUND							
Dept: 446 Road Right of Way							
203-446-846	Road Brining Service						
	GRAND TRAVERSE COUNTY	700476	1ST APPLICATION BRINE	49550	07/27/2023	08/16/2023	17,128.67
							17,128.67
203-446-921	Street Lights						
	CHERRYLAND ELECTRIC CO		M72 & MOORE RD	49492	07/26/2023	08/01/2023	24.24
	CHERRYLAND ELECTRIC CO		M72 & SKEGEMOG PT RD	49492	07/26/2023	08/01/2023	24.24
	CHERRYLAND ELECTRIC CO		M72 & COOK RD	49492	07/26/2023	08/01/2023	15.13
	CONSUMERS ENERGY	201186097035	07/01-07/31/2023	49541	07/31/2023	08/16/2023	65.20
	CONSUMERS ENERGY	601013369665	07/01-07/31/2023	49541	07/31/2023	08/16/2023	177.67
							306.48
Total Dept. Road Right of Way:							17,435.15
Total Fund ROAD FUND:							17,435.15
Fund: 206 FIRE FUND							
Dept: 336 Fire Dept							
206-336-713	Other Benefits						
	AFLAC	697411	JULY 2023	49487	07/26/2023	08/01/2023	211.80
	AFLAC	051915	AUG. 2023	49596	08/23/2023	08/28/2023	211.80
							423.60
206-336-727	Office Supplies & Exp						
	VISA		FIRE	49563	07/28/2023	08/16/2023	700.36
							700.36
206-336-739	Fuel & Oil						
	FUELMAN	64879275995401	JULY 2023	49545	08/07/2023	08/16/2023	332.19
							332.19
206-336-740	Operating Expense &						
	BOUND TREE MEDICAL LLC	85022911	MED SUPPLIES	49488	07/13/2023	08/01/2023	175.63
							175.63
206-336-745	Turnout Gear						
	WITMER PUBLIC SAFETY GI	INV307246	14 CAIRNS 1044 HELMETS	49615	08/16/2023	08/28/2023	5,313.80
							5,313.80
206-336-804	Professional Services						

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
	VERIZON WIRELESS	9940396671	06/24-07/23/2023	49506	07/23/2023	08/01/2023	40.01
							40.01
206-336-809	Lawn Maintenance S						
	LAWN-N-ORDER		07/25-07/31/2023	49501	08/01/2023	08/01/2023	21.00
	LAWN-N-ORDER		08/13-08/15/2023	49554	08/15/2023	08/16/2023	21.00
							42.00
206-336-811	Waste Removal Servi						
	GFL ENVIRONMENTAL	0062083685	AUGUST 2023	49546	07/31/2023	08/16/2023	11.51
							11.51
206-336-830	Pension Plan						
	JOHN HANCOCK LIFE INS C		APR/MAY/JUN 2023	49552	08/15/2023	08/16/2023	1,816.61
	JOHN HANCOCK LIFE INS	0230701-A12139-JHFE-A	APR/MAY/JUN 2023 FEES	49603	06/30/2023	08/28/2023	10.00
							1,826.61
206-336-851	Internet/Website						
	CHARTER COMMUNICATION	005358201080123	008/01-08/31/2023	49540	08/01/2023	08/16/2023	89.99
							89.99
206-336-880	Education & Training						
	BRANDON FLYNN		3 DAY TRAINING ON SCENE E	49597	08/22/2023	08/28/2023	595.00
							595.00
206-336-920	Natural Gas						
	DTE ENERGY		06/23-07/24/2023	49495	07/25/2023	08/01/2023	25.76
	DTE ENERGY		07/25-08/22/2023	49600	08/23/2023	08/28/2023	25.37
							51.13
206-336-922	Electricity						
	CONSUMERS ENERGY	201186111345	07/12-08/09/2023	49541	08/09/2023	08/16/2023	210.26
							210.26
206-336-924	Telephone						
	CHARTER COMMUNICATION	005358201080123	008/01-08/31/2023	49540	08/01/2023	08/16/2023	99.98
							99.98
206-336-925	Cellular Phone						
	BRANDON FLYNN		AUG 2023	49489	08/01/2023	08/01/2023	50.00
							50.00
206-336-930	Facility Repairs/Maint						
	VISA		FIRE	49563	07/28/2023	08/16/2023	49.99
							49.99
206-336-933	Vehicle Repair & Mair						
	POMP'S TIRE SERVICE, INC	2200003191	2 FRONT TIRES FOR AIR 3	49608	08/17/2023	08/28/2023	1,141.02
	VISA		FIRE	49563	07/28/2023	08/16/2023	327.63
							1,468.65
						Total Dept. Fire Dept:	11,480.71
						Total Fund FIRE FUND:	11,480.71
Fund: 208 PARK FUND							
Dept: 756 Township Park							
208-756-727	Office Supplies & Exp						
	TRAVERSE REPRODUCTION	93926	COPIES OF WTP ELECTRICAL	49613	08/23/2023	08/28/2023	89.10
	VISA		PARK	49563	07/28/2023	08/16/2023	530.48
	VISA		TWP BRD/PARK	49563	07/28/2023	08/16/2023	50.86
							670.44
208-756-740	Operating Expense &						

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
	ACE HARDWARE	131048	4 FT LADDER AND MISC SUPP	49538	08/10/2023	08/16/2023	95.03
	ANDREW BUTLER		BEAR SPRAY	49539	08/07/2023	08/16/2023	49.81
	KSS ENTERPRISES	1496888	JANITORIAL SUPPLIES	49500	07/18/2023	08/01/2023	548.92
	KSS ENTERPRISES	1502539	JANITORIAL SUPPLIES	49553	08/08/2023	08/16/2023	147.30
	KSS ENTERPRISES	1500574	JANITORIAL SUPPLIES	49553	08/01/2023	08/16/2023	378.74
							1,219.80
208-756-741	Ice						
	HOME CITY ICE COMPANY	7035230416	195 BAGS	49499	07/24/2023	08/01/2023	350.40
	HOME CITY ICE COMPANY	6818230227	172 BAGS	49551	08/07/2023	08/16/2023	310.84
							661.24
208-756-743	Wood						
	DON WAY		100 BUNDLES	49494	07/23/2023	08/01/2023	550.00
	DON WAY		150 BUNDLES	49494	07/22/2023	08/01/2023	825.00
	DON WAY		300 BUNDLES	49542	08/11/2023	08/16/2023	1,650.00
							3,025.00
208-756-748	Sales Tax						
	STATE OF MICHIGAN - TREA	SMIBUS010125408	SALES TAX JULY 2023	49611	08/17/2023	08/28/2023	222.28
							222.28
208-756-809	Lawn Maintenance Ser						
	LAWN-N-ORDER		07/25-07/31/2023	49501	08/01/2023	08/01/2023	362.25
	LAWN-N-ORDER		08/13-08/15/2023	49554	08/15/2023	08/16/2023	362.25
							724.50
208-756-811	Waste Removal Servi						
	GFL ENVIRONMENTAL	0062085292	AUGUST 2023	49546	07/31/2023	08/16/2023	999.63
							999.63
208-756-812	Septic Services						
	GMOSER'S SEPTIC SERVICE	406526	08/10/23 PUMP 3000 GAL TANK	49548	08/10/2023	08/16/2023	740.00
	GMOSER'S SEPTIC SERVICE	406360	7/01-7/31/2023 TOILET RENTAL	49548	07/31/2023	08/16/2023	440.00
							1,180.00
208-756-922	Electricity						
	CONSUMERS ENERGY	203232864751	07/13-08/10/2023	49599	08/10/2023	08/28/2023	2,248.59
	CONSUMERS ENERGY	203232864750	07/13-08/10/2023	49599	08/10/2023	08/28/2023	213.33
							2,461.92
208-756-924	Telephone						
	STATEWIDE COMMUNICATIO	2982752	08/14-09/13/2023	49559	08/14/2023	08/16/2023	29.95
							29.95
208-756-925	Cellular Phone						
	VISA		PARK	49563	07/28/2023	08/16/2023	14.00
							14.00
208-756-929	Propane						
	CHERRY PROPANE	12656	347.2 GALS	49491	07/17/2023	08/01/2023	709.05
							709.05
208-756-930	Facility Repairs/Maint						

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
	GILL-ROY'S HARDWARE 673	2307-792921	30A RV OUTLET	49497	07/27/2023	08/01/2023	-17.99
	GILL-ROY'S HARDWARE 673	2307-771964	30A RV OUTLET	49497	07/23/2023	08/01/2023	17.99
	GILL-ROY'S HARDWARE 673	2307-792913	OPERATING SUPPLIES	49497	07/27/2023	08/01/2023	25.68
	GILL-ROY'S HARDWARE 673	2307-798518	OPERATING SUPPLIES	49497	07/28/2023	08/01/2023	70.37
	GILL-ROY'S HARDWARE 673	2307-809803	OPERATING SUPPLIES	49497	07/30/2023	08/01/2023	42.99
	GILL-ROY'S HARDWARE 673	2307-757307	OPERATING SUPPLIES	49497	07/21/2023	08/01/2023	24.99
	GILL-ROY'S HARDWARE 673	2307-751533	OPERATING SUPPLIES	49497	07/20/2023	08/01/2023	15.89
	GILL-ROY'S HARDWARE 673	2307-787756	OPERATING SUPPLIES	49497	07/26/2023	08/01/2023	72.85
	GILL-ROY'S HARDWARE 673	2308-842693	BEE KILLER	49547	08/04/2023	08/16/2023	15.28
	GILL-ROY'S HARDWARE 673	2308-823281	SHOWER BRACKET/ HITCH PI	49547	08/01/2023	08/16/2023	16.88
	GILL-ROY'S HARDWARE 673	2308-849433	PEPPER DEFENSE/CAUTION 1	49547	08/05/2023	08/16/2023	23.98
	GRAND TRAVERSE COUNTY	700476	1ST APPLICATION BRINE	49550	07/27/2023	08/16/2023	657.93
	MR. ROOTER	52231147	CLEAR DUMP BACKUP	49556	08/07/2023	08/16/2023	416.50
	ROTO-ROOTER, LLC	40880089	DUMP STATION BACKUP	49558	08/10/2023	08/16/2023	422.10
	ROTO-ROOTER, LLC	40942995	DUMP STATION BACKUPS	49610	08/16/2023	08/28/2023	701.10
	TC GOLF CARTS	1656	GOLF CART REPAIR	49560	08/04/2023	08/16/2023	360.00
							2,866.54
208-756-970	Capital Expenditure						
	FAST SIGNS TRAVERSE CIT	435-37682	13 CONSTRUCTION SIGNS	49602	08/07/2023	08/28/2023	2,017.94
							2,017.94
						Total Dept. Township Park:	16,802.29
						Total Fund PARK FUND:	16,802.29
Fund: 209 RECREATION FUND							
Dept: 757 Recreation							
209-757-809	Lawn Maintenance S						
	LAWN-N-ORDER		07/25-07/31/2023	49501	08/01/2023	08/01/2023	1,139.25
	LAWN-N-ORDER		08/13-08/15/2023	49554	08/15/2023	08/16/2023	582.75
							1,722.00
209-757-922	Electricity						
	CONSUMERS ENERGY	205457539509	06/23-07/24/2023	49493	07/24/2023	08/01/2023	107.32
	CONSUMERS ENERGY	202164942924	07/12-08/09/2023	49541	08/09/2023	08/16/2023	28.81
	CONSUMERS ENERGY	202431948957	07/25-08/22/2023	49599	08/22/2023	08/28/2023	79.13
							215.26
209-757-930	Facility Repairs/Maint						
	GRAND TRAVERSE CONSEF	TW6075	MOWING BCNA & LOSSIE TRL	49498	07/21/2023	08/01/2023	400.00
	GRAND TRAVERSE CONSEF	CO5151	08/02/2023 MOW BCNA & LOS	49549	08/02/2023	08/16/2023	350.00
	TRUGREEN	181640664	3RD APPLICATION	49614	08/16/2023	08/28/2023	266.25
							1,016.25
209-757-970	Capital Expenditure						
	TC RECORD-EAGLE, INC.	07232055	AD FOR LRNT ENGINEERING	49561	07/31/2023	08/16/2023	106.30
							106.30
						Total Dept. Recreation:	3,059.81
						Fund RECREATION FUND:	3,059.81
Fund: 210 AMBULANCE FUND							
Dept: 651 Ambulance							
210-651-809	Lawn Maintenance S						
	LAWN-N-ORDER		07/25-07/31/2023	49501	08/01/2023	08/01/2023	21.00
	LAWN-N-ORDER		08/13-08/15/2023	49554	08/15/2023	08/16/2023	21.00
							42.00
210-651-811	Waste Removal Servi						
	GFL ENVIRONMENTAL	0062083685	AUGUST 2023	49546	07/31/2023	08/16/2023	11.51

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							11.51
210-651-920	Natural Gas						
	DTE ENERGY		06/23-07/24/2023	49495	07/25/2023	08/01/2023	25.76
	DTE ENERGY		07/25-08/22/2023	49600	08/23/2023	08/28/2023	25.38
							51.14
210-651-922	Electricity						
	CONSUMERS ENERGY	201186111345	07/12-08/09/2023	49541	08/09/2023	08/16/2023	210.25
							210.25
210-651-930	Facility Repairs/Maint						
	VISA		FIRE	49563	07/28/2023	08/16/2023	49.99
							49.99
						Total Dept. Ambulance:	364.89
						Fund AMBULANCE FUND:	364.89
Fund: 750 PAYROLL CLEARING F							
Dept: 000							
750-000-258	Accrued Payroll Tax:						
	EFTPS	270361303714905	7/28/23 PAYROLL	49496	08/01/2023	08/01/2023	4,004.76
	EFTPS	270362780262539	8/11/2023 PAYROLL	49543	08/15/2023	08/16/2023	3,516.69
	EFTPS	270364002036468	8/25/2023 PAYROLL	49601	08/28/2023	08/28/2023	3,661.92
	STATE OF MICHIGAN - TREA	SMIBUS010110894	PAYROLLS 07/14/23 & 07/28/23	49611	08/15/2023	08/28/2023	1,383.33
							12,566.70
						Total Dept. 000:	12,566.70
						PAYROLL CLEARING FUND:	12,566.70
						Grand Total:	84,414.63

MEMO

To: Whitewater Township Board
From: Cheryl A. Goss, Clerk
Date: 08/29/2023
Re: Budget Amendments re: Planning Commission

The following budget amendments are recommended.

GENERAL FUND:

GL#	Description	Debit	Credit
101-400-703	Wages	\$ 2,500	
101-400-715	Social Security (Employer)	155	
101-400-716	Medicare (Employer)	40	
101-890-890	Contingency		\$ 2,695
101-400-804	Professional Services	\$25,000	
101-890-890	Contingency		\$25,000

Since Budget Amendments fall under the Consent Calendar, a separate motion is not required to approve these amendments.

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 8.29.2023
Re: Campground & Park Improvement Project Needs

Board Members –

This business item is presented to allow Trustee Don Glenn and/or Ron Popp a forum to the Board to discuss any relevant matters regarding the camping park or the Park Improvement Project.

No motion pending further Board input.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC:
Date: 08-28-2023
Re: Clarification - Ordinance Enforcement – 9.2023

Board Members,

Steven Weltyk has requested the board's time to get clarification on zoning ordinance enforcement, more specifically allowance of short-term rental units. Steve has provided written communications with Bob Hall since January 15, 2023 regarding a short-term rental issue at 9544 Elk Lake Trail. The Supervisor's Office was made aware of the email string due in part to a response from the Clerk's Office dated August 17, 2023 which left Steven feeling that compliance with the Zoning Ordinance was a voluntary thing in Whitewater Township.

At this time, I ask for Board Consensus to invite Mr. Weltyk to the podium to begin a two-way conversation with the Board.

To generate this business item, I called Mr. Weltyk to get a sense of what he wanted to accomplish with the board's time. *As I understand it, and this may not be a complete list*, the goal is to get the board to answer these questions:

- 1) Are short-term rentals allowed in the R-1 (Residential District) of Whitewater Township?
- 2) If not, is compliance with the Whitewater Township Zoning Ordinance voluntary?
- 3) If not, when will enforcement of known uses of this nature begin?

Additionally, several other comments shared in the conversation focused on what *I describe as* lack of interest on the township's behalf to approach the topic of short-term rental enforcement in a meaningful way.

As I read the email string between Steven and Bob, I noted the overwhelming amount of information provided to Bob Hall in support of Steven's claim of unlawful use. A Code Enforcement Complaint form is referenced and Bob Hall appears to suggest he has had contact with the owners of the property. This address, nor the complaint form, nor any documentation of this enforcement action appears on the list of Zoning Ordinance Violations recently provided to the board.

Of great concern is Bob's August 17, 2023 email which in part states *"I recently compiled a list that included several infractions and forwarded to the Board for further action if they deem it appropriate."* And *"Observations such as yours can be a valuable tool as the Board considers what actions, if any, may be needed moving forward."*

As a Board member I do not interpret Mr. Hall's last few monthly reports or the list of violations he reported to the Board in July (provided below) as items requiring Board action. From my point of view the violations listed were still under his review process. To be clear this means following the Code Enforcement Policy and Procedure Manual and Mr. Hall's Consultant Agreement.

From May 2023:

*A summary of concerns (enforcement / compliance activity) is **still** being organized so that a list of unresolved violations can be forwarded to the Township Board for review. I have compiled a couple more concerns and one additional Short Term Rental complaint.*

From June 2023:

*A summary of concerns (enforcement / compliance activity) **continues to grow** is **still** being organized so that a list of unresolved violations can be forwarded to the Township Board for review. I have compiled a couple more concerns and one additional Short Term Rental complaint. As of this report, at least two more concerns regarding short-term rentals have been forwarded to the ZA. **Continuing action on this matter is being paused as other matters related to pending ZBA action are given priority. There are no concerns that are considered to be an imminent danger related safety, health, or welfare that require immediate action.***

From the July 2023:

*A summary of concerns (enforcement / compliance activity) **continues to grow** is **still** being organized so that a list of unresolved violations can be forwarded to the Township Board for review. I have compiled a couple more concerns and several additional Short Term Rental complaints. As of this report, at least two more concerns regarding short-term rentals have been forwarded to the ZA. **Continuing action on this matter is being paused as other matters related to pending ZBA action are given priority. There are no concerns that are considered to be an imminent danger related to safety, health, or welfare that require immediate action.***

*The Short-Term Rental of dwelling is not new and is not unique to Whitewater Township. By now, the Board has hopefully realized that the lack of administration and regulation of this activity is spreading quickly throughout Whitewater Township. Until definitive action is taken, -my response to the continuing inquiries will continue to be that **"the zoning ordinance does not permit the short-term rental of a dwelling in any zoning district"**.*

Date Rec'd	Nature of Concern	Location / Parcel #	Activity Log
9/15/2022	Mounds of Dirt / Ducks	11155 Summertime Trail	10/06/2022-personal Site Inspection and interview w/owner indicated landscaping in progress. Noted compliance w/ZO 37.20.C CASE CLOSED / NO CAUSE
May-22	Food Truck / Farm Mkt	10748 E M-72	POSSIBLE RTFA / GAAMPS Initial email / phone discussions revolved around the 'use' of a food truck and the 'expansion' of an existing lawful / permitted farm market. Conversations w/ property owner could not conclude that the 'expansion' of food truck, picnic tables, food trailer were uses listed as permitted by the WTZO. Land Use Permit application submitted in August 2022 - continuing communication in an attempt to have applicant clearly identify the proposed use / uses so that a proper application review could be made. Letter of DENIAL sent on Oct. 6th. 2022. No appeal was made withing required timelines.
10/20/2022	LUP #2022-55 / Misc. Junk	4265 Broomhead	LUP application made on 10/20/2022 - Not issued under Financial Responsibilities Ord. (Held in abeyance) 12/12/2022 received 'anonymous' complaint re: Junk. Personal site inspection revealed junk complaint to be valid and that an accessory structure had been placed w/o proper permitting. Notified property owner / applicant on 12/22/2022 vial letter. Applicant communicated via phone their intent to comply. Asked to verify via email - non compliance as of 01/26/2022 PENDING - No recent activity by ZA
11/17/2022	Building w/o permit	8055 Angell Road	AG PROPERTY / USES 11/17/2022-Received anomonus complaint regarding building w/o permit. Contacted owner on 11/17/2022 via mail. Response from peoperty owner via email that they were simply closing in part of their existing barn and that there was no new construction or permitting required. CASE CLOSED / NO CAUSE
12/1/2022	Building too close to Elk Lake	9520 Elk Lake Tr	Received anonymous complaint about building too close to lake. Property record inspection revealed recent Land Use Permit (NOT affecting footprint) issued for major structural alterations. Existing waterfront setback is approximately 50' and has existed for not less than 17 years (March 2005) CASE CLOSED / NO CAUSE
7/23/2023	Short Term Rental	8649 Church Street	Complaint regarding use as STR, Site Visit: 07/27/2023 and phot's in file - initial investigation results are not conclusive - violation alleged – will continue to observe PENDING

In Mr. Hall's July 2023 report to the Whitewater Township Board, one of his statements includes: *"The Short-Term Rental of dwelling sis not new and is not unique to Whitewater Township. By now, the Board has hopefully realized that the lack of administration and regulation of this activity is spreading quickly throughout Whitewater Township. Until definitive action is taken, -my response to the continuing inquiries will*

continue to be that “the zoning ordinance does not permit the short-term rental of a dwelling in any zoning district.”

This statement appears to indicate there is a lack of administration and regulation of the short-term use in the Township which, I believe is the foundation of Mr. Weltyk’s request for an official statement on the topic of short-term rental use in the R-1 District from the Whitewater Township Board. The statement also leaves me feeling Mr. Hall is waiting for some definitive action to enforce the current short-term rental use regulation established by Whitewater Township Ordinances. Why are we waiting?

In closing, I would ask the Board to expand their scope of focus and statements beyond just the short-term rental question and think about all districts (except for the bed & breakfast use) and all zoning and general ordinance violations when answering Mr. Weltyk’s questions.

Motion: Motion confirming Whitewater Township Ordinances, general and zoning, are to be enforced by the Zoning Administrator utilizing all means and every remedy allowed by law.

Respectfully,

A handwritten signature in dark ink, appearing to read "Ron Popp", with a stylized flourish at the end.

Ron Popp
FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

RE: short term rental - code enforcement complaint

1 message

steven.weltyk@gmail.com <steven.weltyk@gmail.com>

Mon, Aug 28, 2023 at 2:00 PM

To: "Cheryl A. Goss" <clerk@whitewatertownship.org>, Zoning Administrator <zoning@whitewatertownship.org>
Cc: Ron Popp <supervisorwhitewater@gmail.com>

Ron,

Can you get me on the agenda?

From: Cheryl A. Goss <clerk@whitewatertownship.org>

Sent: Monday, August 28, 2023 1:57 PM

To: steven.weltyk@gmail.com; 'Zoning Administrator' <zoning@whitewatertownship.org>

Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>

Subject: RE: short term rental - code enforcement complaint

Hi Steve –

The public comment period at meetings is 5 minutes for each speaker. The board does not respond to public comment in order to avoid unscheduled debates.

If you want your issue to be an actual agenda item, that is done through the township supervisor. I see that he has been copied.

FYI -

Cheryl A. Goss

Whitewater Township Clerk

[5777 Vinton Road](#), P.O. Box 159

Williamsburg, Michigan 49690

Telephone: 231.267.5141 x24

Fax: 231.267-9020

clerk@whitewatertownship.org

Office Hours: Mon/Tue/Wed/Thurs 9:00 a.m. to 5:00 p.m.

I Pledge Allegiance to the Flag of the United States of America, and to the REPUBLIC for which it stands, One Nation, Under God, Indivisible, with Liberty and Justice for All.

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>

Sent: Monday, August 28, 2023 12:04 PM

To: 'Cheryl A. Goss' <clerk@whitewatertownship.org>; 'Zoning Administrator' <zoning@whitewatertownship.org>

Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>

Subject: RE: short term rental - code enforcement complaint

Cheryl,

Can you get my complaint onto the agenda to be reviewed at the September 12th Whitewater Township Board meeting?

I will plan on attending and would appreciate my three minutes to review the Township's enforcement policy.

Thanks for your help.

Steve

From: Cheryl A. Goss <clerk@whitewatertownship.org>
Sent: Monday, August 21, 2023 12:17 PM
To: steven.weltyk@gmail.com; 'Zoning Administrator' <zoning@whitewatertownship.org>
Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>
Subject: RE: short term rental - code enforcement complaint

Steve –

Yes, I am aware that Torch Lake and Milton townships have stand-alone short-term rental ordinances that are strictly enforced. Some other Grand Traverse County townships do as well.

As recently as the township board's August 8th meeting, Ron Popp brought forth the following agenda items. Their disposition on that date is in parentheses:

- Proposed Civil Infraction Ordinance (sent to legal for review)
- Review/Adopt Code Enforcement Manual (to be brought back)
- Approve Complaint Form (to be brought back)
- Approve Ordinance Enforcement Officer Job Description (removed from agenda)

I admit that none of this supplies you with any immediate assurances that these types of complaints will be taken seriously by the township.

I expressed previously, and will reiterate today, that the township's prohibition on less-than-30 day rentals should be enforced via the tools that are currently available.

As an elected official, I have a duty, of course, to listen to any resident and/or taxpayer on any topic, as do other board members (treasurer and trustees), beyond just the supervisor. You included me on your e-mails; hence, the reason for my responses.

Thank you.

Cheryl A. Goss

Whitewater Township Clerk
[5777 Vinton Road](#), P.O. Box 159
Williamsburg, Michigan 49690
Telephone: 231.267.5141 x24
Fax: 231.267-9020
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Office Hours: Mon/Tue/Wed/Thurs 9:00 a.m. to 5:00 p.m.

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From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Friday, August 18, 2023 9:17 AM
To: 'Cheryl A. Goss' <clerk@whitewatertownship.org>; 'Zoning Administrator' <zoning@whitewatertownship.org>
Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>
Subject: RE: short term rental - code enforcement complaint

Cheryl,

I reviewed this with two realtors in the area, my realtor and Jack Lane.

My realtor thinks "That's strange. Most townships have fines that keep adding up if the violation continues".

See recommends that you look at the successes of Torch Lake and Milton townships for reference.

Jack is "appalled by the township's lack of balls in enforcing the violations".

He offered to help me sell my house.

Let me know if things change.

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Thursday, August 17, 2023 5:03 PM
To: 'Cheryl A. Goss' <clerk@whitewatertownship.org>; 'Zoning Administrator' <zoning@whitewatertownship.org>
Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>
Subject: RE: short term rental - code enforcement complaint

Cheryl,

Thanks for your reply.

It appears that this is a voluntary compliance and that I am free to join them in a renting next summer.

This is not the outcome that I was looking for.

Steve

From: Cheryl A. Goss <clerk@whitewatertownship.org>
Sent: Thursday, August 17, 2023 4:56 PM
To: steven.weltyk@gmail.com; 'Zoning Administrator' <zoning@whitewatertownship.org>
Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>
Subject: RE: short term rental - code enforcement complaint

Greetings, Mr. Weltyk –

It appears numerous complaints have been made by you concerning a residence on Elk Lake Trail whose owner is alleged to be violating the township zoning ordinance with respect to short-term rental of the property. It further appears our zoning administrator has communicated with the owner, but the alleged violation(s) continue.

Prosecution of ordinance violations of any type can become expensive and labor intensive. Currently, unless voluntary compliance can be achieved, violations of the zoning ordinance must ultimately be prosecuted as misdemeanors at the local district court, requiring the services of the township attorney.

There is currently a question before the township board as to whether municipal civil infractions will become an alternative avenue for enforcement of ordinance violations. Typically, it is less labor intensive and less expensive to prosecute ordinance violations in this manner. However, the framework for use of civil infractions is not currently in place in Whitewater Township.

In my opinion, the only thing that can be done at the current time is to request that the zoning administrator follow the steps in the current Code Enforcement Policy. Perhaps you have been supplied with this document previously, but if not, it can be found at:

https://www.whitewatertownship.org/uploads/2/1/9/6/21966412/code_enforcement_policy_and_procedures_manual_effective_01.01.2012.pdf

Thank you for bringing this issue to our attention.

Cheryl A. Goss

Whitewater Township Clerk

[5777 Vinton Road](mailto:clerk@whitewatertownship.org), P.O. Box 159

Williamsburg, Michigan 49690

Telephone: 231.267.5141 x24

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From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Thursday, August 17, 2023 3:46 PM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>; 'Cheryl A. Goss' <clerk@whitewatertownship.org>
Subject: RE: short term rental - code enforcement complaint

Thanks Bob,

Ron and Cheryl,

Can you let us know if there is an enforcement plan or if this is more of a recommendation?

We have put our remodel plans on hold and are considering our rental options.

Thanks,

Steve

From: Zoning Administrator <zoning@whitewatertownship.org>
Sent: Thursday, August 17, 2023 2:42 PM
To: steven.weltyk@gmail.com
Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>; 'Cheryl A. Goss' <clerk@whitewatertownship.org>
Subject: RE: short term rental - code enforcement complaint

Thanks for the call Steve-

The Township certainly recognizes that the Short-Term Rental of dwellings is becoming an ever-increasing popular activity in Whitewater Township.

Obviously, my communication with the owners informing them that the activity was not permissible was not heeded.

I recently compiled a list that included several infractions and forwarded to the Board for further action if they deem it appropriate.

Observations such as yours can be a valuable tool as the Board considers what actions, if any, may be needed moving forward.

I have copied the Township Supervisor and Clerk so that they are aware of your continuing concerns.

Let me know if I can be of further assistance.

Bob

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Monday, August 14, 2023 11:06 AM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Subject: FW: short term rental - code enforcement complaint

Bob,

The owners left on August 4th after being up for six weeks.

They let us know that they would not be back this summer.

Their house cleaners were there the next day, August 5th, prior to two couples and four kids and their moored boat for the week.

They left the following Saturday.

The cleaner again showed up and three new couples and children arrived with their fishing boat that afternoon, August 12th.

Everyone has been nice enough, but we are clearly in a Saturday-to-Saturday weekly rental pattern.

Can you give me an update on the short-term rental ban enforcement process?

Thanks,

Steve

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Saturday, August 5, 2023 8:00 PM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Subject: FW: short term rental - code enforcement complaint

Bob,

The short-term rental next door continues.

Can you give me an update on the ability of Whitewater Township to enforce their ban on this ordinance?

I did not relocate my permanent residence to live next to a short-term rental property.

If this is not going to be enforced, I will inform my friends, neighbors and realtor and list my property for weekly rental next summer.

Steve

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Monday, June 19, 2023 7:09 AM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Subject: FW: short term rental - code enforcement complaint

Bob,

There is a pontoon boat moored out front for this week's rental.

The "assurances" mentioned below are not materializing.

Does White Water Township have a process to enforce the short-term rental ban?

Please reply with next steps in this unfortunate situation.

Steve

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Saturday, June 3, 2023 6:04 PM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Subject: RE: short term rental - code enforcement complaint

Bob,

There are four bass boats and teams next door for the week.

I suspect that the summer was booked prior to removing the advertisement.

We have put our remodel project on hold and are reconsidering our long-term interest in living here.

Please advise.

Steve

From: Zoning Administrator <zoning@whitewatertownship.org>
Sent: Thursday, January 26, 2023 10:54 AM

To: steven.weltyk@gmail.com

Subject: RE: short term rental - code enforcement complaint

Steve –

The subject property owner has contacted me and given 'assurances' that the use of the property as a short-term rental will be discontinued and that advertising as same will cease.

Bob

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>

Sent: Sunday, January 15, 2023 6:17 AM

To: zoning@whitewatertownship.org

Subject: short term rental - code enforcement complaint

Rob,

My wife and I have recently purchased our new, permanent resident, home on Elk Lake Trail in Williamsburg.

We have just found our neighbors house listed on VRBO as a short-term rental sleeping 10 (see VRBO listing below).

The address in question is [9544 Elk Lake Trail, Williamsburg MI 49690](#).

Zillow has this listed as a 1,764 sq ft house.

This is all very concerning (see attached code enforcement complaint form).

It is our understanding that short term rentals in Whitewater Township are not permitted.

If this is not the case, we will review our remodel plans and consider renting our property as an option for ourselves.

Please advise.

I will call you when you are in the office on Thursday.

Steve

c.630-240-5351

VRBO listing:

https://www.vrbo.com/990452?unitId=1538408&childrenCount=0&arrival=2023-06-10&departure=2023-06-17&utm_source=direct&utm_medium=social&utm_campaign=earned:vrbo:sharecopylink:USA&utm_content=990452&oc=shilkwJmD-DRvhTPpEXSb

←↻🔍

https://www.vrbo.com/990452?adultsCount=2&arrival=2023-06-10&departure=2023-06-17&oc=shilkwjMD-DRvHTPpEXSb&unitid=1538408&utm_campaign=earned%3Avrbo%3A...

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vrbo

Get the app

Trip Boards

Log in

Sign up

Help

Feedback

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Where

Torch Lake, Michigan, United States of America

Check-in

Jun 10

Check-out

Jun 17

Guests

2 Guests

Search

United States of America / Michigan / Williamsburg

Family Friendly Summer Home in Northern Michigan

Share

Save

+13 photos

About

Rooms & beds

Amenities

Policies

Reviews

Map

Host

Rates & availability

🕒 Know before you go

Check Covid restrictions [here](#)

About this rental

House

2200 sq. ft

4 bedrooms

9 beds · Sleeps 10

2 bathrooms

2 full baths

Spaces

Kitchen · Living Room · Deck/Patio

4 bedroom home on beautiful Elk Lake

This home is located on a private road with 100 feet of private frontage on the Caribbean blue waters of Elk Lake. Private dock and stone steps down to crystal clear, ankle-deep water. If you are boaters, the property has a mooring buoy that can support boats up to 24 feet, and public boat

\$345 /night

★ 4.4 (19 Reviews) · Excellent!

🟢 Your dates are available

Check In

Jun 10

Check Out

Jun 17

Guests

2 guests

Total

\$2,806.00

Total includes fees, not tax

[View details](#)

Or as low as \$176/mo with [affirm](#)

[Learn more](#)

Request to book

🕒 Free cancellation until Apr 11, 2023

Contact host

Property # 990452

[Report this property](#)

United States of America / Michigan / Williamsburg

Family Friendly Summer Home in N

Clear dates

June 2023

July 2023

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7 night minimum stay

The closest checkout date is June 17

×

Close

+13 photos

About

Rooms & beds

Amenities

Policies

Reviews

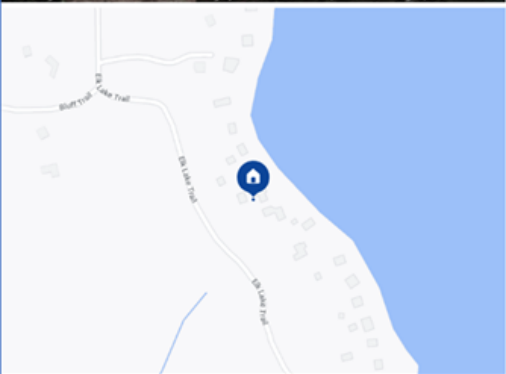

Map


Host

Rates &

➤

🕒






Edit Save Share More


5 bd | 2 ba | 1,764 sqft

9544 Elk Lake Trl, Williamsburg, MI 49690

● **Off market** | Zestimate®: **\$993,100** | Rent Zestimate®: **\$4,875**

Est. refi payment: \$6,180/mo  [Refinance your loan](#)

Home value Owner tools Home details Neighborhood details




Get pre-qualified at Zillow Home Loans

At **Zillow Home Loans**, we can pre-qualify you in as little as 3 minutes with no impact to your credit score.

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An equal housing lender. NMLS #10287.



Get exclusive tools to track your home's value and update its details on Zillow. [Learn more](#)

whitewatertownship.org

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Parks & Recreation

Emergency Services

Cemeteries

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Calendar



Zoning Administrator and Forms

Zoning Administrator: Robert Hall

Please contact Zoning Administrator Robert Hall for land use permits, zoning ordinance questions, or code enforcement at [231-267-5141](tel:231-267-5141), ext 21, zoning@whitewatertownship.org. The zoning administrator is generally in the township hall office on Thursdays from 8:30 a.m. to 4:30 p.m. and the first Wednesday of the month from 4:30 to 6:30 p.m.

Questions regarding land splits, combining parcels, or lot line adjustments should be directed to Whitewater Township Assessor Dawn Kuhns at [231-409-1827](tel:231-409-1827) or assessordawn@gmail.com.

If you would like to look up information about parcels of property online, follow this link to the [Grand Traverse County Tax Parcel Viewer](#) (website opens in new window). Any parcel in Grand Traverse County can be searched, whether by parcel number, owner's name, address number, or street name.

Short-term rental of a residential dwelling for any period of less than 30 days is currently not allowed in Whitewater Township. Although not allowed within a residential dwelling, short-term rentals may be permitted in certain zoning districts as bed and breakfasts, hotels and motels, campgrounds and other similar uses.
(posted 11/17/2022)

[Master Plan](#) (PDF opens in new window)



Ron Popp <supervisorwhitewater@gmail.com>

Re: short term rental - code enforcement complaint

1 message

Ron Popp <supervisorwhitewater@gmail.com>

Fri, Aug 18, 2023 at 11:41 AM

To: steven.weltyk@gmail.com, zoning@whitewatertownship.org

Bcc: clerk@whitewatertownship.org, Ardella Benak <treasurer@whitewatertownship.org>, heidivyourtrustee@gmail.com, Don Glenn <dglenn6542@yahoo.com>

Good morning Steve -

Let me first apologize for the situation you are experiencing, I believe this is the first knowledge I have of your observations. Mr. Hall's July 2023 report to the Township Board detailing current ordinance violations in process is provided for your review. Secondly, the Clerk is not the spokesperson for Whitewater Township, and the excuses provided by her for non-enforcement of our ordinances are her opinions. Thirdly, I apologize for the apparent lack of response to your observations from our Zoning Administrator, Bob Hall. Understanding the email string provided may not be complete and that phone calls may have been part of Mr. Hall's responses, items of this nature must be documented in writing. Anything less is unacceptable.

To address your concerns, by this email, I am asking Mr. Bob Hall to supply all information in his possession regarding your observations. This information will be shared with all Board Members for possible future action which includes prosecution under our current ordinance enforcement vehicle, misdemeanor.

Kind regards,

Ron Popp
Whitewater Township Supervisor
231.267.5141 Ext. 23
supervisorwhitewater@gmail.com
bcc: Township Board

On Fri, Aug 18, 2023 at 9:17 AM <steven.weltyk@gmail.com> wrote:

Cheryl,

I reviewed this with two realtors in the area, my realtor and Jack Lane.

My realtor thinks "That's strange. Most townships have fines that keep adding up if the violation continues".

See recommends that you look at the successes of Torch Lake and Milton townships for reference.

Jack is "appalled by the township's lack of balls in enforcing the violations".

He offered to help me sell my house.

Let me know if things change.

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Sent: Thursday, August 17, 2023 5:03 PM
To: 'Cheryl A. Goss' <clerk@whitewatertownship.org>; 'Zoning Administrator' <zoning@whitewatertownship.org>
Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>
Subject: RE: short term rental - code enforcement complaint

Cheryl,

Thanks for your reply.

It appears that this is a voluntary compliance and that I am free to join them in a renting next summer.

This is not the outcome that I was looking for.

Steve

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Subject: RE: short term rental - code enforcement complaint

Greetings, Mr. Weltyk –

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https://www.whitewatertownship.org/uploads/2/1/9/6/21966412/code_enforcement_policy_and_procedures_manual_effective_01.01.2012.pdf

Thank you for bringing this issue to our attention.

Cheryl A. Goss

Whitewater Township Clerk

5777 Vinton Road, P.O. Box 159

Williamsburg, Michigan 49690

Telephone: 231.267.5141 x24

Fax: 231.267-9020

clerk@whitewatertownship.org

Office Hours: Mon/Tue/Wed/Thurs 9:00 a.m. to 5:00 p.m.

I Pledge Allegiance to the Flag of the United States of America, and to the REPUBLIC for which it stands, One Nation, Under God, Indivisible, with Liberty and Justice for All.

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Thursday, August 17, 2023 3:46 PM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>; 'Cheryl A. Goss' <clerk@whitewatertownship.org>
Subject: RE: short term rental - code enforcement complaint

Thanks Bob,

Ron and Cheryl,

Can you let us know if there is an enforcement plan or if this is more of a recommendation?

We have put our remodel plans on hold and are considering our rental options.

Thanks,

Steve

From: Zoning Administrator <zoning@whitewatertownship.org>
Sent: Thursday, August 17, 2023 2:42 PM
To: steven.weltyk@gmail.com
Cc: 'Ron Popp' <supervisorwhitewater@gmail.com>; 'Cheryl A. Goss' <clerk@whitewatertownship.org>
Subject: RE: short term rental - code enforcement complaint

Thanks for the call Steve-

The Township certainly recognizes that the Short-Term Rental of dwellings is becoming an ever-increasing popular activity in Whitewater Township. Obviously, my communication with the owners informing them that the activity was not permissible was not heeded. I recently compiled a list that included several infractions and forwarded to the Board for further action if they deem it appropriate. Observations such as yours can be a valuable tool as the Board considers what actions, if any, may be needed moving forward. I have copied the Township Supervisor and Clerk so that they are aware of your continuing concerns. Let me know if I can be of further assistance.

Bob

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Monday, August 14, 2023 11:06 AM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Subject: FW: short term rental - code enforcement complaint

Bob,

The owners left on August 4th after being up for six weeks. They let us know that they would not be back this summer. Their house cleaners were there the next day, August 5th, prior to two couples and four kids and their moored boat for the week. They left the following Saturday. The cleaner again showed up and three new couples and children arrived with their fishing boat that afternoon, August 12th. Everyone has been nice enough, but we are clearly in a Saturday-to-Saturday weekly rental pattern.

Can you give me an update on the short-term rental ban enforcement process?

Thanks,

Steve

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Saturday, August 5, 2023 8:00 PM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Subject: FW: short term rental - code enforcement complaint

Bob,

The short-term rental next door continues. Can you give me an update on the ability of Whitewater Township to enforce their ban on this ordinance? I did not relocate my permanent residence to live next to a short-term rental property. If this is not going to be enforced, I will inform my friends, neighbors and realtor and list my property for weekly rental next summer.

Steve

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Monday, June 19, 2023 7:09 AM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Subject: FW: short term rental - code enforcement complaint

Bob,

There is a pontoon boat moored out front for this week's rental.

The "assurances" mentioned below are not materializing.

Does White Water Township have a process to enforce the short-term rental ban?

Please reply with next steps in this unfortunate situation.

Steve

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Saturday, June 3, 2023 6:04 PM
To: 'Zoning Administrator' <zoning@whitewatertownship.org>
Subject: RE: short term rental - code enforcement complaint

Bob,

There are four bass boats and teams next door for the week.

I suspect that the summer was booked prior to removing the advertisement.

We have put our remodel project on hold and are reconsidering our long-term interest in living here.

Please advise.

Steve

From: Zoning Administrator <zoning@whitewatertownship.org>
Sent: Thursday, January 26, 2023 10:54 AM
To: steven.weltyk@gmail.com
Subject: RE: short term rental - code enforcement complaint

Steve –

The subject property owner has contacted me and given 'assurances' that the use of the property as a short-term rental will be discontinued and that advertising as same will cease.

Bob

From: steven.weltyk@gmail.com <steven.weltyk@gmail.com>
Sent: Sunday, January 15, 2023 6:17 AM
To: zoning@whitewatertownship.org
Subject: short term rental - code enforcement complaint

Rob,

My wife and I have recently purchased our new, permanent resident, home on Elk Lake Trail in Williamsburg.

We have just found our neighbors house listed on VRBO as a short-term rental sleeping 10 (see VRBO listing below).

The address in question is 9544 Elk Lake Trail, Williamsburg MI 49690.

Zillow has this listed as a 1,764 sq ft house.

This is all very concerning (see attached code enforcement complaint form).

It is our understanding that short term rentals in Whitewater Township are not permitted.

If this is not the case, we will review our remodel plans and consider renting our property as an option for ourselves.

I will call you when you are in the office on Thursday.

c.630-240-5351

https://www.vrbo.com/990452?unitId=1538408&childrenCount=0&arrival=2023-06-10&departure=2023-06-17&utm_source=direct&utm_medium=social&utm_campaign=earned:vrbo.share©link:USA&utm_content=990452&oc=shilkwJmD-DRyhTPpEXSb

[←](#)
[↺](#)
[📄](#)
https://www.vrbo.com/990452?adultsCount=2&arrival=2023-06-10&departure=2023-06-17&oc=shilkw/mD-DRvhTPpEXSb&unitId=1538408&utm_campaign=earned%3Avrbo%3A...

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[USD \(\\$\)](#)

Where

Torch Lake, Michigan, United States of America

Check-in

Jun 10

Check-out

Jun 17

Guests

2 Guests

Search

United States of America / Michigan / Williamsburg

Family Friendly Summer Home in Northern Michigan

Share

Save

Check In

Jun 10

Check Out

Jun 17

Guests

2 guests

Total

\$2,806.00

Total includes fees, not tax

[View details](#)

Or as low as \$176/mo with [affirm](#)

[Learn more](#)

Request to book

Free cancellation until **Apr 11, 2023**

Contact host

Property # 990452

[Report this property](#)

About

Rooms & beds

Amenities

Policies

Reviews

Map

Host

Rates & availability

Know before you go

Check Covid restrictions [here](#)

About this rental

House

2200 sq. ft.

4 bedrooms

9 beds · Sleeps 10

2 bathrooms

2 full baths

Spaces

Kitchen · Living Room · Deck/Patio

4 bedroom home on beautiful Elk Lake

This home is located on a private road with 100 feet of private frontage on the Caribbean blue waters of Elk Lake. Private dock and stone steps down to crystal clear, ankle-deep water. If you are boaters, the property has a mooring buoy that can support boats up to 24 feet, and public boat

Family Friendly Summer Home in N



Clear dates

June 2023

July 2023

	Su	Mo	Tu	We	Th	Fr	Sa		Su	Mo	Tu	We	Th	Fr	Sa	
					1	2	3								1	
<	4	5	6	7	8	9	10		2	3	4	5	6	7	8	>
	11	12	13	14	15	16	17		9	10	11	12	13	14	15	
	18	19	20	21	22	23	24		16	17	18	19	20	21	22	
	25	26	27	28	29	30			23	24	25	26	27	28	29	
									30	31						



7 night minimum stay

The closest checkout date is June 17



Close

About

Rooms & beds

Amenities

Policies

Reviews

Map

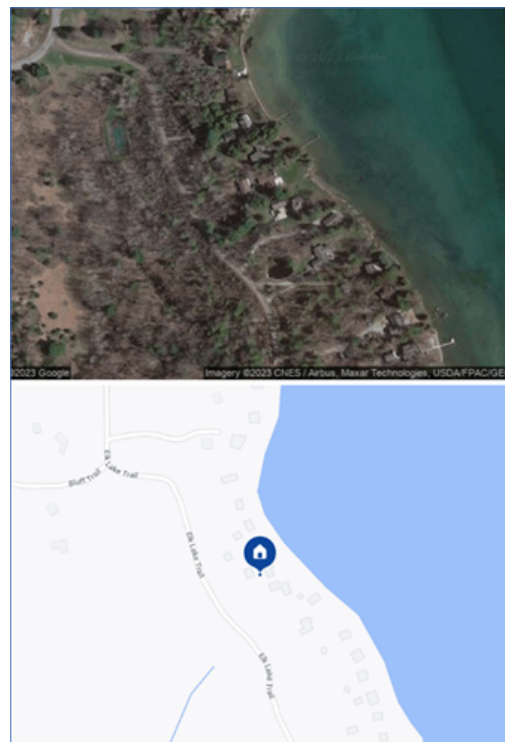
Host

Rates & a



+13 photos

Zillow Information:



Zillow

Edit Save Share More

5 bd | 2 ba | 1,764 sqft

9544 Elk Lake Trl, Williamsburg, MI 49690

● Off market Zestimate®: \$993,100 Rent Zestimate®: \$4,875

Est. refi payment: \$6,180/mo Refinance your loan

Home value Owner tools Home details Neighborhood details



Get pre-qualified at Zillow Home Loans

At Zillow Home Loans, we can pre-qualify you in as little as 3 minutes with no impact to your credit score.

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Your Township

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Cemeteries

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Calendar

Zoning Administrator and Forms

Zoning Administrator: Robert Hall

Please contact Zoning Administrator Robert Hall for land use permits, zoning ordinance questions, or code enforcement at [231-267-5141](tel:231-267-5141), ext 21, zoning@whitewatertownship.org. The zoning administrator is generally in the township hall office on Thursdays from 8:30 a.m. to 4:30 p.m. and the first Wednesday of the month from 4:30 to 6:30 p.m.

Questions regarding land splits, combining parcels, or lot line adjustments should be directed to Whitewater Township Assessor Dawn Kuhns at [231-409-1827](tel:231-409-1827) or assessordawn@gmail.com.

If you would like to look up information about parcels of property online, follow this link to the [Grand Traverse County Tax Parcel Viewer](#) (website opens in new window). Any parcel in Grand Traverse County can be searched, whether by parcel number, owner's name, address number, or street name.

Short-term rental of a residential dwelling for any period of less than 30 days is currently not allowed in Whitewater Township. Although not allowed within a residential dwelling, short-term rentals may be permitted in certain zoning districts as bed and breakfasts, hotels and motels, campgrounds and other similar uses.

(posted 11/17/2022)

[Master Plan](#) (PDF opens in new window)



Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC:
Date: 08-30-2023
Re: Roles and Responsibilities – Zoning Administrator – 9.2023

Board Members,

Pending the Board's action on Steven Weltyk request, this business item is presented to address any guidance needed by Certified Zoning Services about expectations of their current role as Zoning Administrator for the Township.

A few emails and a previous monthly staff reports authored by Mr. Hall of Certified Zoning Services (CZS), specifically regarding lists of ordinance violations provided to the Board, create some ambiguity on the topic of ordinance enforcement. While it is true the Township is looking at alternate methods of enforcement, the Township has not nullified any current enforcement vehicles available to the Township. As such, CZS should be using these processes to comply with the Whitewater Township Code Enforcement Policy & Procedure Manual (WTCEPPM) which was in place before the relationship with CZS and Whitewater Township began. Sections of both documents are referenced in this business item.

According to the current Consulting Agreement with CZS, Section 1 Services Provided, the first statement indicates a scalable workforce can be provided to service the needs of Whitewater Township as determined by Whitewater Township. In late summer of 2019, the beginning days of our relationship with CZS, Whitewater Township may not have presented a significant workload for the firm as it does today.

SERVICES PROVIDED

1. The Consultant agrees to perform the following services for the Client on a monthly basis, as needed and as determined by the Client, or in the absence of the Consultant, a trained designee approved by Client, to provide the following administrative planning and zoning consulting services (the "Services"):

Looking at Section 1a of the Consultant Agreement– Generally speaking, the Township appears to receive these services. However, recent questions concerning the gathering and safe keeping of documentation supporting decisions made by the department have been raised. Recommend some, oversight, internal control, written process or audit system be established to ensure future compliance with township policy and ordinance. Included in this recommendation is to provide a plan of succession for the office. The township has endured several Zoning Administrator personnel changes in the past. The learning curve is always something to avoid.

SERVICES PROVIDED

1.

a. Administration: General inquiry consultation on matters regarding the administration of the Whitewater Township zoning ordinance and master plan, including permit and application review, applicable site plan, special use, zoning board of appeals, rezoning request, and textual zoning ordinance amendment review, preparing the necessary legal notices required for any meetings to process zoning requests to be published by the Township Clerk and staff reports.

The issues appear to begin with Section 1 b thru 1d and are services the Township may not be receiving from CZS. Public comments have been shared with the board and announcements from Mr. Hall himself indicate certain enforcement actions are paused. These statements and others made by the Township Clerk, have raised red flags about the documentation and execution of these provisions from the public. Moreover, the monthly reports that are provided from CZS only indicate that a complaint list is growing and is still being organized. Nothing actionable has been provided to the Whitewater Township Board as required by these provisions.

SERVICES PROVIDED

1.

b. Enforcement / Compliance: Physical site inspections with appropriate and legally required documentation, including photographs; correspondence with occupants and/or property owners of record.

c. Monthly report summarizing activities with recommendation(s) for continued enforcement and/or additional appropriate actions if applicable.

d. Court appearances as needed and as directed by the Client.

Section XII of the Whitewater Township Code Enforcement Policy & Procedure Manual (WTCEPPM) also requires a list of unresolved violation be provided to the board for further action including circuit court

“XII. Resolution of Violations It is the Township’s policy to attempt to reach final, satisfactory resolutions of all violation complaints. However, the Township recognizes that not all complaints can be resolved successfully, due to factors outside the Township’s control. These factors include the indigence of the violator, the lack of Township resources to assist the violators, and the number of complaints received. Where the Township determines that a violation may not be successfully resolved within the established reasonable timelines, the file will either be closed or alternative methods of enforcement pursued. The Township Board shall review the list of unresolved violations and determine if the file(s) shall be turned over to the Grand Traverse County Sheriff’s Department or legal counsel for further action through the Grand Traverse Circuit Court”

Sections 4 Terms of Agreement, 6 Performance, and 17 Modification of Agreement of the current CZS Consulting Agreement are referenced to determine what authority, if any, one party has to pause specific provisions of the agreement, specifically Services Provided under Section 1. While a pause can be described as something temporary, the missing enforcement details we are gaining knowledge of from the public appear to be a long-standing issue. Nothing in the agreement addresses pausing a provision of the agreement. Section 17 Modification of Agreement, could address pausing, however, none of the required documentation of the provision has been submitted to the Board.

Section 4 of the current CZS Consultant Agreement.

TERMS OF AGREEMENT

4. The term of this Agreement (the "Term") will begin on the date of this Agreement and will remain in full force and effect until the completion of the Services, subject to renewal upon mutual agreement of the parties or earlier termination as provided in this Agreement. The Term of this Agreement may be extended with written consent of the 'Parties'.

Section 6 of the current CZS Consultant Agreement.

PERFORMANCE

6. The Parties agree to do everything reasonably necessary to ensure that the Terms of this Agreement take effect.

Section 17 of the current CZS Consultant Agreement.

MODIFICATION OF AGREEMENT

17. Any amendment or modification of this Agreement or additional obligation assumed by either Party in connection with this Agreement will only be binding if evidenced in writing signed by each Party or an authorized representative of each Party.

Board Consensus is sought on the following: CZS has agreed to provide certain services to Whitewater Township. Some of those services, mainly pertaining to Enforcement/Compliance and monthly reporting are not being fulfilled according to provisions of the Consultant Agreement or the Whitewater Township Code Enforcement Policy & Procedure Manual.

The Township places a high value in creating and maintain long term relationships with its vendors like CZS. As part of this maintenance and due to the importance of the matter addressed here, a written notice shall be sent in accordance with Section 14 of the CZS Consultant Agreement requesting two items with a deadline. The requests are:

- 1) A sufficient workforce be provided to ensure strict compliance with all provisions of Section 1 of the CZS Consultant Agreement and all elements of the Whitewater Township Code Enforcement Policy & Procedure Manual.
- 2) Provide a full accounting of all complaints verbal or written within the Zoning Department to the Whitewater Township Board.
- 3) Both items above to completed within 45 days of notice.

Section 14 of the current CZS Consultant Agreement

NOTICE

14. All notices, requests, demands or other communications required or permitted by the Terms of this Agreement may be given in writing to the address of the Parties for the Client and Consultant by personal delivery, any courier service which guarantees overnight and receipted delivery, U.S. certified or registered mail with return receipt requested, or by electronic mail (email) with confirmation receipt. Notice will be deemed to be properly delivered immediately upon being served personally or upon receiving a returned receipt confirmation.

Motion: Motion authorizing the Supervisor to send the following Notice to Robert Hall d/b/a Certified Zoning Services as amended 9.12.2023.

Proposed Notice to be on Whitewater Township Letterhead, provided in person and looks like:

Date

*Robert Hall d/b/a
Certified Zoning Services
511 E. Division Street
Cadillac, Michigan 49601*

NOTICE

Mr. Bob Hall,

The Whitewater Township Board seeks to make you aware of its concerns regarding compliance with Section 1 of the current Consultant agreement Between Whitewater Township (Client) and Robert Hall d/b/a Certified Zoning Services dated June 1, 2022 (Consultant) and all provisions of the Whitewater Township Code Enforcement Policy & Procedure Manual.

Within 45 days please provide the following:

- 1) A sufficient workforce to ensure strict compliance with all provisions of Section 1 of the CZS Consultant Agreement and all elements of the Whitewater Township Code Enforcement Policy & Procedure Manual.*
- 2) Provide a full accounting in writing of all complaints, verbal or written within the Zoning Department to the Whitewater Township Board.*

Thank you for your attention to this matter.

Township Supervisor signature line

Board consensus and volunteers are sought on the following:

Continuing to build the framework for successful future vendor relationships, the Township will begin a collaborative effort to establish written policies & procedures that provide oversight, internal control, audits and plan of succession for all independent contractors ensuring compliance with township policies, and agreements or contracts between the Township and independent contractors.

Respectfully,



Ron Popp
FOIA Coordinator
Supervisor, Whitewater Township

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 9.12.2023
Re: Approve Changes to Whitewater Township FOIA Procedure and Guideline Document.

Board Members –

During our 6.13.2023 Whitewater Township Board of Trustee's meeting changes to Section 1 of the Whitewater Township FOIA Procedure and Guidelines document were approved. My notes indicate the Board requested a redline and clean copy of the document to be provided to all Board Members. Attached Here are those documents.

In addition to changes to section 1, the words "or Clerk" were deleted on page 10 of the document and different format than the original document required a few additional pages. For this reason motion one is presented below:

Motion One: Adopt the Whitewater Township FOIA Procedure and Guideline Document as amended 9.12.2023.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

Whitewater Township
FOIA Procedures and Guidelines
Adopted 9.12.2023

Preamble: Statement of Principles

It is the policy of Whitewater Township that all persons, except those incarcerated, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

The Township's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request.

The Township acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. The Township acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals.

Whitewater Township will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. The Township's policy is to disclose public records consistent with and in compliance with State law.

The Township Board has established the following written procedures and guidelines to implement the FOIA and will create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the public body and explaining how to understand a public body's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The written public summary will be written in a manner so as to be easily understood by the general public.

Section 1: General Policies

The Township Board, acting pursuant to the authority at MCL 15.236, designates the Township ~~Supervisor~~~~Clerk~~ as the FOIA Coordinator. He or she is authorized to designate other Township staff to act on his or her behalf to accept and process written requests for the Township's public records and approve denials.

If a request for a public record is received by fax or email, the request is deemed to have been received on the following business day. If a request is sent by email and delivered to a Township spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.

The FOIA Coordinator shall review Township spam and junk-mail folders on a regular basis, which shall be no less than once a month. The FOIA Coordinator shall work with Township Information Technology staff to develop administrative rules for handling spam and junk-mail so as to protect Township systems from computer attacks which may be imbedded in an electronic FOIA request.

The FOIA Coordinator may, in his or her discretion, implement administrative rules, consistent with State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA requests.

The Township is not obligated to create a new public record or make a compilation or summary of information which does not already exist. Neither the FOIA Coordinator nor other Township staff is obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves.

The FOIA Coordinator shall keep a copy of all written requests for public records received by the Township on file for a period of at least one year.

The Township will make this Procedures and Guidelines document and the Written Public Summary publicly available without charge. If it does not, the Township cannot require deposits or charge fees otherwise permitted under the FOIA until it is in compliance. The Township will consider FOIA requests abandoned under MCL 15.234(14) if a FOIA requestor does not provide a required good-faith deposit within 48 days of such a request from the Township.

A copy of this Procedures and Guidelines document and the Township 's Written Public Summary must be publicly available by providing free copies both in the Township's response to a written request and upon request by visitors at the Township's office.

This Procedures and Guidelines document and the Township 's Written Public Summary will be maintained on the Township's website at: [Error! Hyperlink reference not valid. Supervisor | Whitewater Township - Whitewater Township](#) so a link to those documents will be provided in lieu of providing paper copies of those documents.

Section 2: Requesting a Public Record

No specific form to submit a request for a public record is required. However, the FOIA Coordinator may make available a FOIA Request Form for use by the public.

FOIA requests must include a requestor's basic identifying information including their complete name, address, and a valid telephone number or e-mail address. MCL 15.233(1).

Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Township may be submitted on the Township's FOIA Request Form, in any other form of writing (letter, fax, email, etc.), or by verbal request.

Verbal requests for records may be documented by the Township on the Township's FOIA Request Form.

If a person makes a verbal, non-written request for information believed to be available on the Township's website, where practicable and to the best ability of the employee receiving the request, shall be informed of the pertinent website address.

A request must sufficiently describe a public record so as to enable Township personnel to identify and find the requested public record.

Written requests for public records may be submitted in person or by mail to any Township office. Requests may also be submitted electronically by fax and email. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator for processing.

A person may request that public records be provided on non-paper physical media, emailed or otherwise provided to him or her in digital form in lieu of paper copies. The Township will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.

A person may subscribe to future issues of public records that are created, issued or disseminated by Whitewater Township on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber.

A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

Section 3: Processing a Request

Unless otherwise agreed to in writing by the person making the request, the Township will issue a response within 5 business days of receipt of a FOIA request. If a request is received by fax, email or other electronic transmission, the request is deemed to have been received on the following business day.

The Township will respond to a request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice indicating that due to the nature of the request the Township needs an additional 10 business days to respond for a total of no more than 15 business days. Only one such extension is permitted.
- Issue a written notice indicating that the public record requested is available at no charge on the Township's website.

When a request is granted:

If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available.

The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process the request to the person making the request.

A copy of these Procedures and Guidelines and the Written Public Summary will be provided to the requestor free of charge with the response to a written request for public records, provided however, that because these Procedures and Guidelines and the Written Public Summary are maintained on the Township's website at: [Error! Hyperlink reference not valid. Supervisor | Whitewater Township - Whitewater Township](#) a link to the Procedures and Guidelines and the Written Public Summary will be provided in lieu of providing paper copies of those documents.

If the cost of processing a FOIA request is \$50 or less, the requester will be notified of the amount due and where the documents can be obtained.

If the cost of processing a FOIA request is expected to exceed \$50 based on a good-faith calculation, or if the requestor has not paid in full for a previously granted request, the Township will require a good-faith deposit pursuant to Section 4 of this policy before processing the request.

In making the request for a good-faith deposit the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by the Township to process the request and also provide a best efforts estimate of a time frame it will take the Township to provide the records to the requestor. The best efforts estimate shall be nonbinding on the Township, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

When a request is denied or denied in part:

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by the requestor, or another name reasonably known by the Township; or
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and
- An explanation of the person's right to submit an appeal of the denial to either the office of the Township Supervisor or seek judicial review in the Grand Traverse County Circuit Court;
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator.

If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines described in this Section.

Requests to inspect public records:

The Township shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect Township records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal Township operations.

Requests for certified copies:

The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record.

Section 4: Fee Deposits

If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation, the requestor will be asked to provide a deposit not exceeding one-half of the total estimated fee.

If a request for public records is from a person who has not paid the Township in full for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- The final fee for the prior written request is not more than 105% of the estimated fee;
- The public records made available contained the information sought in the prior written request and remain in the Township's possession;
- The public records were made available to the individual, subject to payment, within the time frame estimated by the Township to provide the records;
- Ninety (90) days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- The individual is unable to show proof of prior payment to the Township; and
- The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

- The person making the request is able to show proof of prior payment in full to the Township;
- The Township is subsequently paid in full for the applicable prior written request; or
- Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the Township.

Section 5: Calculation of Fees

A fee may be charged for the labor cost of copying/duplication.

A fee will **not** be charged for the labor cost of search, examination, review and the deletion and separation of exempt from nonexempt information **unless** failure to charge a fee would result in unreasonably high costs to the Township because of the nature of the request in the particular instance, and the Township specifically identifies the nature of the unreasonably high costs.

Costs for the search, examination review, and deletion and separation of exempt from non-exempt information are "unreasonably high" when they are excessive and beyond the normal or usual amount for those services (Attorney General Opinion 7083 of 2001) compared to the costs of the township's usual FOIA requests, not compared to the township's operating budget. (*Bloch v. Davison Community Schools*, Michigan Court of Appeals, Unpublished, April 26, 2011)

The following factors shall be used to determine an unreasonably high cost to the Township:

- Volume of the public record requested
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether the public records are from more than one Township department or whether various Township offices are necessary to respond to the request.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

The Michigan FOIA statute permits the Township to charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the Township.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the Township.
- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the township's website if you ask for the township to make copies.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the township's website if you ask for the township to make copies.
- The cost to mail or send a public record to a requestor.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- Labor costs will be charged at the hourly wage of the lowest-paid Township employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
- The Township may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.

- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage).

The cost to provide records on non-paper physical media when so requested will be based on the following requirements:

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if the Township has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- The Township will procure any non-paper media and will not accept media from the requestor in order to ensure integrity of the Township's technology infrastructure.

The cost to provide paper copies of records will be based on the following requirements:

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
- The Township will provide records using double-sided printing, if it is cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- The Township may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless specified by the requestor.

If the FOIA Coordinator does not respond to a written request in a timely manner, the Township must:

- Reduce the labor costs by 5% for each day the Township exceeds the time permitted under FOIA up to a 50% maximum reduction, if **any** of the following applies:
 - The Township's late response was willful and intentional,
 - The written request conveyed a request for information within the first 250 words of the body of a letter facsimile, email or email attachment, or
 - The written request included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy" or a recognizable misspelling of such, or legal code reference to MCL 15. 231, et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an email, letter or facsimile cover page.
- Fully note the charge reduction in the Detailed Itemization of Costs Form.

Section 6: Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The township board may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

Section 7: Discounted Fees

Indigence

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- Indigent and receiving specific public assistance, or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

An individual is not eligible to receive the waiver if:

- The requestor has previously received discounted copies of public records from the Township twice during the calendar year; or
- The requestor requests information in connection with other persons who are offering or providing payment to make the request.

An affidavit is a sworn statement. The FOIA Coordinator may make a Fee Waiver Affidavit Form available for use by the public.

Nonprofit organization advocating for developmentally disabled or mentally ill individuals

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request from:

- A nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, or their successors, if the request meets all of the following requirements:
 - Is made directly on behalf of the organization or its clients.
 - Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
 - Is accompanied by documentation of its designation by the state, if requested by the public body.

Section 8: Appeal of a Denial of a Public Record

When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may appeal to the Township Board by filing an appeal of the denial with the office of the Township Supervisor ~~(or "clerk" or "FOIA Coordinator," etc.).~~

The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial. The Township FOIA Appeal Form (To Appeal a Denial of Records), may be used.

The Township Board is not considered to have received a written appeal until the first regularly scheduled Township Board meeting following submission of the written appeal.

Within 10 business days of receiving the appeal the Township Board will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part; or
- Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the Township Board shall respond to the written appeal. The Township Board shall not issue more than 1 notice of extension for a particular written appeal.

If the Township Board fails to respond to a written appeal, or if the Township Board upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action in Circuit Court.

Whether or not a requestor submitted an appeal of a denial to the Township Board, he or she may file a civil action in Grand Traverse County Circuit Court within 180 days after the Township's final determination to deny the request.

If a court that determines a public record is not exempt from disclosure, it shall order the Township to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Failure to comply with an order of the court may be punished as contempt of court.

If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in such an action, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or Township prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements.

If the court determines that the Township has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the Township to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Section 9: Appeal of an Excessive FOIA Processing Fee

"Fee" means the total fee or any component of the total fee calculated under section 4 of the FOIA, including any deposit.

If a requestor believes that the fee charged by the Township to process a FOIA request exceeds the amount permitted by state law or under this policy, he or she must first appeal to the Township Board by submitting a written appeal for a fee reduction to the office of the Township Supervisor.

The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. The Township FOIA Appeal Form (To Appeal an Excess Fee) may be used.

The Township Board is not considered to have received a written appeal until the first regularly scheduled Township Board meeting following submission of the written appeal.

Within 10 business days after receiving the appeal, the Township Board will respond in writing by:

- Waiving the fee;
- Reducing the fee and issuing a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issuing a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Township Board will respond to the written appeal. The Township Board shall not issue more than 1 notice of extension for a particular written appeal.

Where the Township Board reduces or upholds the fee, the determination must include a certification from the Township Board that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and Section 4 of the FOIA.

Within 45 days after receiving notice of the Township Board's determination of an appeal, the requesting person may commence a civil action in Grand Traverse County Circuit Court for a fee reduction.

If a civil action is commenced against the Township for an excess fee, the Township is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute.

An action shall not be filed in circuit court unless **one** of the following applies:

- The Township does not provide for appeals of fees,
- The Township Board failed to respond to a written appeal as required, or
- The Township Board issued a determination to a written appeal.

If a court determines that the Township required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or Section 4 of the FOIA, the court shall reduce the fee to a permissible amount. Failure to comply with an order of the court may be punished as contempt of court.

If the requesting person prevails in court by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages.

If the court determines that the Township has arbitrarily and capriciously violated the FOIA by charging an excessive fee, the court shall order the Township to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Section 10: Conflict with Prior FOIA Policies and Procedures; Effective Date

To the extent that these Procedures and Guidelines conflict with previous FOIA policies promulgated by the Township Board or the Township Administration, these Procedures and Guidelines are controlling. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of this resolution is found to be in conflict with any previous policy promulgated by the Township Board or the Township Administration, the administrative rule promulgated by the FOIA Coordinator is controlling.

To the extent that any provision of these Procedures and Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify this policy and all previous policies adopted by the Township Board or the Township Administration, and to adopt such administrative rules as he or she may deem necessary to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law. The FOIA Coordinator shall inform the Township Board of any change to these Policies and Guidelines.

These FOIA Procedures and Guidelines become effective and were last revised on May 12, 2020.

Section 11: Appendix of Whitewater Township FOIA Forms

- Request for Public Records Form
- Notice to Extend Response Time Form
- Notice of Denial Form
- Detailed Cost Itemization Form
- Appeal of Denial of Records Form
- Appeal of Excess Fee Form

Whitewater Township
FOIA Procedures and Guidelines
Adopted 9.12.2023

Preamble: Statement of Principles

It is the policy of Whitewater Township that all persons, except those incarcerated, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

The Township's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request.

The Township acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. The Township acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals.

Whitewater Township will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. The Township's policy is to disclose public records consistent with and in compliance with State law.

The Township Board has established the following written procedures and guidelines to implement the FOIA and will create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the public body and explaining how to understand a public body's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The written public summary will be written in a manner so as to be easily understood by the general public.

Section 1: General Policies

The Township Board, acting pursuant to the authority at MCL 15.236, designates the Township Supervisor as the FOIA Coordinator. He or she is authorized to designate other Township staff to act on his or her behalf to accept and process written requests for the Township's public records and approve denials.

If a request for a public record is received by fax or email, the request is deemed to have been received on the following business day. If a request is sent by email and delivered to a Township spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.

The FOIA Coordinator shall review Township spam and junk-mail folders on a regular basis, which shall be no less than once a month. The FOIA Coordinator shall work with Township Information Technology staff to develop administrative rules for handling spam and junk-mail so as to protect Township systems from computer attacks which may be imbedded in an electronic FOIA request.

The FOIA Coordinator may, in his or her discretion, implement administrative rules, consistent with State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA requests.

The Township is not obligated to create a new public record or make a compilation or summary of information which does not already exist. Neither the FOIA Coordinator nor other Township staff is obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves.

The FOIA Coordinator shall keep a copy of all written requests for public records received by the Township on file for a period of at least one year.

The Township will make this Procedures and Guidelines document and the Written Public Summary publicly available without charge. If it does not, the Township cannot require deposits or charge fees otherwise permitted under the FOIA until it is in compliance. The Township will consider FOIA requests abandoned under MCL 15.234(14) if a FOIA requestor does not provide a required good-faith deposit within 48 days of such a request from the Township.

A copy of this Procedures and Guidelines document and the Township 's Written Public Summary must be publicly available by providing free copies both in the Township's response to a written request and upon request by visitors at the Township's office.

This Procedures and Guidelines document and the Township 's Written Public Summary will be maintained on the Township's website at: [Supervisor | Whitewater Township - Whitewater Township](#) so a link to those documents will be provided in lieu of providing paper copies of those documents.

Section 2: Requesting a Public Record

No specific form to submit a request for a public record is required. However, the FOIA Coordinator may make available a FOIA Request Form for use by the public.

FOIA requests must include a requestor's basic identifying information including their complete name, address, and a valid telephone number or e-mail address. MCL 15.233(1).

Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Township may be submitted on the Township's FOIA Request Form, in any other form of writing (letter, fax, email, etc.), or by verbal request.

Verbal requests for records may be documented by the Township on the Township's FOIA Request Form.

If a person makes a verbal, non-written request for information believed to be available on the Township's website, where practicable and to the best ability of the employee receiving the request, shall be informed of the pertinent website address.

A request must sufficiently describe a public record so as to enable Township personnel to identify and find the requested public record.

Written requests for public records may be submitted in person or by mail to any Township office. Requests may also be submitted electronically by fax and email. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator for processing.

A person may request that public records be provided on non-paper physical media, emailed or otherwise provided to him or her in digital form in lieu of paper copies. The Township will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.

A person may subscribe to future issues of public records that are created, issued or disseminated by Whitewater Township on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber.

A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

Section 3: Processing a Request

Unless otherwise agreed to in writing by the person making the request, the Township will issue a response within 5 business days of receipt of a FOIA request. If a request is received by fax, email or other electronic transmission, the request is deemed to have been received on the following business day.

The Township will respond to a request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice indicating that due to the nature of the request the Township needs an additional 10 business days to respond for a total of no more than 15 business days. Only one such extension is permitted.
- Issue a written notice indicating that the public record requested is available at no charge on the Township's website.

When a request is granted:

If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available.

The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process the request to the person making the request.

A copy of these Procedures and Guidelines and the Written Public Summary will be provided to the requestor free of charge with the response to a written request for public records, provided however, that because these Procedures and Guidelines and the Written Public Summary are maintained on the Township's website at: [Supervisor | Whitewater Township - Whitewater Township](#) a link to the Procedures and Guidelines and the Written Public Summary will be provided in lieu of providing paper copies of those documents.

If the cost of processing a FOIA request is \$50 or less, the requester will be notified of the amount due and where the documents can be obtained.

If the cost of processing a FOIA request is expected to exceed \$50 based on a good-faith calculation, or if the requestor has not paid in full for a previously granted request, the Township will require a good-faith deposit pursuant to Section 4 of this policy before processing the request.

In making the request for a good-faith deposit the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by the Township to process the request and also provide a best efforts estimate of a time frame it will take the Township to provide the records to the requestor. The best efforts estimate shall be nonbinding on the Township, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

When a request is denied or denied in part:

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by the requestor, or another name reasonably known by the Township; or
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and
- An explanation of the person's right to submit an appeal of the denial to either the office of the Township Supervisor or seek judicial review in the Grand Traverse County Circuit Court;
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator.

If a request does not sufficiently describe a public record, the FOIA Coordinator may, in lieu of issuing a Notice of Denial indicating that the request is deficient, seek clarification or amendment of the request by the person making the request. Any clarification or amendment will be considered a new request subject to the timelines described in this Section.

Requests to inspect public records:

The Township shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect Township records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal Township operations.

Requests for certified copies:

The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record.

Section 4: Fee Deposits

If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation, the requestor will be asked to provide a deposit not exceeding one-half of the total estimated fee.

If a request for public records is from a person who has not paid the Township in full for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- The final fee for the prior written request is not more than 105% of the estimated fee;
- The public records made available contained the information sought in the prior written request and remain in the Township's possession;
- The public records were made available to the individual, subject to payment, within the time frame estimated by the Township to provide the records;
- Ninety (90) days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- The individual is unable to show proof of prior payment to the Township; and
- The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

- The person making the request is able to show proof of prior payment in full to the Township;
- The Township is subsequently paid in full for the applicable prior written request; or
- Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the Township.

Section 5: Calculation of Fees

A fee may be charged for the labor cost of copying/duplication.

A fee will **not** be charged for the labor cost of search, examination, review and the deletion and separation of exempt from nonexempt information **unless** failure to charge a fee would result in unreasonably high costs to the Township because of the nature of the request in the particular instance, and the Township specifically identifies the nature of the unreasonably high costs.

Costs for the search, examination review, and deletion and separation of exempt from non-exempt information are "unreasonably high" when they are excessive and beyond the normal or usual amount for those services (Attorney General Opinion 7083 of 2001) compared to the costs of the township's usual FOIA requests, not compared to the township's operating budget. (*Bloch v. Davison Community Schools*, Michigan Court of Appeals, Unpublished, April 26, 2011)

The following factors shall be used to determine an unreasonably high cost to the Township:

- Volume of the public record requested
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether the public records are from more than one Township department or whether various Township offices are necessary to respond to the request.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

The Michigan FOIA statute permits the Township to charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the Township.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the Township.
- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the township's website if you ask for the township to make copies.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the township's website if you ask for the township to make copies.
- The cost to mail or send a public record to a requestor.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- Labor costs will be charged at the hourly wage of the lowest-paid Township employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
- The Township may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.

- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage).

The cost to provide records on non-paper physical media when so requested will be based on the following requirements:

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if the Township has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- The Township will procure any non-paper media and will not accept media from the requestor in order to ensure integrity of the Township's technology infrastructure.

The cost to provide paper copies of records will be based on the following requirements:

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
- The Township will provide records using double-sided printing, if it is cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- The Township may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless specified by the requestor.

If the FOIA Coordinator does not respond to a written request in a timely manner, the Township must:

- Reduce the labor costs by 5% for each day the Township exceeds the time permitted under FOIA up to a 50% maximum reduction, if **any** of the following applies:
 - The Township's late response was willful and intentional,
 - The written request conveyed a request for information within the first 250 words of the body of a letter facsimile, email or email attachment, or
 - The written request included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy" or a recognizable misspelling of such, or legal code reference to MCL 15. 231, et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an email, letter or facsimile cover page.
- Fully note the charge reduction in the Detailed Itemization of Costs Form.

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The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The township board may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

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Indigence

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- Indigent and receiving specific public assistance, or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

An individual is not eligible to receive the waiver if:

- The requestor has previously received discounted copies of public records from the Township twice during the calendar year; or
- The requestor requests information in connection with other persons who are offering or providing payment to make the request.

An affidavit is a sworn statement. The FOIA Coordinator may make a Fee Waiver Affidavit Form available for use by the public.

Nonprofit organization advocating for developmentally disabled or mentally ill individuals

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request from:

- A nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, or their successors, if the request meets all of the following requirements:
 - Is made directly on behalf of the organization or its clients.
 - Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
 - Is accompanied by documentation of its designation by the state, if requested by the public body.

Section 8: Appeal of a Denial of a Public Record

When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may appeal to the Township Board by filing an appeal of the denial with the office of the Township Supervisor *or "FOIA Coordinator," etc.*).

The appeal must be in writing, specifically state the word "appeal" and identify the reason or reasons the requestor is seeking a reversal of the denial. The Township FOIA Appeal Form (To Appeal a Denial of Records), may be used.

The Township Board is not considered to have received a written appeal until the first regularly scheduled Township Board meeting following submission of the written appeal.

Within 10 business days of receiving the appeal the Township Board will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part; or
- Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the Township Board shall respond to the written appeal. The Township Board shall not issue more than **1** notice of extension for a particular written appeal.

If the Township Board fails to respond to a written appeal, or if the Township Board upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action in Circuit Court.

Whether or not a requestor submitted an appeal of a denial to the Township Board, he or she may file a civil action in Grand Traverse County Circuit Court within 180 days after the Township's final determination to deny the request.

If a court that determines a public record is not exempt from disclosure, it shall order the Township to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Failure to comply with an order of the court may be punished as contempt of court.

If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in such an action, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or Township prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements.

If the court determines that the Township has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the Township to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Section 9: Appeal of an Excessive FOIA Processing Fee

"Fee" means the total fee or any component of the total fee calculated under section 4 of the FOIA, including any deposit.

If a requestor believes that the fee charged by the Township to process a FOIA request exceeds the amount permitted by state law or under this policy, he or she must first appeal to the Township Board by submitting a written appeal for a fee reduction to the office of the Township Supervisor.

The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. The Township FOIA Appeal Form (To Appeal an Excess Fee) may be used.

The Township Board is not considered to have received a written appeal until the first regularly scheduled Township Board meeting following submission of the written appeal.

Within 10 business days after receiving the appeal, the Township Board will respond in writing by:

- Waiving the fee;
- Reducing the fee and issuing a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issuing a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Township Board will respond to the written appeal. The Township Board shall not issue more than 1 notice of extension for a particular written appeal.

Where the Township Board reduces or upholds the fee, the determination must include a certification from the Township Board that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and Section 4 of the FOIA.

Within 45 days after receiving notice of the Township Board's determination of an appeal, the requesting person may commence a civil action in Grand Traverse County Circuit Court for a fee reduction.

If a civil action is commenced against the Township for an excess fee, the Township is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute.

An action shall not be filed in circuit court unless **one** of the following applies:

- The Township does not provide for appeals of fees,
- The Township Board failed to respond to a written appeal as required, or
- The Township Board issued a determination to a written appeal.

If a court determines that the Township required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or Section 4 of the FOIA, the court shall reduce the fee to a permissible amount. Failure to comply with an order of the court may be punished as contempt of court.

If the requesting person prevails in court by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages.

If the court determines that the Township has arbitrarily and capriciously violated the FOIA by charging an excessive fee, the court shall order the Township to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Section 10: Conflict with Prior FOIA Policies and Procedures; Effective Date

To the extent that these Procedures and Guidelines conflict with previous FOIA policies promulgated by the Township Board or the Township Administration, these Procedures and Guidelines are controlling. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of this resolution is found to be in conflict with any previous policy promulgated by the Township Board or the Township Administration, the administrative rule promulgated by the FOIA Coordinator is controlling.

To the extent that any provision of these Procedures and Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify this policy and all previous policies adopted by the Township Board or the Township Administration, and to adopt such administrative rules as he or she may deem necessary to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law. The FOIA Coordinator shall inform the Township Board of any change to these Policies and Guidelines.

These FOIA Procedures and Guidelines become effective and were last revised on May 12, 2020.

Section 11: Appendix of Whitewater Township FOIA Forms

- Request for Public Records Form
- Notice to Extend Response Time Form
- Notice of Denial Form
- Detailed Cost Itemization Form
- Appeal of Denial of Records Form
- Appeal of Excess Fee Form

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 9.12.2023
Re: Approve Changes to Whitewater Township Summary of FOIA Procedures & Guideline Document.

Board Members –

Here is another FOIA Document pertaining to Section 6.0 of the Whitewater Township Policy & Procedure Manual (WTPPM) that required updating. The customary redline clean copy documents are provided for review.

Motion One: Adopt the Whitewater Township Summary of FOIA Procedure and Guideline Document as amended 9.12.2023.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

Whitewater Township

Public Summary of FOIA Procedures and Guidelines

It is the public policy of this state that all persons (except those persons incarcerated in state or local correctional facilities) are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees.

The people shall be informed so that they may fully participate in the democratic process.

Consistent with the Michigan Freedom of information Act (FOIA), Public Act 442 of 1976, the following is the Written Public Summary of the Township's FOIA Procedures and Guidelines relevant to the general public.

This is only a summary of the Township's FOIA Procedures and Guidelines. For more details and information, copies of the Township's FOIA Procedures and Guidelines are available at no charge at any Township office and on the Township's website:

www.whitewatertownship.org Supervisor | Whitewater Township - Whitewater Township

1. How do I submit a FOIA request to the Township?

- A request must sufficiently describe a public record so as to enable the Township to find it.
- FOIA requests must include a requestor's basic identifying information including their complete name, address, and a valid telephone number or e-mail address. MCL 15.233(1).
- Please include the words "FOIA" or "FOIA Request" in the request to assist the Township in providing a prompt response.
- Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Township may be submitted on the Township's FOIA Request Form, in any other form of writing (letter, fax, email, etc.), or by verbal request.
 - o Any verbal request will be documented by the Township on the Township's FOIA Request Form.
 - o No specific form to submit a written request is required. However a FOIA Request Form and other FOIA-related forms are available for your use and convenience on the Township's website at www.whitewatertownship.org Supervisor | Whitewater Township - Whitewater Township and at the Township Hall. location).

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- Written requests may be delivered to the Township Hall in person or by mail: Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690.
- Requests may be faxed to: (231) 267-9020. To ensure a prompt response, faxed requests should contain the term "FOIA" or "FOIA Request" on the first/cover page.
- Requests may be emailed to: clerk@whitewatertownship.org. [Supervisor | Whitewater Township - Whitewater Township](#) To ensure a prompt response, email requests should contain the term "FOIA" or "FOIA Request" in the subject line.

2. What kind of response can I expect to my request?

- Within 5 business days after receiving a FOIA request, the Township will issue a response. If a request is received by fax or email, the request is deemed to have been received on the following business day. The Township will respond to your request in one of the following ways:
 - Grant the request,
 - Issue a written notice denying the request,
 - Grant the request in part and issue a written notice denying in part the request,
 - Issue a notice indicating that due to the nature of the request the Township needs an additional 10 business days to respond, or
 - Issue a written notice indicating that the public record requested is available at no charge on the Township's website
- If the request is granted, or granted in part, the Township will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available.
- If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, the Township will require a deposit before processing the request.

3. What are the Township's deposit requirements?

- If the Township has made a good faith calculation that the total fee for processing the request will exceed \$50.00, the Township will require that you provide a deposit in the amount of 50% of the total estimated fee. When the Township requests the deposit, it will provide you a non-binding best efforts estimate of how long it will take to process the request after you have paid your deposit.
- If the Township receives a request from a person who has not paid the Township

for copies of public records made in fulfillment of a previously granted written request, the Township will require a deposit of 100% of the estimated processing fee before it begins to search for the public record for any subsequent written request when **all** of the following conditions exist:

- o The final fee for the prior written request is not more than 105% of the estimated fee;
 - o The public records made available contained the information sought in the prior written request and remain in the Township's possession;
 - o The public records were made available to the individual, subject to payment, within the best effort time frame estimated by the Township to provide the records;
 - o Ninety (90) days have passed since the Township notified the individual in writing that the public records were available for pickup or mailing;
 - o The individual is unable to show proof of prior payment to the Township; and
 - o The Township has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit
- The Township will consider FOIA requests abandoned under MCL 15.234(14) if a FOIA requestor does not provide a required good-faith deposit within 48 days of such a request from the Township.
 - The Township will not require the 100% estimated fee deposit if any of the following apply:
 - o The person making the request is able to show proof of prior payment in full to the Township;
 - o The Township is subsequently paid in full for all applicable prior written requests; or
 - o Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the Township.

4. How does the Township calculate FOIA processing fees?

The Michigan FOIA statute permits the Township to charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the Township.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the Township.

- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the township's website if you ask for the township to make copies.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the township's website if you ask for the township to make copies.
- The cost to mail or send a public record to a requestor.

Labor Costs

- All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- Labor costs will be charged at the hourly wage of the lowest-paid Township employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits. Township may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage)

A labor cost will not be charged for the search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the Township. Costs are unreasonably high when they are excessive and beyond the normal or usual amount for those services compared to the Township's usual FOIA requests, because of the nature of the request in the particular instance. The Township must specifically identify the nature of the unreasonably high costs in writing.

Copying and Duplication

The Township must use the most economical method for making copies of public records, including using double-sided printing, if cost-saving and available.

Non-paper Copies on Physical Media

- The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will be charged only if the Township has the technological capability necessary to provide the public record in the requested non-paper physical media format.

Paper Copies

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper.
- Copies for non-standard sized sheets will reflect the actual cost of reproduction.

Mailing Costs

- The cost to mail public records will use a reasonably economical and justified means.
- The Township may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless you request it.

Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The township board may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

5. How do I qualify for an indigence discount on the fee?

The Township will discount the first \$20.00 offices for a request if you submit an affidavit stating that you are:

- Indigent and receiving specific public assistance; or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

You are **not** eligible to receive the \$20.00 discount if you:

- Have previously received discounted copies of public records from the Township twice during the calendar year; or
- Are requesting information on behalf of other persons who are offering or providing payment to you to make the request.

An affidavit is sworn statement. For your convenience, the Township has provided an Affidavit of Indigence for the waiver of FOIA fees on the back of the Township FOIA Request Form, which is available on the Township's website: www.whitewatertownship.org. Supervisor | Whitewater Township - Whitewater Township

6. May a nonprofit organization receive a discount on the fee?

A nonprofit organization advocating for developmentally disabled or mentally ill individuals that is formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, may receive a \$20.00 discount if the request meets all of the following requirements in the Act:

- Is made directly on behalf of the organization or its clients.
- Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
- Is accompanied by documentation of its designation by the state, if requested by the public body.

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6.7 How may I challenge the denial of a public record or an excessive fee?

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Appeal of a Denial of a Public Record

If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may appeal to the Township Board by filing a written appeal of the denial with the office of the Township FOIA Coordinator.

The appeal must be in writing, specifically state the word "appeal," and identify the reason or reasons you are seeking a reversal of the denial. You may use the Township FOIA Appeal Form (To Appeal a Denial of Records), which is available on the Township's website: www.whitewatertownship.org. Supervisor | Whitewater Township - Whitewater Township

The Township Board is not considered to have received a written appeal until the first regularly scheduled Township Board meeting following submission of the written appeal. Within 10 business days of receiving the appeal the Township Board will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part.

Whether or not you submitted an appeal of a denial to the Township Board, you may file a civil action in Grand Traverse County Circuit Court within 180 days after the Township's final determination to deny your request. If you prevail in the civil action the court will award you reasonable attorneys' fees, costs and disbursements. If the court determines that the Township acted arbitrarily and capriciously in refusing to disclose or provide a public record, the court shall award you damages in the amount of \$1,000.

Appeal of an Excess FOIA Processing Fee

If you believe that the fee charged by the Township to process your FOIA request exceeds the amount permitted by state law, you must first appeal to the Township Board by filing a written appeal for a fee reduction to the office of the Township FOIA Coordinator.

The appeal must specifically state the word " appeal" and identify how the required fee exceeds the amount permitted. You may use the Township FOIA Appeal Form (To Appeal an Excess Fee), which is available at the Township Hall and on the Township's website: [www.whitewatertownship.org-Supervisor/Whitewater Township - Whitewater Township](http://www.whitewatertownship.org-Supervisor/WhitewaterTownship-WhitewaterTownship)

Within 10 business days after receiving the appeal, the Township Board will respond in writing by:

- Waiving the fee;
- Reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Township Board will respond to the written appeal.

Within 45 days after receiving notice of the Township Board 's determination of the processing fee appeal, you may commence a civil action in Grand Traverse County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that the

Township acted arbitrarily and capriciously by charging an excessive fee, court may also award you punitive damages in the amount of \$500.

| Last Revised: ~~May 12, 2020~~ September 12, 2023

Whitewater Township

Public Summary of FOIA Procedures and Guidelines

It is the public policy of this state that all persons (except those persons incarcerated in state or local correctional facilities) are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees.

The people shall be informed so that they may fully participate in the democratic process.

Consistent with the Michigan Freedom of information Act (FOIA), Public Act 442 of 1976, the following is the Written Public Summary of the Township's FOIA Procedures and Guidelines relevant to the general public.

This is only a summary of the Township's FOIA Procedures and Guidelines. For more details and information, copies of the Township's FOIA Procedures and Guidelines are available at no charge at any Township office and on the Township's website:

[Supervisor | Whitewater Township - Whitewater Township](#)

1. How do I submit a FOIA request to the Township?

- A request must sufficiently describe a public record so as to enable the Township to find it.
- FOIA requests must include a requestor's basic identifying information including their complete name, address, and a valid telephone number or e-mail address. MCL 15.233(1).
- Please include the words "FOIA" or "FOIA Request" in the request to assist the Township in providing a prompt response.
- Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the Township may be submitted on the Township's FOIA Request Form, in any other form of writing (letter, fax, email, etc.), or by verbal request.
 - o Any verbal request will be documented by the Township on the Township's FOIA Request Form.
 - o No specific form to submit a written request is required. However a FOIA Request Form and other FOIA-related forms are available for your use and convenience on the Township's website at [Supervisor | Whitewater Township - Whitewater Township](#) and at the Township Hall. *location*).

- Written requests may be delivered to the Township Hall in person or by mail: Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690.
- Requests may be faxed to: (231) 267-9020. To ensure a prompt response, faxed requests should contain the term " FOIA" or "FOIA Request" on the first/cover page.
- Requests may be emailed to: [Supervisor | Whitewater Township - Whitewater Township](#) To ensure a prompt response , email requests should contain the term "FOIA" or " FOIA Request" in the subject line .

2. What kind of response can I expect to my request?

- Within 5 business days after receiving a FOIA request, the Township will issue a response. If a request is received by fax or email, the request is deemed to have been received on the following business day. The Township will respond to your request in one of the following ways:
 - o Grant the request,
 - o Issue a written notice denying the request,
 - o Grant the request in part and issue a written notice denying in part the request,
 - o Issue a notice indicating that due to the nature of the request the Township needs an additional 10 business days to respond, or
 - o Issue a written notice indicating that the public record requested is available at no charge on the Township's website
- If the request is granted, or granted in part, the Township will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available.
- If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, the Township will require a deposit before processing the request.

3. What are the Township's deposit requirements?

- If the Township has made a good faith calculation that the total fee for processing the request will exceed \$50.00, the Township will require that you provide a deposit in the amount of 50% of the total estimated fee. When the Township requests the deposit, it will provide you a non-binding best efforts estimate of how long it will take to process the request after you have paid your deposit.
- If the Township receives a request from a person who has not paid the Township for copies of public records made in fulfillment of a previously granted written request, the Township will require a deposit of 100% of the estimated

processing fee before it begins to search for the public record for any subsequent written request when **all** of the following conditions exist:

- o The final fee for the prior written request is not more than 105% of the estimated fee;
 - o The public records made available contained the information sought in the prior written request and remain in the Township's possession;
 - o The public records were made available to the individual, subject to payment, within the best effort time frame estimated by the Township to provide the records;
 - o Ninety (90) days have passed since the Township notified the individual in writing that the public records were available for pickup or mailing;
 - o The individual is unable to show proof of prior payment to the Township; and
 - o The Township has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit
- The Township will consider FOIA requests abandoned under MCL 15.234(14) if a FOIA requestor does not provide a required good-faith deposit within 48 days of such a request from the Township.
- The Township will not require the 100% estimated fee deposit if any of the following apply:
 - o The person making the request is able to show proof of prior payment in full to the Township;
 - o The Township is subsequently paid in full for all applicable prior written requests; or
 - o Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the Township.

4.How does the Township calculate FOIA processing fees?

The Michigan FOIA statute permits the Township to charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the Township.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the Township.
- The cost of copying or duplication, not including labor, of paper copies of

public records. This may include the cost for copies of records already on the township's website if you ask for the township to make copies.

- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the township's website if you ask for the township to make copies.
- The cost to mail or send a public record to a requestor.

Labor Costs

- All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- Labor costs will be charged at the hourly wage of the lowest-paid Township employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits. Township may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage)

A labor cost will not be charged for the search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the Township. Costs are unreasonably high when they are excessive and beyond the normal or usual amount for those services compared to the Township's usual FOIA requests, because of the nature of the request in the particular instance. The Township must specifically identify the nature of the unreasonably high costs in writing.

Copying and Duplication

The Township must use the most economical method for making copies of public records, including using double-sided printing, if cost-saving and available.

Non-paper Copies on Physical Media

- The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will be charged only if the Township has the technological capability necessary to provide the public record in the requested non-paper physical media format.

Paper Copies

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper.
- Copies for non-standard sized sheets will reflect the actual cost of reproduction.

Mailing Costs

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- The Township may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless you request it.

Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if in the sole judgment of the FOIA Coordinator a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. The township board may identify specific records or types of records it deems should be made available for no charge or at a reduced cost.

5. How do I qualify for an indigence discount on the fee?

The Township will discount the first \$20.00 offices for a request if you submit an affidavit stating that you are:

- Indigent and receiving specific public assistance; or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

You are **not** eligible to receive the \$20.00 discount if you:

- Have previously received discounted copies of public records from the Township twice during the calendar year; or
- Are requesting information on behalf of other persons who are offering or providing payment to you to make the request.

An affidavit is sworn statement. For your convenience, the Township has provided an Affidavit of Indigence for the waiver of FOIA fees on the back of the Township FOIA Request Form, which is available on the Township's website: [Supervisor | Whitewater Township - Whitewater Township](#)

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- Is made directly on behalf of the organization or its clients.
- Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
- Is accompanied by documentation of its designation by the state, if requested by the public body.

7. How may I challenge the denial of a public record or an excessive fee?

Appeal of a Denial of a Public Record

If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may appeal to the Township Board by filing a written appeal of the denial with the office of the Township FOIA Coordinator.

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- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part.

Whether or not you submitted an appeal of a denial to the Township Board, you may file a civil action in Grand Traverse County Circuit Court within 180 days after the Township's final determination to deny your request. If you prevail in the civil action the court will award you reasonable attorneys' fees, costs and disbursements. If the court determines that the Township acted arbitrarily and capriciously in refusing to disclose or provide a public record, the court shall award you damages in the amount of \$1,000.

Appeal of an Excess FOIA Processing Fee

If you believe that the fee charged by the Township to process your FOIA request exceeds the amount permitted by state law, you must first appeal to the Township Board by filing a written appeal for a fee reduction to the office of the Township FOIA Coordinator.

The appeal must specifically state the word " appeal" and identify how the required fee exceeds the amount permitted. You may use the Township FOIA Appeal Form (To Appeal an Excess Fee), which is available at the Township Hall and on the Township's website: [Supervisor | Whitewater Township - Whitewater Township](#)

Within 10 business days after receiving the appeal, the Township Board will respond in writing by:

- Waiving the fee;
- Reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the Township Board will respond to the written appeal.

Within 45 days after receiving notice of the Township Board 's determination of the processing fee appeal, you may commence a civil action in Grand Traverse County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that the Township acted arbitrarily and capriciously by charging an excessive fee, court may also award you punitive damages in the amount of \$500.

Last Revised: September 12, 2023

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 8-21-2023
Re: Policy & Procedure Manual Section 6.4 Public Information - FOIA

Board Members –

While in the process of updating the FOIA Procedure & Guidelines and the Summary of FOIA Procedure & Guidelines Documents, it was noted in our existing Section 6.4 Freedom of Information Act Requests had not been updated since 4/12/2011. On the other hand, Appendix I appears to have several updates since that time.

Section 6.4 Freedom of Information Act Requests (Amended 04/12/2011), directs the reader to Appendix I such as: *“Refer to Appendix I for Resolution Establishing Policy for Freedom of Information Act Requests, Resolution Setting Freedom of Information Act Schedule of Fees, Freedom of Information Request form and Freedom of Information Response form.”*

When the reader looks at Appendix I, as provided by the Clerk June 5, 2023 provided below, three resolutions are found. One, #11-12 establishes the Clerk as the FOIA coordinator. Resolution 15-12 details FOIA procedure & guidelines, and forms. Resolutions 20-12 appears to addresses changes in the FOIA statute that took place between 2015 and 2020 and references some of the same documents as 15-12, which were presumably modified in 2020. Section 6.4 also appears to reference documents that are not currently a part of Appendix I such as a Resolution setting freedom of information act schedule of fees. This resolution is actually part of the file called “Public Records Inspection Policy (Non-FOIA) as Adopted 12092014” which by its very name leads one to believe the policy is for non-FOIA related public inspections.

Two documents listed in Appendix I Whitewater Township Public Inspection of Records Policy Effective 07.01.2015 and Public Records Inspection Policy (Non-FOIA) as Adopted 12092014 have no home in section 6.0. The two documents appear to have an overlapping purpose begging the question can the instruments be combined? These two policies are provided below and a home for them should be determined.

The question up for discussion is what the board wants to establish as housekeeping practices for both Section 6.4 of the WTPPM and Appendix I. For example, should resolution #11-12 still be part of Appendix I? Or was this resolution superseded by actions taken at our 6.13.2023 meeting when the Board assigned these duties to the Supervisor? Should this board action have been memorialized by a resolution instead of a majority vote?

Similarly, Resolution 20-12 appears to have superseded Resolution 15-12. Should resolution 15-12 be removed from Appendix I?

A couple of possible recommendations are to separate out resolutions #07-01 from the *Public Records Inspection Policy (Non-FOIA) as Adopted 12092014* file making it a standalone file for Appendix I. Another possible recommendation is to craft future resolutions that amend, replace or repeal previous instruments. None of the resolutions named in this business item appear to do that. Create a new 6.0 section for the non-FOIA inspection Policy(ies)

No motion is presented at this time pending Board Discussion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. P. [unclear]", is positioned above the typed name.

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Appendix I

1 message

Cheryl A. Goss <clerk@whitewatertownship.org>
To: "Cheryl A. Goss" <clerk@whitewatertownship.org>

Mon, Jun 5, 2023 at 4:30 PM

bcc Township Board

Cheryl A. Goss

Whitewater Township Clerk

5777 Vinton Road, P.O. Box 159

Williamsburg, Michigan 49690

Telephone: 231.267.5141 x24

Fax: 231.267-9020

clerk@whitewatertownship.org

Office Hours: Mon/Tue/Wed/Thurs 9:00 a.m. to 5:00 p.m.

I Pledge Allegiance to the Flag of the United States of America, and to the REPUBLIC for which it stands, One Nation, Under God, Indivisible, with Liberty and Justice for All.

14 attachments



Appendix I Cover Page.pdf
27K



Resolution #20-12 Revised Freedom of Informaton Act Forms & Policies.pdf
290K



Resolution #15-12 Freedom of Information Act Compliance.pdf
181K



Resolution #11-12 FOIA Coordinator.pdf
153K



Form - FOIA Request for Public Records.pdf
115K



Form - FOIA Request Detailed Cost Itemization.pdf
352K



Form - Notice to Extend Response Time for FOIA Request.pdf
44K



Form - Notice of Denial of FOIA Request.pdf
124K



FOIA Appeal Form - To Appeal a Denial of Records.pdf
120K



FOIA Appeal Form - To Appeal an Excess Fee.pdf

120K



Whitewater Township FOIA Procedures and Guidelines.pdf

1448K



Whitewater Township Public Inspection of Records Policy Effective 07.01.2015.pdf

126K



Whitewater Township Public Summary of FOIA Procedures and Guidelines.pdf

1539K



Public Records Inspection Policy (Non-FOIA) as Adopted 12092014.pdf

69K

Whitewater Township Policy and Procedure for the Public Inspection and Copying of Public Records (Non-FOIA) in Lieu of Customary Business Hours

Adopted at a regular Board of Trustees meeting on December 9, 2014. Said policy shall include, but not be limited to:

1. Requests for public inspection and copying of public records must be made in writing.
2. Said requests shall be directed to the township official and/or authorized individual responsible for said public records.
3. Any requests made pursuant to Michigan's Freedom of Information Act shall be made to the FOIA Coordinator and shall be subject to the statutory requirements of the Freedom of Information Act.
4. The responding township official and/or authorized individual shall be responsible for the production of the requested copies.
5. The requesting party shall be billed for the copies and preparation time, if applicable, pursuant to the schedule of charges established by the Township Board.
6. If the request is for inspection of public records, the responding township official and/or authorized individual shall respond in a timely manner, not to exceed 5 business days from the date of said request. Said response shall indicate the date, time, and place when said public inspection of the requested public records shall take place.
7. The establishment of the date and time of the public inspection of the requested public records shall be in the discretion of the responding township official and/or authorized individual. The place designated for the requested inspection shall be the Township Hall or the location where said public records are officially retained.
8. The responding township official and/or authorized individual shall allow such inspection between the hours of 9:00 am and 5:00 pm, Monday through Friday, excepting governmental holidays, unless mutually agreed to by the responding township official and/or authorized individual and the requesting party.
9. The schedule of charges shall be the same as the fees set for Freedom of Information Act requests.

###

RESOLUTION #07-01

Resolution Amending Freedom of Information Act Schedule of Fees

**Whitewater Township
Grand Traverse County**

Whereas, the Whitewater Township Board approved Resolution #99-4, adopting a schedule of fees for Freedom of Information Act requests, and

Whereas, a study of actual costs was done and it was determined that the Schedule of Fees should be amended,

Now Therefore, Be It Resolved that the Whitewater Township Board does amend the schedule of fees for Freedom of Information Act requests as follows:

Copies	\$0.05 per page
Mailing Costs	Actual cost of first class mail, unless requested to mail otherwise
Labor Costs	The charge for labor shall not be more than the hourly wage of the lowest paid township employee capable of retrieving the information necessary to comply with a FOIA request. In addition to the hourly wage, an additional amount to cover payroll taxes on said hourly wage will be charged.

A motion to adopt the foregoing Resolution was made by Couturier and seconded by Amos.

Upon roll call, the following voted:

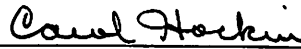
Yes: Hockin, Amos, Couturier, Lake

No:

Absent: Hubbell

Resolution declared adopted.

I, the undersigned, the clerk of Whitewater Township, Grand Traverse County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Whitewater Township Board of said municipality at a regular meeting held on January 16, 2007 relative to the adoption of Resolution #07-01.



Carol Hockin
Whitewater Township Clerk

Whitewater Township

Public Inspection of Records Policy

Adopted 06/09/2015

Effective 07/01/2015

Public Inspection of Records

Upon receiving a verbal request to inspect township records, the township shall furnish the requesting person with a reasonable opportunity and reasonable facilities for inspection and examination of its public records.

A person shall be allowed to inspect public records during usual business hours, not less than four hours per day. The public does not have unlimited access to township offices or facilities, and a person may be required to inspect records at a specified counter or table, and in view of township personnel.

Township officials, appointees, staff or consultants/contractors assisting with inspection of public records shall inform any person inspecting records that only pencils, and no pens or ink, may be used to take notes.

In coordination with the official responsible for the records, the FOIA Coordinator shall determine on a case-by-case basis when the township will provide copies of original records, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection.

The FOIA Coordinator is responsible for identifying if records or information requested by the public is stored in digital files or e-mail, even if the public does not specifically request a digital file or e-mail.

A person cannot remove books, records, or files from the place the township has provided for the inspection.

No documents shall be removed from the office of the custodian of those documents without permission of that custodian, except by court order, subpoena, or for audit purposes. The official shall be given a receipt listing the records being removed. Documents may be removed from the office of the custodian of those documents with permission of that custodian to accommodate public inspection of those documents.

Copies May Be Required to Enable Public Inspection of Records

In coordination with the official responsible for the records, the FOIA Coordinator will determine, on a case-by-case basis, when the township will provide copies of original records, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection.

A fee will be charged for copies made to enable public inspection of records, according to the township's FOIA policy.



Ron Popp <supervisorwhitewater@gmail.com>

Agenda Item

1 message

firechief@whitewatertownship.org <firechief@whitewatertownship.org>
To: Ron Popp <supervisorwhitewater@gmail.com>

Mon, Aug 28, 2023 at 1:59 PM

Good afternoon sir,

I have an agenda item for the September 12 township board meeting. Fire truck sealed bids will be opened publicly and logged.

Attached is a bid opening statement, the same one we used for the Pumper Tanker.

Thank you,



BRANDON FLYNN
FIRE CHIEF

231-267-5969
firechief@whitewatertownship.org

Whitewater Township Fire Department
8380 Old M 72, PO Box 9
Williamsburg, MI 49690

www.whitewatertownship.org



Sealed_Bid_Opening_Statement.pdf
216K



WHITewater TOWNSHIP FIRE DEPARTMENT

8380 OLD M-72 ♦ PO Box 9 ♦ WILLIAMSBURG, MICHIGAN 49690 ♦ 231.267.5969 ♦ FIRECHIEF@WHITEWATERTOWNSHIP.ORG

MEMO

To: Whitewater Township Board

From: Fire Chief Brandon Flynn

Date: August 28, 2023

Subject: Pumper Truck Sealed Bid Opening

SEALED BID OPENING STATEMENT

The intent of this public bid opening is to document the vendors and their cost to build a new commercial chassis pumper for the Whitewater Township Fire Department. A low bid from a vendor does not automatically award them a contract to build said pumper.

A detailed list of specifications was assembled by members of the fire department to acquire a pumper apparatus that will benefit Whitewater Township and the community as a whole. Each vendor was given an identical bid packet outlining these specifications.

Members of the fire department will equally review all of the proposals submitted. The review process may take several weeks and will most likely include communication with each vendor. A vendor and subsequently a manufacturer will be selected based on, but not limited to, price of the apparatus, delivery date and also how closely they meet the specifications outlined.



Committed to proudly serving the community with professionalism and integrity.

Memo

To: Whitewater Township Board
From: Ron Popp
CC:
Date: 8.30.2023
Re: Planning Commission Appointment – Linda Slopsema

Colleagues,

I am recommending Linda Slopsema, 9693 Miami Beach Road, Williamsburg, Michigan 49690 to a partial 1- year term position ending December 31, 2023 on the Whitewater Township Planning Commission vacated by the resignation of Rod Rebant. This recommendation is in accordance with Public Act 33 of 2008, MCL 125.3815 Section 15 and Whitewater Township General Ordinance Number 42, Section 102.

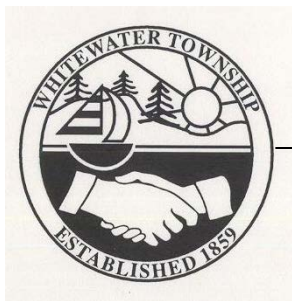
An appropriate motion may look like:

A motion to confirm the recommendation of the Supervisor appointing Linda Slopsema to a partial 1-year term position on the Whitewater Township Planning Commission. The term shall end December 31, 2023.

Respectfully submitted,



Ron Popp
Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

APPLICATION FOR APPOINTMENT

Date of Application: 08/25/2023

Name: Slopsema Linda M
Last First Middle Initial

Address: 9693 Miami Beach Rd **City:** Williamsburg **Zip:** 49690

Telephone: (Home) _____ (Cell) 517-614-4887

E-Mail Address: lindaslopsema@gmail.com

What Committees and/or Boards are you interested in?

(Select as many as you like)

Board of Review: _____ Park & Recreation Advisory Committee: _____

Planning Commission: x _____ Zoning Board of Appeals: _____

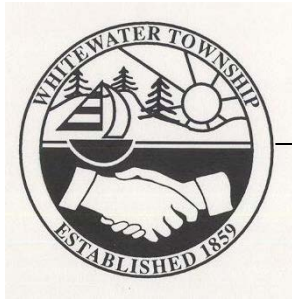
Are you a Whitewater Township Resident? ☒ Yes ☐ No

Are you a Land Owner in Whitewater Township? ☒ Yes ☐ No

Are you a Qualified Elector of the Township? ☒ Yes ☐ No
As defined by the 1963 Michigan Constitution, as amended by the 26th Amendment of the U.S. Constitution

Please describe your interest in the selected committee/board and how you feel your expertise and contribution would benefit the group:

I am also interested in the master plan and engaging the community in how the township will develop over time.
I have attended many of the PC meetings since January of 2021.
I have expertise in research, project planning and project management.
I have also been involved in specifications and standard procedures.



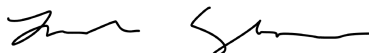
WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

Please provide any other information you wish to share.

Complete, sign, and return this application to:

Whitewater Township Supervisor
P.O. Box 159, 5777 Vinton Road,
Williamsburg MI 49690,
Fax 231-267-9020
Email: supervisor@whitewatertownship.org



Applicant Signature

8/25/2023

Date

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 9.1.2023
Re: Ambulance Service Agreement 2023

Board Members –

Acme Township Supervisor Doug White invited me to a meeting August 24, 2023 with MMR representatives to discuss the proposed 2023 ambulance service agreement. This draft agreement was provided to board members August 1, 2023. Specific concerns noted by Supervisor White focused on termination windows (number of days notice) and a provision requiring Acme and Whitewater Township to purchase a replacement ambulance should the current unit be taken out of service. White's main objection to the provision was disposition of the asset should the service agreement no longer be active. MMR agreed to expand the windows to 120 days and remove the vehicle purchase provision however, wanted an opportunity to change the service agreement price.

During the meeting MMR brought forth concerns regarding the current vehicle lease. The major issues are: MMR wide, this is the only ambulance they lease from a township. The unit is more than twice the average age of the existing MMR fleet. Cost of maintenance. Ongoing liability concerns over ownership.

While the existing ambulance is well liked by the crews who use it, because of its large size, the unit is nearing the end of its useful life. 2023 repairs exceed \$7,500 and counting. MMR may be interested in purchasing the unit outright from Whitewater Township. The value will depend upon the ability to re-chassis the rig. A written offer to purchase or decline will be provided for Board action before the new agreement goes into effect. For this reason, the vehicle lease has been omitted from the latest draft.

Having received the latest proposed Acme-Whitewater Service Agreement and new pricing model, Supervisor White and myself spoke via phone to formulate a counter offer. In short, each of us had issues with the proposed increase and counter by asking the additional \$39K annual fee to replace the ambulance be split equally 3 ways as MMR will have a salable asset at the end of the agreement. If acceptable to MMR, Acme's annual subsidy would be \$228,600. And Whitewater's would be \$353,400. A response is expected before our meeting time.

(Page two – Ambulance Service Agreement 2023)

Update as of 9.1.2023 the agreement in this business item is the final draft with all changes to date.

No motion pending further Board input.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "R. J. [unclear]", written in a cursive style.

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

AMBULANCE SERVICE AGREEMENT

THIS AGREEMENT made this 1st day of December 2023, between **WHITEWATER TOWNSHIP**, a Michigan general law township, 5777 Vinton Road, P.O. Box 159, Williamsburg, Michigan 49690 and **ACME TOWNSHIP**, a Michigan general law township, 6042 Acme Road, Williamsburg, Michigan 49690 (“**TOWNSHIPS**”) and **MOBILE MEDICAL RESPONSE, INC.**, a Michigan non-profit corporation, 834 S. Washington Avenue, Saginaw, Michigan 48601 (“**MMR**”).

PREMISES:

TOWNSHIPS desire to provide ambulance service within **WHITEWATER TOWNSHIP** and **ACME TOWNSHIP**, including advanced life support ambulance services (“**ALS**”), basic life support services (“**BLS**”) and non-emergent ambulance services.

MMR can and desires to provide **ALS**, **BLS**, emergency, and non-emergent ambulance services within **WHITEWATER TOWNSHIP** and **ACME TOWNSHIP**.

NOW, THEREFORE, it is agreed as follows:

I. Definitions

The terms defined in Public Act 368 of 1978, as amended, and as defined in the rules adopted pursuant to sections 2233 and 20975 of 1978 PA 368, as amended, (MCL 333.20975 and MCL 333.223), are incorporated in and shall be applicable when the same terms are used in this Agreement. In addition, the following terms have the following meanings:

- A. “**TOWNSHIPS**” means **WHITEWATER TOWNSHIP** and **ACME TOWNSHIP**, Michigan general law townships. When used in the context of an area or place, “**TOWNSHIPS**” means the geographical area within the municipal boundaries of **WHITEWATER TOWNSHIP** and **ACME TOWNSHIP**, Michigan.
- B. “**MMR**” means **MOBILE MEDICAL RESPONSE, INC.**, a Michigan non-profit corporation.

II. Designation of ALS/BLS Provider

- A. **TOWNSHIPS** hereby designate **MMR** as their sole assignee to provide **ALS** and **BLS** emergent and non-emergent ambulance service within the **TOWNSHIPS**.
- B. Under this Agreement, **MMR** will equally divide its base of operations, to the maximum extent possible, between the **TOWNSHIPS** boundaries. Operational locations will be 8380 Old M72, Williamsburg, MI 49690 and 6042 Acme Rd, Williamsburg, MI 49690.
- C. **MMR** and **WHITEWATER TOWNSHIP** will continue the Real Estate Lease Agreement attached as Exhibit A.

III. Services

- A. From the **TOWNSHIPS'** Stations and as further provided herein, MMR shall provide ambulance service to the **TOWNSHIPS** based on demand. **MMR** will provide the **TOWNSHIPS** a full range of high-quality ambulance service, including primary ALS and backup BLS emergency and non-emergency care service within the limits of the **TOWNSHIPS** when called upon by Grand Traverse County Central Dispatch, any law enforcement agency and/or fire department within the **TOWNSHIPS**, or any citizen making a direct request for such ambulance service within the **TOWNSHIPS**. The primary ambulance shall at all times be staffed as ALS. In addition, **MMR** will offer its system outside the **TOWNSHIPS** boundaries for support and backup within the **TOWNSHIPS**, provided its primary units are busy, and **MMR** has other units in the area to deploy. However, **MMR** shall prioritize services within the **TOWNSHIPS** and shall only utilize the ambulance dedicated to the **TOWNSHIPS** for services outside the **TOWNSHIPS** when directed by Grand Traverse County Central Dispatch.
- B. **MMR** shall provide ALS ambulance service within the boundaries of the **TOWNSHIPS** without regard to race, creed, color, sex, sexual preference, age, physical handicap, marital status, national origin, ancestry, or financial ability to pay. Failure to provide said ambulance service for any of the above-mentioned reasons may, at the option of the **TOWNSHIPS**, result in the termination of this Agreement.
- C. When a unit and crew are available, **MMR** will use its best efforts to station them at community events within the **TOWNSHIPS**, such as high school football games, community celebrations, or festivals.
- D. **MMR** will provide on-scene fire standby coverage at the request of the **TOWNSHIPS'** fire departments at no charge. Fire standbys will be performed if an **MMR** unit is available and not committed to another request for medical service in the **TOWNSHIPS**. **MMR** units will be cleared from coverage to respond to active emergency requests in the **TOWNSHIPS**.

IV. Service District and Mutual Aid

- A. **MMR** will maintain reciprocal mutual aid agreements with surrounding EMS agencies to provide back-up coverage for ambulance services in the **TOWNSHIPS** and in the areas served by those other agencies.
- B. **MMR** shall prioritize service within the **TOWNSHIPS** and shall only utilize the ambulance dedicated to the **TOWNSHIPS** for service outside of the **TOWNSHIPS** when directed by Grand Traverse Central Dispatch.
- C. In the event **MMR** is unable to provide the required ambulance service within the **TOWNSHIPS**, because **MMR** is on another call, ambulance services from surrounding areas may temporarily provide ambulance service upon request by **MMR** for mutual aid, subject to availability of equipment and personnel.
- D. **MMR** will immediately notify the **TOWNSHIPS** of an inability to provide service based on lack of personnel or mechanical failure.

V. Subsidy

- A. **TOWNSHIPS** agree to pay **MMR** an annual subsidy as specified in Exhibit B of this Agreement. It is understood that the annual subsidy is funded through millage, special assessments and/or general fund monies from the **TOWNSHIPS**. If the **TOWNSHIPS** discontinue the payment of the annual subsidy or reduce the amount of the annual subsidy, **MMR** has the right to reduce the level of services required under this Agreement in proportion to the reduction of the subsidy.
- B. **TOWNSHIPS** agree to make two equal annual payments of fifty (50%) percent of their annual subsidy. The first annual payment is due at the beginning of each annual period under this Agreement, and the second shall be due six (6) months later. If there is a termination of this Agreement, any subsidy shall be pro-rated to the effective date of the termination.
- C. Nothing in this Agreement shall prevent the **TOWNSHIPS** or **MMR** from requesting that the other agree to decrease or increase the subsidy nor prevent the **TOWNSHIPS** or **MMR** from terminating the Agreement pursuant to its terms. However, nothing the Agreement shall require the **TOWNSHIPS** or **MMR** to accept any requested decrease or increase in the subsidy and this Agreement shall continue under its same terms regardless of request for a decrease or increase in the subsidy.
- D. If a subsidy payment is not fully made when due and the nonpayment is not cured by **TOWNSHIPS** within sixty (60) days of **MMR's** written notice of that default, **MMR** may at its option terminate this Agreement by giving **TOWNSHIPS** at least an additional one hundred-twenty (120) days written notice of the termination.

VI. Cooperation with Central Dispatch

- A. **MMR** shall establish and maintain radio dispatch protocols and such other current and future policies and procedures that are necessary and reasonable for providing the ambulance services described under this Agreement. The protocols, policies and procedures shall be set forth by Grand Traverse County Central Dispatch and subject to approval by the **TOWNSHIPS**.
- B. The established protocols, policies, and procedures, and any and all amendments thereto, shall be followed and adhered to by **MMR**.
- C. **MMR's** equipment shall have the capability of communicating with Grand Traverse County Central Dispatch. **MMR** agrees that Grand Traverse County Central Dispatch shall determine all dispatches for the ambulance service provided under this Agreement.

VII. Compliance with Laws, Ordinances, Rules and Regulations

- A. **MMR** shall comply with all applicable laws of the United States, State of Michigan, and local ordinances, now or hereafter existing, and with all applicable Federal and State rules and regulations now or hereafter existing relating to any of the services provided pursuant to this Agreement.

- B. **MMR** shall specifically comply with the applicable provisions of Public Act 368 of 1978, as amended, and the rules adopted pursuant to sections 2233 and 20975 of 1978 PA 386, as amended, (MCL 333.20975 and MCL 333.223) including any future amendments or additions thereto, and with any rules and regulations promulgated thereunder, now or hereafter existing or amended.

VIII. Performance Standards

- A. Response Times. **MMR's** deployment plan for the **TOWNSHIPS** is meant to handle pre-hospital calls. The MMR unit is assigned to the **TOWNSHIPS** and is designated solely to the **TOWNSHIPS**. MMR agrees to meet a response time of twelve (12) minutes and fifty-nine (59) seconds or less, for eighty (80%) percent of the calls in the **TOWNSHIPS**, measured every four months, for potential life-threatening emergency calls (Priority 1 and Priority 2) as screened by the Grand Traverse County Central Dispatch using the Pro-QA protocols of the NAMEMD.
- B. Response Time Measurement. Response times to emergency requests shall be measured as the actual elapsed time in minutes and seconds from the time Grand Traverse County Central Dispatch has notified **MMR** personnel through the countywide paging system to the time when **MMR's** first appropriate emergency vehicle arrives at the scene. Where the patient is located in a residential, commercial, or industrial building or complex, the response time will be calculated to the time **MMR's** ambulance arrives at the specific building or entrance. Not less than fifty (50) runs will be used to measure response time performance in any 4-month period. If less than fifty (50) successive calls are received within the **TOWNSHIPS** in a given period, successive calls in the following period will be included to reach a total of fifty (50) calls. **MMR** shall provide monthly reporting for the previous month's activity. These reports will include but are not limited to response times, nature of call, responses by geographical service area and response priority.
- C. Exceptions. **MMR** is exempt from the response time requirements set forth in subparagraph B above in the following situations, however MMR shall still report all response times for all calls set out in subparagraph B:
1. Where the priority code of an emergency call is changed en-route as a result of additional information received by the dispatcher prior to the arrival of the ambulance, i.e., if the response priority is upgraded from Priority 3 to Priority 1.
 2. There is a second request for service when the contracted unit is already engaged in a 911 call, but only if the contracted unit is engaged in the **TOWNSHIPS**.
 3. Where the original caller or the dispatcher is in error on the location.
 4. Severe weather conditions that would provide reason to believe that attempting to comply with the response time performance would be hazardous to the responders or others, or where the road or other weather conditions would not allow safe driving.
- D. Disaster Preparedness. **MMR** will follow the existing Grand Traverse County Emergency Operations Plan in the event of a disaster event.

- E. Oversight. The **TOWNSHIPS** will oversee **MMR's** response times and performance as set forth in these Performance Standards. The **TOWNSHIPS** will work cooperatively with **MMR** to ensure that high quality service is maintained in the **TOWNSHIPS**.
- F. Courteous Service. **MMR** management and employees shall always conduct themselves in a professional and courteous manner and will address and correct any departures from this standard in an effective and timely manner.
- G. Paramedics. At least one (1) paramedic on each ALS unit will be licensed by the State of Michigan, certified in Advanced Cardiac Life Support by the American Heart Association, certified in Pre-Hospital Trauma Life Support by the American College of Emergency Physicians (or recognized equivalent), Pediatric Advanced Life Support (or recognized equivalent), and be authorized to practice as a paramedic by the Northwest Regional Medical Control Authority at all times.
- H. Recordings and Audits. Telephone and radio communications shall be recorded to allow review for quality. **MMR** will work with the **TOWNSHIPS** to define an acceptable reporting mechanism and audit process to verify performance. **MMR** will allow the **TOWNSHIPS** to verify **MMR's** compliance with this Agreement. **MMR** will supply the **TOWNSHIP** Boards with regular monthly reports regarding compliance with the Agreement.
- I. Quality Assurance System. **MMR** will maintain an in-house quality assurance program which shall include, at a minimum, regular chart review. Data from the quality assurance program will be made available to the Northwest Regional Medical Control Authority upon request.
- J. Collections. The collection procedures utilized by **MMR** shall be legally appropriate and designed to maximize reimbursement through Medicare, Medicaid, and other third-party payers. Services will be billed under **MMR's** provider number. It is understood that **MMR** will be responsible for all ambulance billing for services provided in the **TOWNSHIPS**.
- K. Deployment. The **TOWNSHIPS'** unit will be deployed in 12-hour segments between the **TOWNSHIPS** or in other fashions as mutually agreed upon by the **TOWNSHIPS** and **MMR**.
- L. Accreditation. **MMR** will maintain accreditation through the Commission for the Accreditation of Ambulance Services (CAAS), or another mutually agreed upon accrediting body.

IX. Insurance, Indemnification, no Third-Party Contract

- A. **MMR** shall purchase and maintain the following described insurance during the term of this Agreement. Proof of the insurance is available to the **TOWNSHIPS** upon request:
 - 1. Workers compensation insurance pursuant to the Michigan Workers Disability Compensation Act of 1969, as amended.
 - 2. Comprehensive general and automobile liability insurance to cover the claims for bodily injury and property damage liability insurance with a minimum of \$1,000,000 per occurrence and \$2,000,000 general aggregate and excess insurance of not less than \$10,000,000.

3. Professional Liability Insurance to cover errors and omissions of all professional staff and operations with a minimum of \$1,000,000 per occurrence and \$2,000,000 general aggregate and excess insurance of not less than \$10,000,000.
 4. The **TOWNSHIPS** and their officers, employees and agents shall be named additional insured on all liability insurance policies listed above and shall be furnished with Certificates of Insurance upon which Certificates shall be endorsed that in the event the policy is canceled, ten (10) day written notice is required by the Certificate holder.
- B. **MMR** agrees to defend, hold harmless and indemnify the **TOWNSHIPS** and their boards, officers and employees from any and all claims of liability, arising either directly or indirectly from **MMR's** performance or non-performance under this Agreement, including any reasonable attorney fees incurred by the **TOWNSHIPS** in the defense of any claims or actions. These indemnifications, hold harmless, and duty to defend agreements shall be construed liberally and against **MMR** as it is the express intent of the parties that the **TOWNSHIPS** shall not be liable for any damages or for the costs of defense should any provision of this Agreement be challenged by any party in any forum, legal or otherwise. **MMR** expressly, knowingly, and affirmatively waives its right to challenge the legality or breadth of the indemnification, hold harmless, and duty to defend agreements that it has provided to the **TOWNSHIPS** herein.
 - C. The **TOWNSHIPS** agree to defend, hold harmless and indemnify **MMR**, and its employees, to the extent allowed by law, from all claims of liability, arising directly from the **TOWNSHIPS'**, or their boards', officers', and employees', gross negligence, or willful misconduct.
 - D. **MMR** agrees that all indemnification, hold harmless, and duty to defend agreements provided herein shall survive the termination of this Agreement.
 - E. No third-party benefit contract is intended between **MMR** and any of the citizens being served in the **TOWNSHIPS**. Rather, the only intended beneficiaries of this Agreement are **MMR** and the **TOWNSHIPS**.

X. Referral of Ambulance Calls

- A. **TOWNSHIPS** agree that they shall refer all calls and dispatches for emergency medical service within the **TOWNSHIPS** to Grand Traverse County Central Dispatch.
- B. The **TOWNSHIPS** will notify Grand Traverse County Central Dispatch that the **TOWNSHIPS** have entered into this Agreement with **MMR**.

XI. Discrimination and Affirmative Action

- A. **MMR** as required by law, shall not discriminate against a person to be serviced or an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, sexual preference, handicap, height, weight, marital status, political affiliation or beliefs.

B. **MMR** shall adhere to all applicable federal, state and local laws, ordinances, rules and regulations prohibiting discrimination, including but not limited to the following:

1. The Elliott-Larsen Civil Rights Act, 1976 PA 453, as amended.
2. The Persons with Disabilities Civil Rights Act, 1976 PA. 220, as amended.
3. Section 504 of the Federal Rehabilitation Act of 1974, PL 93-112, 87 Stat. 394, and regulations promulgated thereunder.

XII. Independent Contractor

- A. **MMR** is an independent contractor. The employees, servants and agents of **MMR** shall in no way be deemed to be and shall not hold themselves out as the employees, servants, or agents of the **TOWNSHIPS**.
- B. **MMR** employees, servants and agents shall not be entitled to any fringe benefits of the **TOWNSHIPS** such as, but not limited to, health and accident insurance, life insurance, paid vacation leave or paid sick leave.
- C. **MMR** shall be responsible for the withholding and payment of all applicable taxes, including, but not limited to, income and Social Security taxes to the proper Federal, State, and local governments.

XIII. Legal Status

MMR warrants that it is a Michigan non-profit corporation duly organized and existing under the laws of the State of Michigan and is presently and will continue during the term of this Agreement to be in good standing.

XIV. Default

- A. The occurrence of any of the following events shall be a default under this Agreement, and if said default shall continue for forty-five (45) days after notice of the default, the **TOWNSHIPS** may immediately terminate this Agreement:
 1. **MMR's** failure to comply with the rules, procedures and protocols established by the Northwest Regional Medical Control Authority and Grand Traverse Central Dispatch.
 2. **MMR's** insolvency, bankruptcy, assignment for the benefit of creditors or consent to the appointment of a trustee or receiver.
 3. Appointment of a trustee or receiver for any part of the properties of **MMR** used in the conduct of **MMR's** business.
 4. Institution of bankruptcy, reorganization or liquidation proceedings by or against **MMR**.

5. Any statement, report or documentation required hereunder to be furnished by **MMR** proves untrue in any material respect as of the date the facts therein set forth were stated or certified.
 6. Any breach by **MMR** of the terms and conditions of this Agreement, the Real Estate Lease Agreement or the Motor Vehicle Lease Agreement.
- B. **MMR** shall respond in writing to the **TOWNSHIPS** within forty-five (45) days to any complaint by the **TOWNSHIPS** about **MMR's** performance under this Agreement. Within such forty-five (45) day period, **MMR** shall perform an investigation of the complaint and propose a specific remedy.
 - C. If any material breach of this Agreement by the **TOWNSHIPS** continues for forty-five (45) days after **MMR's** notice of default, **MMR** may terminate this Agreement with one hundred-twenty (120) days' notice.

XV. Assignment of Agreement

- A. Neither the **TOWNSHIPS** nor **MMR** may assign or transfer its obligations or rights under this Agreement nor any part thereof without the prior written consent of the other party, except that the **TOWNSHIPS** may assign their responsibilities under this Agreement to a regional, public ambulance authority in which it participates.
- B. The **TOWNSHIPS** agree not to expand the service area under this Agreement without **MMR's** prior approval, which approval shall not be unreasonably withheld.

XVI. Severability

If any section, subsection, sentence, word or phrase of this Agreement is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions of this Agreement.

XVII. Waivers

No failure or delay on the part of the **TOWNSHIPS** in exercising any right, power or privilege hereunder shall operate as a waiver thereof nor shall a single or partial exercise of any right, power or privilege preclude any other or further exercise of any other right, power or privilege.

XVIII. Modifications, Amendments or Waivers

All modifications, amendments or waivers of any provision of this Agreement may be made only by the written mutual consent of the parties.

XIX. Term

- A. This Agreement shall begin the 1st day of December 2023 and continue for a term of five (5) years through November 30, 2028, unless earlier terminated as provided in this Agreement. The TOWNSHIPS may renew this agreement for an additional one (1) year term following the expiration of the initial five-year term. Review of the agreement may begin 180 days prior to the agreement expiration.
- B. This agreement may be terminated before the expiration of the Term:
1. By mutual agreement of the parties.
 2. By any party, without cause, upon one hundred-twenty (120) days prior written notice to the other parties.
- C. If **MMR** or the **TOWNSHIPS** give notice of termination or nonrenewal of this Agreement, MMR agrees to work with the **TOWNSHIPS** to provide for a smooth transition. Following termination of this Agreement by either party, the **TOWNSHIPS** shall pay **MMR** any money owed but not yet paid for service rendered before the effective date of termination. Similarly, **MMR** shall refund any subsidy paid in advance and not yet earned by the date of termination.
- D. The parties intend that this Agreement complies with all applicable federal, state and local laws with respect to the furnishing of healthcare goods or services. Either party may terminate this Agreement upon one hundred-twenty (120) days written notice to the other party if this Agreement does not comply with a material change to a local, state or federal law.

XX. Termination and Default of Related Agreements

- A. The **TOWNSHIPS** and **MMR** agree that any termination, default or breach of this Agreement or the Real estate Lease Agreement shall also constitute a default in all other agreements between **TOWNSHIPS** and **MMR**.
- B. In the event of a termination, default or breach, the non-offending party shall be entitled to terminate all agreements between it and the offending party at the non-offending party's sole discretion, provided it has given the offending party one hundred-twenty (120) days' written notice of the termination.

XXI. Certification

The persons signing on behalf of **MMR** and the **TOWNSHIPS** certify by their signatures that they are duly authorized to sign this Agreement on behalf of **MMR** and the **TOWNSHIPS**, and that this Agreement has been authorized by **MMR** and the **TOWNSHIPS**.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

ACME TOWNSHIP

WHITEWATER TOWNSHIP

By: _____

By: _____

By: _____

By: _____

MOBILE MEDICAL RESPONSE, INC.

By: _____

DRAFT

EXHIBIT A

REAL ESTATE LEASE AGREEMENT

THIS AGREEMENT made this 1st day of December 2023, between **WHITEWATER TOWNSHIP**, a Michigan general law township, 5777 Vinton Road, P.O. Box 159, Williamsburg, Michigan 49690 (“**TOWNSHIP**”) and **MOBILE MEDICAL RESPONSE, INC.**, a Michigan non-profit corporation, 834 S. Washington Avenue, Saginaw, Michigan 48601 (“**MMR**”). **TOWNSHIP** hereby leases to **MMR** the following-described real estate subject to the following terms and conditions:

The portion of 8380 Old M-72, Williamsburg, Michigan 49690 that is legally described hereto (“**Premises**”): commencing at the N ¼ corner of SEC4, T27N R9W, proceed W 693’ to POB, thence W 140’, thence S 138’, thence W 60’, thence S 35’ to the N line of RR R/W, thence SE along R/W to point S of POB, thence N to POB; excluding RD r/W; subject to easements, restrictions, reservations and rights of way of record or in use.

I. Description of Space

TOWNSHIP will allocate to **MMR** the following within the **Premises**: One (1) bay of the apparatus room for parking of an ambulance, adequate sleeping quarters for one (1) female and one (1) male, restroom/shower facilities, kitchen facilities and one desk area.

II. Term

- A. It is expressly understood and agreed between the parties hereto that this Real Estate Lease Agreement shall begin the 1st day of December 2023, and continue through November 30, 2028, unless otherwise terminated as provided in the Agreement.
- B. This Lease will automatically be renewed for an additional one (1) year term following the expiration of the initial five (5) year term, unless either party notifies the other in writing sixty (60) days prior to the expiration date of its intent not to renew.
- C. If neither of the parties give notice of nonrenewal as herein provided, and if **MMR** is not in default, then this Agreement shall continue under the same terms and conditions set forth herein, annually thereafter, until nonrenewal notice is given at least sixty (60) days prior to the expiration of the then annual period.

III. Use of Premises

- A. **MMR** agrees to use the **Premises** for an ambulance service. **MMR** shall use the **Premises** in a careful, safe and proper manner, and will not use them in an unlawful manner or for illegal purposes and will not commit or suffer any waste thereon.
- B. **MMR** will fully comply with and obey all laws, ordinances, rules, regulations and requirements of all regularly constituted authorities in any way affecting the **Premises**.

IV. Rent

- A. **MMR** shall pay to the **TOWNSHIP** at the above address a base rental of \$600 per month (\$7,200 per annum) payable per month in advance, with the first month's payment pro-rated upon the effective date of this Lease.
- B. If there is a termination, **MMR** shall be entitled to a proration of its rent from the first of the month until the date of the termination.
- C. **MMR** is responsible for the following obligations in addition to the rent specified above: equitable sharing of utilities to be determined by the parties based on a good faith measure of relative use as further specified below.

V. Maintenance and Alterations

- A. **MMR** will not make any alteration, addition or improvements to the **Premises** without the written approval of **TOWNSHIP**, and **TOWNSHIP** upon installation.
- B. In the event **TOWNSHIP** consents to **MMR** making any leasehold improvements, **MMR** shall keep the **Premises** free of liens, and will hold **TOWNSHIP** harmless from any such liens that may be placed against the **Premises**, except those attributable solely to the acts of **TOWNSHIP**. Failure to discharge any lien within a ten (10) day period shall give **TOWNSHIP** the right, but not the obligation, to procure such discharge, and **MMR** shall pay all costs of discharge to **TOWNSHIP**, including all reasonable attorney fees.

VI. Taxes and Insurance

- A. Fire insurance, including extended or comprehensive coverage, on the **Premises** covered by this Lease shall be the responsibility of **TOWNSHIP**. **TOWNSHIP** shall always maintain and furnish suitable proof of insurance during the continuance of this Lease, or any extension thereof, including public liability insurance in the amount of at least One Million (\$1,000,000) Dollars for personal injury and/or property damage.
- B. **MMR** shall be responsible for providing its own contents insurance, including insurance for the replacement value of its equipment, fixtures, and tenant improvements.
- C. **MMR** shall secure and maintain general liability insurance in the amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate and excess insurance of at least \$10,000,000 for personal injury and/or property damage,
- D. **MMR** shall keep, save and hold harmless **TOWNSHIP** from any and all damages and liability for anything arising from, or out of, the occupancy of the **Premises**, such policy to name **TOWNSHIP** as an additional named insured party. In addition, **MMR** shall be responsible for and shall pay all property taxes assessed on its portion of the **Premises** and all personal property taxes on the **MMR** contents located herein.

VII. Assignment of Lease

MMR shall not assign this Lease or sublet the Premises or any part thereof without **TOWNSHIP's** consent in writing.

VIII. Destruction of Premises

- A. If all or any part of the **Premises** is damaged by fire or other insured casualty, **TOWNSHIP** shall, except as otherwise provided herein, repair and rebuild the **Premises** with reasonable diligence upon receipt of the casualty insurance proceeds.
- B. **MMR** hereby expressly waives any and all additional rights it might otherwise have under any law or statute.
- C. If the **Premises** are destroyed or damaged so that they are untenable and cannot be repaired or rebuilt for occupancy within sixty (60) days of the date of casualty, either party may terminate this lease.

IX. Surrender of Premises on Termination

- A. Upon termination of this Lease, **MMR** shall surrender the **Premises** in the same condition as on the Commencement Date, reasonable wear and tear excepted, unless **TOWNSHIP** consents in writing to allow any permitted renovation by **MMR** to remain, and promptly deliver all keys for the **Premises** to **TOWNSHIP**.
- B. All expenses incurred by **TOWNSHIP** in connection with repairing or restoring the **Premises** to the designated condition, together with the costs, if any, of removing any property of **MMR**, shall be invoiced to **MMR** and be payable within fifteen (15) days after mailing of invoice.

X. Lessor's Right of Entry

MMR agrees that **TOWNSHIP**, its agents, or other representatives, shall have the right to enter the **Premises** at all reasonable hours which shall not interfere with the operation of **MMR's** business, for the purpose of examining the **Premises**, or to make such alterations or repairs therein as it may deem necessary for the safety and preservation thereof.

XI. Default, Abandonment, Insolvency – Remedies of Lessor

- A. It is expressly understood and agreed that in case of demised **Premises** shall be deserted or vacated, or if default be made in the payment of the rent or any part thereof as herein specified for a period of sixty (60) days, or if, without the consent of **TOWNSHIP**, **MMR** shall sell, assign, sublet or mortgage this Lease or if **MMR** is in default in material breach of any of the covenants and agreements in this Lease or of the ambulance Services Agreement or of the Motor Vehicle Lease, or if **MMR** shall fail to comply with any statute, ordinance, rule, order, regulation and requirement of the federal, state, or local government, or of any of their departments or bureaus applicable to the said **Premises** for a period of sixty (60) days, or if **MMR** shall file a petition in bankruptcy or be adjudicated bankrupt, or make an assignment for the benefit of creditors or take advantage of any insolvency act, **TOWNSHIP** may at any time thereafter give **MMR** sixty (60) days' notice in writing of **TOWNSHIP's** intention to declare a default in the terms hereof and to re-enter the **Premises**. Such notice may be given by mail to **MMR** at the leased **Premises**. If **MMR** fails to cure said default within the period of sixty (60) days, then it shall be lawful for **TOWNSHIP** to re-enter the **Premises** and again have, repossess, and enjoy the same as if this Lease had not been made.
- B. **MMR** expressly waives the service of any further notice in writing of the intention to re-enter. In such an event, this Lease and the terms hereof shall expire on the date fixed in this notice. In the event that any agreement between the **TOWNSHIP** and **MMR** ceases or terminates for any reason, including without limitation the re-entry of **TOWNSHIP** under the terms and covenants

contained in this Lease, or by the ejectment of **MMR** by summary proceedings or otherwise, or after the abandonment of the **Premises** by **MMR**, **TOWNSHIP** or its representatives may re-enter the **Premises** either by force or otherwise.

XII. Utilities

- A. **MMR** shall provide and pay for its usage of gas, electricity, light, sewer and water, any costs associated with the water softener, garbage collection, and monthly service charge for telephone lines provided to the leased property and shall be responsible for all long-distance charges.
- B. Any such costs that cannot be split according to actual use shall be the subject of an equitable allocation to be decided by the parties, and if no agreement can be reached, by a court of competent jurisdiction.

XIII. Condemnation

- A. If the **Premises** are condemned for any public use or purpose by any legally constituted authority, this Lease shall cease from the time when possession is taken by such public authority. Such termination shall be without prejudice to the rights of either **TOWNSHIP** or **MMR** to recover compensation from the condemning authority for any loss or damage caused by such condemnation.
- B. Neither **TOWNSHIP** nor **MMR** shall have any rights in or to any award made to the other by the condemning authority.

XIV. Signs

MMR shall have the right and privilege to erect identification signs on the **Premises**, subject to **TOWNSHIP**'s prior written approval and consistent with **TOWNSHIP**'s zoning ordinances and other applicable ordinances.

XV. Personal Property of MMR

- A. Personal property brought on the **Premises** by **MMR**, listed in a written schedule to provided to and approved by the **TOWNSHIP**, although bolted or otherwise fastened to or attached to the building on the **Premises**, shall at all times remain the personal property of **MMR**, and shall not be construed to be a fixture or part of the realty (the "Personal Property").
- B. Upon termination of this Lease or upon nonrenewal thereof, **MMR** or its assigns, shall have the right to remove the Personal Property from the **Premises** and **MMR** agrees to make repairs to the **Premises** for any damages caused by the removal of the Personal Property.

XVI. Quite Enjoyment

MMR, upon payment of the base rent and all other charges herein provided for and performing all the other terms of this Lease, shall quietly have and enjoy the **Premises** during the term of this Lease without hindrance or interference by anyone claiming by or through **TOWNSHIP**, subject, however, to the reservations and conditions of this Lease.

XVII. Indemnification

MMR shall, at its expense, indemnify and defend **TOWNSHIP**, its agents, employees, directors and officers from any loss, damage, claim, liability or expense (including reasonable attorney fees of any kind) including, without limitation, claims for bodily injury, disease, death, property damage or environmental clean-up, arising directly or indirectly out of or in connection with the condition or use of the **Premises**, or the failure of **MMR** to comply with any provision of this Lease, or for any other event on or relating to **MMR's** use of the **Premises** whatever the cause.

XVIII. Miscellaneous

- A. This Lease shall be governed by and enforced in accordance with the laws of the State of Michigan.
- B. The covenants, terms, conditions, provisions and undertakings of this Lease or in any renewals thereof shall extend to and be binding upon the successors and assigns of the respective parties hereto, as if they were in every case named and expressed, and shall be construed as covenants running with the land; and wherever reference is made to either of the parties hereto, it shall be held to include and apply also to the successors and assigns of such party, as if in each and every case so expressed.
- C. The specified remedies to which the parties may resort under the terms of this Lease are cumulative and are not intended to be exclusive of any other remedies or means of redress to which the parties may be lawfully entitled in case of any breach of threatened breach by the other party of any provision or provisions of this Lease.
- D. This is the entire Agreement between the parties and such Agreement shall not be modified, except by a written amendment signed by both parties.
- E. All notices required under this Lease must be in writing and shall be deemed to have been given if a copy is personally delivered or mailed by United States first class mail, postage prepaid.

XIX. Cross-Default or Termination

TOWNSHIP and **MMR** agree that any termination or default or breach of this Real Estate Lease Agreement and/or Ambulance Service Agreement and/or Motor Vehicle Lease Agreement shall also constitute a default in all other agreements between **TOWNSHIP** and **MMR**. In the event of a default or breach, the non-offending party shall be entitled to terminate all leases and contracts between it and the offending party at the non-offending party's sole discretion provided it has given the offending party sixty (60) days of notification of default and the offending party has failed to cure the breach or default.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

WHITEWATER TOWNSHIP

MOBILE MEDICAL RESPONSE, INC.

By: _____

By: _____

By: _____

EXHIBIT B

ACME-WHITEWATER TOWNSHIP SUBSIDY

WHITEWATER TOWNSHIP agrees to pay an annual subsidy to MMR of \$353,400. WHITEWATER TOWNSHIP commits to this annual subsidy and MMR agrees to accept this subsidy for five (5) years, ending on November 30, 2028.

ACME TOWNSHIP agrees to pay an annual subsidy to MMR of \$228,600. ACME TOWNSHIP commits to this annual subsidy and MMR agrees to accept this subsidy for five (5) years, ending on November 30, 2028.

Nothing specified herein shall prevent ACME TOWNSHIP, WHITEWATER TOWNSHIP, or MMR from requesting that the other agree to a decrease or increase in this subsidy nor prevent ACME TOWNSHIP, WHITEWATER TOWNSHIP, or MMR from terminating the Ambulance Service Agreement pursuant to its terms.

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 8-21-2023
Re: Proposed Assessing Department Policies

Board Members –

This business item is presented to address an item uncovered by the most recent Assessing Department audit conducted on behalf of the State of Michigan Department of Treasury and the State Tax Commission.

The audit revealed the Township did not have and follow a published policy under which its assessor's office is reasonably accessible to taxpayers as required by MCL 211.1 0g(1)(c). A detailed report of the audit is provided for review.

Resolution #23-10 looks at adopting the proposed required policy and is presented below.

Motion One: Adopt the wording of Proposed Policy & Procedure for Public Inspection & Copying of Public Assessor Record In Lieu Of Customary Business Hours as revised 9.12.2023.

Motion Two: Adopt Resolution #23-10 establishing the Policy & Procedure for Public Inspection & Copying of Public Assessor Record In lieu of Customary Business Hours as policy in Whitewater Township.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

GRETCHEN WHITMER
GOVERNOR

RECEIVED
8-7-23
CB

RACHAEL EUBANKS
STATE TREASURER

July 14, 2023

Ron Popp, Supervisor
Whitewater Township, Grand Traverse Coun
P.O. Box 159
Williamsburg, MI 49690

Dear Ron Popp,

Reason Consulting recently conducted an assessment roll and practices audit, as required by Public Act 660 of 2018, on behalf of the State Tax Commission in your local unit. The following is a summary of the audit findings:

Substantial Compliance Review Item	Requirement Met (Yes/No)
1. Does the local unit have properly developed and documented land value determinations?	Yes
2. Does the local unit have properly developed and documented Economic Condition Factors?	Yes
3. Does the local unit have less than 1% of parcels in override and less than 1% flat land values?	Yes
Technical Compliance Review Item	
4. Does the local unit use an STC approved computer-assisted mass appraisal system?	Yes
5. Does the local unit have and follow a policy detailing assessing office accessibility?	No
6. Does the local unit provide online access to assessing information?	Yes
7. Does the local unit provide contact information on notices to taxpayers?	Yes
8. Does the local unit ensure that support staff and Board of Review members are sufficiently trained?	Yes
9. Does the local unit comply to statute requirements in respect to any property tax administration fee?	Yes
10. Does the local unit conduct an annual personal property canvass?	Yes
11. Does the July and December Board of Review meetings comply with statutory authority?	Yes
12. Does the local unit have an adequate process for determining exemptions?	Yes

Technical Compliance Review Item	Requirement Met (Yes/No)
13. Does the local unit meet the requirements outlined in the STC publication "Supervising Preparation of the Assessment Roll"?	Yes
14. Does the local unit have proper Poverty Exemption guidelines, including an asset level test, and was the policy followed?	Yes
15. Has the local unit implemented CAMA Data Standards as currently adopted by the STC?	Yes

An electronic version of your PA 660 Audit with detailed comments regarding each item is available through your assessor's MiSuite portal.

Based on the findings of the audit, your local unit is given the designation of **substantially compliant**. We expect the technical issues found will be corrected in a timely manner. If assistance is needed, or there are questions regarding correcting deficiencies, please email the State Tax Commission at State-Tax-Commission@michigan.gov. No follow up review is required at this time.

If there is a disagreement of the findings of the audit, you may file a written petition within 30 days of receiving this notice with the State Tax Commission challenging the determinations made. Petitions must be sent to the Commission at State-Tax-Commission@michigan.gov.

We thank you for your cooperation throughout this process.

Sincerely,



David A. Buick, Executive Director
State Tax Commission

Michigan State Tax Commission Assessment Audit Review Sheet

The State Tax Commission, per MCL 211.10f, is required to determine substantial compliance with the requirements of Public Act 660, MCL 211.10g, within the General Property Tax Act. The audit reflects the minimum assessing requirements of an assessing district based on statute and STC Rules, Policy, Bulletins and Publications.

As stated in STC Guideline 2020-1, each aspect within the audit is defined as "Technical" or "Substantial." A determination of Noncompliance will be made by the State Tax Commission if any "Substantial" aspect of the audit is not satisfied. Assessing districts that do not meet one or more of the "Substantial" aspects and/or four or more "Technical" aspects of the review will be required to submit a corrective action plan detailing how and when the deficiencies will be resolved. A final determination of Noncompliance may result in a follow up review, assumption of jurisdiction by the State Tax Commission, or assignment of the roll to the Designated Assessor.

LOCAL UNIT BACKGROUND INFORMATION (Technical Compliance)				
Year of Audit 2023	Local Unit Name Whitewater Township		County Name Grand Traverse County	
Assessor Name Dawn Kuhns		Assessor Certification Level MAAO		
Supervisor, City Manager or Mayor Name Ron Popp		Title Supervisor		
Mailing Address of Supervisor, City Manager or Mayor P.O. Box 159		City Williamsburg	State MI	ZIP Code 49690
Date the assessor <u>certified the assessment roll</u> 03/07/2023				
<p>Other than staff listed on Form 5730, did the assessor receive outside assistance, in the form of a contract or otherwise, in the development of valuation studies and or field data collection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If answering yes, provide their names, and detail the work completed.</p>				
ASSESSMENT ROLL ANALYSIS FOR SUBSTANTIAL COMPLIANCE (Requirements found in <u>MCL 211.10g</u>)				
<p>1. Does the assessing district have properly developed and documented land values that meet State Tax Commission requirements per MCL 211.10e and STC Land Value Determination Publications and have less than 1% of land adjustments without reason? MCL 211.10g(1)(h)(i). <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Notes:</p> <p>Assessing district has 0 parcels with a land adjustment and no reason. 43 total adjustments. Land value analysis was performed and was reviewed. It was appropriate with documented sales and analysis of front foot rates, site values or acreage rates for all property classes in the unit.</p>				
<p>2. Does the assessing district have properly developed and documented Economic Condition Factors ("ECF") that meet State Tax Commission requirements per <u>MCL 211.10e</u> and <u>STC ECF Publications</u>? MCL 211.10g(1)(h)(iii). <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Notes:</p> <p>Assessing district does have properly calculated and appropriately documented ECF studies for the agricultural, commercial, industrial and residential classes. The industrial class is reviewed with other areas. The agricultural class is reviewed with residential.</p>				

ASSESSMENT ROLL ANALYSIS FOR SUBSTANTIAL COMPLIANCE (Continued)

3. Does the assessing district have an assessment database for which not more than 1% of parcels are in override and less than 1% flat land values – excluding DNR PILT Property (STC Policy)?

MCL 211.10g(1)(h)(ii)..... ☒ Yes ☐ No

Notes:

Assessing district database review has 0.10% (2 out of 1,983) of parcels on override and has 0 flat land values with no reason. 6 have an inappropriate reason (view).

ASSESSMENT PROCEDURE ANALYSIS FOR TECHNICAL COMPLIANCE (Requirements found in MCL 211.10g)

4. Does the assessing district use a computer-assisted mass appraisal system (CAMA) that is approved by the State Tax Commission as having sufficient software capabilities to meet requirements of the General Property Tax Act and to store and back up necessary data?

MCL 211.10g(1)(b)..... ☒ Yes ☐ No

Notes:

Assessing district is using STC approved CAMA software. BS&A software is utilized.

5. Does the assessing district have and follow a published policy under which its assessor's office is reasonably accessible to taxpayers? MCL 211.10g(1)(c).

a. A designation by name, telephone number, and electronic mail address, of at least one official or employee in the assessor's office to whom taxpayer inquiries may be submitted directly by telephone or electronic mail. MCL 211.10g(1)(c)(i)..... ☐ Yes ☒ No

b. An estimated response time for taxpayer inquiries submitted, not to exceed seven business days. MCL 211.10g(1)(c)(ii). ☐ Yes ☒ No

c. Information about how a taxpayer may arrange an in-person meeting with an official or employee of the assessor's office for purposes of discussing an inquiry. MCL 211.10g(1)(c)(iii)..... ☒ Yes ☐ No

d. Information about how requests for inspection or production of records maintained by the assessor's office should be made by a taxpayer and how those requests will be handled by the assessor's office. MCL 211.10g(1)(c)(iv). ☒ Yes ☐ No

e. Information about any process that the assessor's office may have to informally hear or resolve disputes brought by taxpayers before the March meeting of the Board of Review. MCL 211.10g(1)(c)(v)..... ☒ Yes ☐ No

Notes:

Contact name, telephone number, email address and not to exceed 7 days are not included. Assessing district has a Public Inspection of Records Policy and each required item has been reviewed.

ASSESSMENT PROCEDURE ANALYSIS FOR TECHNICAL COMPLIANCE (Continued)

6. Does the assessing district provide taxpayers online access to information regarding its assessment services, including, but not limited to, parcel information, land value studies and documentation, and economic condition factors if there is a city or township building within the assessing district in an area with broadband internet access? MCL 211.10g(1)(d). ☒ Yes ☐ No

Notes:

Assessing district does provide information regarding its assessment services, parcel information (link to Grand Traverse County), land value studies/documentation and ECF studies on their website.

7. Does the assessing district include the contact information of at least one official or employee in the assessor's office including name, telephone number, and electronic mail address in notices to taxpayers concerning assessment changes and exemption determinations? MCL 211.10g(1)(e). ... ☒ Yes ☐ No

Notes:

Assessing district sends out notices of assessment changes with required information and Form L-4400 was reviewed.

8. Does the assessing district ensure that its support staff is sufficiently trained to respond to taxpayer inquiries, require that its assessors maintain their certification levels, and require that its Board of Review members receive training and updates required and approved by the State Tax Commission? MCL 211.10g(1)(f). ☒ Yes ☐ No

Notes:

Assessing district supports staff to maintain their certification level, as required by the STC. Form 5730 (staff) and Form 5731 (BOR) have been completed and are attached to the certification of the roll. Form 5731 is dated 4-4-23, with training completed in Jan/2023.

9. Does the assessing district comply with MCL 211.44(4) in respect to any property tax administration fee collected under section MCL 211.44? MCL 211.10g(1)(g). ☒ Yes ☐ No

Notes:

Assessing district collects an administration fee and the Property Tax Administration Fee Certification, dated 4-4-23, was reviewed.

10. Does the assessing district conduct an annual personal property canvass and maintain sufficient personal property records according to developed State Tax Commission policies and statutory requirements? MCL 211.10g(1)(h)(iv). ☒ Yes ☐ No

Notes:

Assessing district does have a Personal Property Canvass Policy with detailed information to conduct an annual personal property canvass.

ASSESSMENT PROCEDURE ANALYSIS FOR TECHNICAL COMPLIANCE (Continued)

11. Does a sample of the July and/or December Board of Review actions indicate the Board met the requirements of MCL 211.53b and considered only those items over which they have statutory authority? MCL 211.10g(1)(h)(v)..... ☒ Yes ☐ No

Notes:

BOR actions indicate the Board has operated in accordance with this act. JBOR met, but did not have any items to consider. DBOR granted a poverty exemption.

12. Does the assessing district have an adequate process for determining whether to grant or deny exemptions according to statutory requirements? MCL 211.10g(1)(h)(vi)..... ☒ Yes ☐ No

Notes:

Assessing district has Audit Procedures for Granting or Removal of Real Property Exemptions with the process detailed that follow statutory requirements in determining to grant or deny exemptions. 5% of the exemptions are reviewed annually.

13. Does the assessing district meet the requirements outlined in the State Tax Commission's publication entitled, "Supervising Preparation of the Assessment Roll," including, but not limited to, the submission of all required forms, attendance at all required meetings, fulfilling the requirements of the assessment roll, appraising and assessing taxable property including new construction, and maintenance of accurate record cards? MCL 211.10g(1)(h)(vii)..... ☒ Yes ☐ No

Notes:

Assessing district meets the requirements of Supervising Preparation of the Assessment Roll per the STC's guidelines & completed forms. Form 5823, dated 3-23-23, and Form 5824, dated 4-20-23, were reviewed and the assessor met all of the requirements.

- a. Was the auditor made aware of possible record card issues or inaccuracies by County Equalization, the local unit, the State Tax Commission, or the Michigan Tax Tribunal? ☐ Yes ☒ No

Notes:

The auditor was not informed of record card issues or inaccuracies by the local unit.

ASSESSMENT PROCEDURE ANALYSIS FOR TECHNICAL COMPLIANCE (Continued)**14. Review of Exemptions Granted under MCL 211.7u (Poverty Exemptions) MCL 211.10g(i).**

- a. Did the local unit grant any exemptions under MCL 211.7u (Poverty Exemption)? ☒ Yes ☐ No
- b. Does the local unit have proper Poverty Exemption guidelines? ☒ Yes ☐ No
- c. Do the local unit Poverty Exemption guidelines include a proper asset level test? ☒ Yes ☐ No
- d. Does a sampling of the exemptions granted under MCL 211.7u indicate that the statutory requirements were met and that the local unit policy was followed? ☒ Yes ☐ No

Notes:

Unit adopted proper Poverty Exemption Guidelines increased 125%, including a proper asset test, on 2-14-23. Asset test is not to exceed \$4,162/applicant or \$6242/household + the first \$15,200 of the market value of a motor vehicle and a (Blue Book) value must be supplied.

- 15. Has the local unit implemented CAMA Data Standards as currently adopted by the State Tax Commission? MCL 211.10g(i).** ☒ Yes ☐ No

Notes:

Unit has implemented CAMA Data Standards to identify exempt properties.

CERTIFICATION

I hereby declare that the foregoing information submitted is a complete and true statement.

Signature

AI Consiglio

Date

05/24/2023

- ☒ By checking this box, I agree and confirm that the signature I have typed above is the electronic representation of my original, handwritten signature when used on this document. I further understand that signing this document using my electronic signature will have the same legally binding effect as signing my signature using pen and paper.

Policy and Procedure for Public Inspection and Copying of Public Assessor Record In lieu of Customary Business Hours

Adopted at a Regular Meeting _____, 2023

Requests for public inspection and copying of public records may be made verbally and in writing. If the request is for inspection of public records, the assessor and/or authorized individual will respond within 5 business days from the date of request.

The establishment of the date and time of the public inspection of the requested public records will be at the discretion of the assessor. Inspection between usual business hours of 9 am and 5 pm Monday through Friday unless a holiday, and unless mutually agreed to by the assessor and requesting party.

The place designated for the requested inspection shall be at the township hall. Any verbal or email requests will be replied to no later than 5 business days.

Property Search and Mapping can be found at:

<http://maps.grandtraverse.org/>

Property Record card information can be found at:

<https://bsaonline.com>

For written requests:

Dawn Kuhns, Assessor
PO Box 159
Williamsburg MI 49690

For verbal requests:

Dawn Kuhns, Assessor
(231-409-1827)

For email requests:

assessordawn@gmail.com

Assessing records are officially retrained at:

Whitewater Township Hall
5777 Vinton Rd
Williamsburg MI 49690

RESOLUTION #23-10

POLICY AND PROCEDURE FOR PUBLIC INSPECTION AND COPYING OF PUBLIC ASSESSOR RECORD IN LIEU OF CUSTOMARY BUSINESS HOURS

Whitewater Township
Grand Traverse County, Michigan

WHEREAS, Whitewater Township was selected as part of the 2023 audit program by the State Tax Commission at their August 23, 2022 meeting; and

WHEREAS, the State of Michigan Department of Treasury in conjunction with the State Tax Commission conducted an assessment roll and practices audit as required by Public Act 660 of 2018; and

WHEREAS, the results of that audit revealed the need for a new policy under MCL211.10g(1)(c) establishing a published policy detailing reasonable accessibility of the assessing office to taxpayers; and

WHEREAS, the Whitewater Township Policies and Procedure manual has been updated to address this need by creating the **POLICY & PROCEDURE FOR PUBLIC INSPECTION & COPYING OF PUBLIC ASSESSOR RECORDS IN LIEU OF CUSTOMARY BUSIENSS HOURS**;

NOW, THEREFORE, BE IT HEREBY RESOLVED that Whitewater Township adopts the above-mentioned Policy & Procedure for Public Inspection & Copying of Public Assessor Records In lieu of Customary Business Hours In accordance with Public Act 206 of 1893 and MCL 211.10g et al.

A motion to adopt the foregoing resolution was made by _____ and seconded by _____.

Upon roll call vote, the following voted:

Yes:

No:

Absent:

Resolution declared adopted.

Certificate

I, Cheryl A. Goss, Clerk of Whitewater Township, Grand Traverse County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Whitewater Township Board of said municipality at a regular meeting held on _____, 2023, relative to the adoption of Resolution #23-10.

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 8-21-2023
Re: Proposed Appendix I – Assessor Policies

Board Members –

This business item is presented to address required updates to the existing Appendix I by adding documents *Policy & Procedure for Public Inspection & Copying of Public Assessor Record In Lieu Of Customary Business Hours* and *Resolution #23-10 establishing the Policy & Procedure for Public Inspection & Copying of Public Assessor Record In lieu of Customary Business Hours* to the existing document. The customary redline and clean copy documents have been provided for board review and approval.

Motion One: Adopt changes to Whitewater Township Policy and Procedure Manual Appendix I as revised 9.12.2023.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

APPENDIX I

Resolution #20-12 Revised Freedom of Information Act Forms & Policies

Resolution #15-12 Adopting New Freedom of Information Act Procedures, Guidelines, Policies, Forms, and Fees

Resolution #11-12 to Amend Freedom of Information Act Coordinator FOIA Request for Public Records

FOIA Request Detailed Cost Itemization Notice to Extend Response Time for FOIA Request

Notice of Denial of FOIA Request

FOIA Appeal Form-To Appeal a Denial of Records FOIA Appeal Form-To Appeal an Excess Fee FOIA Procedures and Guidelines

Public Inspection of Records Policy

Public Summary of FOIA Procedures and Guidelines

Policy and Procedure for the Public Inspection and Copying of Public Records
(**Non-FOIA**) in Lieu of Customary Business Hours

Resolution #23-10 Policy & Procedure for Public Inspection & Copying of Public Assessor Record In Lieu Of Customary Business Hours

Policy and Procedure for Public Inspection and Copying of Public Assessor Record In lieu of Customary Business Hours.

APPENDIX I

Resolution #20-12 Revised Freedom of Information Act Forms & Policies

Resolution #15-12 Adopting New Freedom of Information Act Procedures, Guidelines,
Policies, Forms, and Fees

Resolution #11-12 to Amend Freedom of Information Act Coordinator FOIA Request for
Public Records

FOIA Request Detailed Cost Itemization Notice to Extend Response Time for FOIA
Request

Notice of Denial of FOIA Request

FOIA Appeal Form-To Appeal a Denial of Records FOIA Appeal Form-To Appeal an
Excess Fee FOIA Procedures and Guidelines

Public Inspection of Records Policy

Public Summary of FOIA Procedures and Guidelines

Policy and Procedure for the Public Inspection and Copying of Public Records
(**Non-FOIA**) in Lieu of Customary Business Hours

Resolution #23-10 Policy & Procedure for Public Inspection & Copying of Public
Assessor Record In Lieu Of Customary Business Hours

Policy and Procedure for Public Inspection and Copying of Public Assessor Record In lieu of
Customary Business Hours.

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 8.15.2023
Re: Proposed Lawn Maintenance Specifications

Board Members –

This business item is presented because the 3-year contract with Lawn-N-Order is ending in the fall of 2023. This is an opportunity to review the current lawn maintenance and clean up specifications. If approved for publication, in local newsprint, final contractor selection would appear on the December Agenda.

You will notice the attached specification/bid form is a fillable version. Attempting to make it easy for companies to submit responsive bids is the goal. For this reason, I ask the Board to accept (consensus) an image of signature or electronic signatures on this bid form.

Motion: Motion authorizing the clerk to publish the following legal notice:

LEGAL NOTICE Whitewater Township Invitation to Bid 2024 Lawn Maintenance/Cleanups Whitewater Township is seeking bids for 2024 lawn maintenance and cleanup services at various township facilities and parks. The bid form listing all specifications and contractor requirements can be found on the home page of the township website at www.whitewatertownship.org. Questions should be directed to Township Supervisor Ron Popp, 231-267-5141 ext 23 or supervisorwhitewater@gmail.com. Deadline for submission of bids is Monday, November 15, 2023, by 5:00p.m.

in the Traverse City Record Eagle and the Elk Rapids News for bidding purposes.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690
(231) 267-5141 • FAX (231) 267-9020

2024 Specifications for Lawn Maintenance and Cleanups

Circle Hill Cemetery — 5194 Vinton Road, Williamsburg 49690

1. Mow every two weeks or as needed. **Must be done just before Memorial Day.**
Price per mow: Year 1 _____ Year 2 _____ Year 3 _____
2. Spring and fall cleanups. (see requirements below)
Price per cleanup: Year 1 _____ Year 2 _____ Year 3 _____

Williamsburg Cedar Rapids Cemetery — Old M-72, just east of Fire Station

1. Mow every two weeks or as needed. **Must be done just before Memorial Day.**
Price per mow: Year 1 _____ Year 2 _____ Year 3 _____
2. Spring and fall cleanups. (see requirements below)
Price per cleanup: Year 1 _____ Year 2 _____ Year 3 _____

Township Hall — 5777 Vinton Road, Williamsburg 49690 (Irrigation present but not used)

1. Mow as needed.
Price per mow: Year 1 _____ Year 2 _____ Year 3 _____
2. Spring and fall cleanups. (see requirements below)
Price per cleanup: Year 1 _____ Year 2 _____ Year 3 _____

Hi Pray Park — 6075 Elk Lake Road, Williamsburg 49690

1. Front ballfield (irrigated) - Mow once a week.
Price per mow: Year 1 _____ Year 2 _____ Year 3 _____
2. Mow other areas as needed (small ballfield, tennis and basketball court areas, common areas)
Price per cleanup: Year 1 _____ Year 2 _____ Year 3 _____

Whitewater Township Park — 9500 Park Road, Williamsburg 49690

1. Mow common areas and nature trails — once a week at beginning of season; as needed throughout season
Price per mow: Year 1 _____ Year 2 _____ Year 3 _____
2. Mow grassy areas in campground interior at Parks & Recreation Administrator request.
Price per mow: Year 1 _____ Year 2 _____ Year 3 _____

Petobego Natural Area – South side of Angell Road, 1 mile west of Elk Lake Road

1. Mow parking lot on south side of Angell Road approximately once per month.
Price per mow: Year 1 _____ Year 2 _____ Year 3 _____

Lossie Road Nature Trail – East side of Cook Road, 1.5 miles north of M-72

1. Mow entrance/small parking area off Cook Road.
Price per mow: Year 1 _____ Year 2 _____ Year 3 _____

SPRING AND FALL CLEANUP REQUIREMENTS: Spring and fall cleanups of the cemeteries and township hall property should include all of the following:

1. Gathering of all leaves, sticks, pine cones, pine needles, and other natural debris, including along fence lines and around headstones.
2. Trim low-hanging branches which interfere with mowing.
3. Remove all remnants of snowplow damage to mowed areas at township hall.
4. Gather trash and place in trash containers on site. If an item is too large for the container, leave it next to the container.
5. Advise Township Clerk of damage to headstones at cemeteries.

OTHER REQUIREMENTS:

1. As an independent contractor, you must carry liability insurance and workers' compensation for employees and provide proof of current insurance to Township Supervisor.
2. Must bid all areas, with separate quotes for each area.
3. **It is the township's intent to award a 3-year contract. Please submit bid prices for year 1, year 2, and year 3. (If the price is the same for all 3 years, please so indicate.)**

DEADLINE FOR BIDS IS MONDAY, NOVEMBER 15, 2023.

Send Bids to Township Supervisor Ron Popp:

1. E-mail to supervisorwhitewater@gmail.com
OR
2. Fax to 231-267-9020, Attention Supervisor Popp
OR
3. Hand delivered proposals should be in a sealed envelope marked with company name and "2024" LAWN MAINTENANCE BID. Envelopes are to be placed in outside drop box marked Clerk/Notary at south entrance of township hall, 5777 Vinton Road, Williamsburg.

If you have questions, please call Supervisor Popp at 231-267-5141, ext 23.

###

Form approved by Whitewater Township Board on _____

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 8-28-2023
Re: Proposed Slalom Water Ski Course -

All,

Below is a renewal request from Isaac Moothart proposing the installation of a slalom water ski course in the south end of Elk Lake. If approved, this request and subsequent permit will be valid for 3 years. The DNR is looking for a letter of no objections from the adjacent land owner, Whitewater Township before approving the application and exemption to provision number 6. This would be the third renewal request which the Township has responded with "No Objections" as a "Property Owner adjacent to the proposed course."

The initial request for this course in June of 2011 generated a number of objections. In more recent years only a couple of comments not necessarily in support for the course have been received. Those entities have been made aware of this renewal request in case they wanted to provide the Whitewater Township Board of Trustees with comments.

Previously, this request has been handled by a motion and vote to provide the letter of no objection. For the purpose of this business item a sample letter of no objection and motion for approval is being provided. However, pending board discussion a public hearing could be scheduled to gather more input if the board desired.

An appropriate motion may look like: Motion to submit a letter of "NO OBECTION" regarding the installation of slalom water ski course located in front of the Battle Creek Natural Area including exemption to provision and condition number 6 as listed in the application.

Respectfully submitted,



Ron Popp

Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Re: Request for Letter of No Objection

1 message

Isaac Moothart <zmoothart0@gmail.com>
To: supervisorwhitewater@gmail.com

Mon, Aug 28, 2023 at 7:00 PM

Dear Board:

It has come to my attention that was there an error in the application that I attached to my letter. I have fixed the date that was incorrect and attached the updated application to my original letter.

Sincerely,

Isaac Moothart

On Aug 17, 2023 at 11:02 -0400, Isaac Moothart <zmoothart0@gmail.com>, wrote:

Dear Board:

Please see attached for my request to be considered for a letter of no objection from this body to the renewal of a permit to place buoys for a water ski course in the waters adjacent to the property owned by this township in the south east corner of Elk Lake.

Sincerely,

Isaac Moothart



Request for Letter of No Objection 2023.pdf
1303K

Isaac Moothart
9815 Miami Beach Rd
Williamsburg, MI 49690

August 17, 2023

Whitewater Township Board
5777 Vinton Rd
Williamsburg, MI 49690

In the spring of 2011, my brother, Noah Moothart, made a presentation to the township to ask for a Letter of No Objection to accompany an application by him and our father, Jonathan, to place buoys for a waterski slalom course in the waters adjacent to the township's property on the southeast corner of Elk Lake. The granting of his request and subsequent renewals has enabled us to set up and maintain a waterski slalom course that has been appreciated by many community members.

Noah and I are especially grateful for your consent over the past years. Being able to train on Elk Lake enabled my brother to become a successful captain of the Water Ski Team at Principia College. It has also enabled me to compete on the Water Ski Team at the University of Michigan, including a winning a Division 2 National Championship in 2021 and being voted the most valuable player two years in a row.

It is time again to renew the Permit to Place Buoys in Michigan Waters from the Michigan Department of Natural Resources & Environment. This application, being made by me and co-signed by my father, must be accompanied by a Letter of No Objection from the land owner adjacent to the ski course for the waterskiing season from May 1st to October 31st of each year. We are also requesting that, in order for this facility to be available for public use, the Board waives Provision 6 of the permit which requires the buoys to be lowered or removed anytime the course is not in actual use.

I am asking to be added to the agenda of the next appropriate Whitewater Township Board Meeting to request this Letter of No Objection and Waiver of Provision 6 to accompany the attached permit application and answer any questions you may have.

Best,



Isaac Moothart

**APPLICATION/PERMIT FOR
PLACEMENT OF SLALOM SKI COURSE BUOYS**

Issued under authority of Part 801, 1994 PA 451, as amended.

Failure to comply with the provisions of this Act is a misdemeanor and may result in fines and/or imprisonment.

APPLICANT: This completed and signed application must be received by the appropriate Michigan Department of Natural Resources (DNR) office. Locations and addresses on next page. Incomplete applications will be returned for completion.**TYPE OF APPLICATION:** ☐ NEW☒ **RENEWAL:** PERMIT EXPIRATION DATE: 12/31/2019**PERMIT NUMBER:** B-2020-09

APPLICANT INFORMATION				
Name of Applicant Isaac Moothart		Sponsoring Organization/Individual/Group Jon Moothart		Name of Person in Charge Isaac Moothart
Street Address 9815 Miami Beach Rd		Street Address 9815 Miami Beach Rd		Street Address
City, State, ZIP Williamsburg, Michigan, 49690		City, State, ZIP Williamsburg, Michigan, 49690		City, State, ZIP
Email Address zmoothart0@gmail.com		Email Address jon@moothartlaw.com		Email Address
Business Telephone	Home Telephone 231-632-4255	Business Telephone 231-947-8048	Home Telephone	

COURSE INFORMATION				
Type of Course <input checked="" type="checkbox"/> 4 Buoy System <input type="checkbox"/> Other:		Type of Installation <input type="checkbox"/> Submersible <input checked="" type="checkbox"/> Non-Submersible	Length and Width of Course 1200 ft by 75 ft	
Name of Body of Water Elk Lake		<input checked="" type="checkbox"/> Inland Water <input type="checkbox"/> Great Lakes/Navigable Waters	Township Whitewater	County Grand Traverse
Date(s) of Operation (mm/dd/yyyy) May - October		Depth of Water to be Marked Minimum: 4 ft Maximum: 15 ft		

Attach detailed drawing of the proposed slalom ski course on a separate sheet and include the following:

- A. Show location on lake or river where you intend to place buoys with exact measurements from one or more fixed objects;
- B. Dimensions (length and width) of buoys for the marked ski slalom course;
- C. Lot lines and dimensions;
- D. Prominent landmarks, including roads, near lake or river;
- E. Nearby rafts, docks, public access areas, marinas and channels.

APPLICANT CERTIFICATION	
<i>I certify that I have read and understand the information requested in this application; that I have attached a sketch of the area as requested above. Further, I certify that (check all that apply):</i>	
<input type="checkbox"/> I am the riparian owner of the property adjacent to the water area requested for marking in this application, or	
<input type="checkbox"/> I have attached a letter of "NO OBJECTION" from the owner(s) of the property adjacent to the proposed slalom ski course	
<input type="checkbox"/> I have attached a letter of "NO OBJECTION" from the lake association, if applicable.	
<input checked="" type="checkbox"/> I have attached a letter of "NO OBJECTION" from the owner(s) of the property adjacent to the proposed slalom ski course to waive the requirement of provision 6 of this permit stating that the actual course buoys shall be removed or lowered anytime the course is not in actual use.	
<input type="checkbox"/> I have attached a letter of "NO OBJECTION" from the lake association, if applicable, to waive the requirement of provision 6 of this permit stating that the actual course buoys shall be removed or lowered anytime the course is not in actual use.	
Applicant Signature	Date

APPLICANT: Submit completed and signed application to appropriate DNR office. Locations and addresses on next page.

FOR DNR USE ONLY			
Investigation Findings & Recommendations			
Investigating Officer (please print)	Badge Number	Signature	Date of Investigation (mm/dd/yyyy)
AUTHORIZATION AND PROVISIONS			
<input type="checkbox"/> PERMIT IS AUTHORIZED for the date(s) and time(s) specified as long as conditions are complied with prior to and/or during stated event(s). Failure to meet all specified conditions automatically invalidates this permit and may subject permittee to prosecution.			
HOURS OF OPERATION:		DATE OF EXPIRATION: DECEMBER 31,	
OTHER:			
<input type="checkbox"/> PERMIT IS NOT AUTHORIZED			
District Law/Permit Supervisor (Please print)		Signature	Date

PROVISIONS AND CONDITIONS

This permit is subject to the following conditions and requirements:

1. This authorized ski course shall remain open to the use of the general public.
2. A permit shall not restrict times/days of operation during the period of Labor Day through Memorial Day. For the purpose of this provision, Labor Day and Memorial Day shall include the weekends during which these holidays are observed. During the period not described above, a permit will restrict the hours of operation to 1 hour before sunrise to noon on Saturday, Sunday, and Holidays. The permit shall not restrict the course hours on the remaining days of the week unless it is upon the recommendation of the investigating officer and based on articulated marine safety concerns.
3. A standard slalom course will require an "area of activity." This area shall be an area on the surface of the water body that is 1,800 feet long, and 150 feet wide as measured in straight lines. This area was established in consultation with the Michigan Waterski Association in order that the course may be used safely. If the body of water on which the course is requested cannot accommodate this area of activity as measured by the conservation officer, then the permit will be denied. **There is no minimum acreage requirement for permit issuance.**
4. **At no point shall the area come within 75 feet of an undeveloped shoreline or activity fall within 100 feet of any man-made object, including, but not limited to a dock, buoyed swim area, anchored raft, or boat hoist, unless otherwise specified (see conditions below).**
5. No less than four (4) uniform Waterway Marking System Buoys (corner buoys) shall be placed marking the corners for the slalom ski course. Corner buoys are to conform with the Uniform Waterway Marking System.

Minimum sizes for buoys and required markings are to be as specified on the attached drawing and Administrative Rule. The corner buoys shall be in place whenever the course buoys are in place. The course buoys shall be centered within the corner buoys.

6. The 4 corner buoys shall remain in place during the entire time that the course may be used. The 4 corner buoys may be lowered to not less than 4 feet below the water's surface when the course is not in use. The actual course buoys (non-conforming buoys) shall be removed or lowered to not less than 4 feet below the water's surface at any time that the course is not in actual use.
7. This permit expires on the Date of Expiration, unless revoked and ordered to be removed by the Michigan Department of Natural Resources.
8. **Buoys placed contrary to the terms of this permit will be ordered removed and the permit revoked.**

ADDITIONAL INFORMATION: The Michigan Supreme Court has ruled that any person has the right to the surface of the whole lake on which to boat and fish, so long as there is no interference with the reasonable use of the waters by riparian owners and their lessees and licensees. Connecting buoys together by float lines or other means might well restrict the use of the whole lake and for this reason the Department cannot authorize such arrangements. The placement of any such connected buoys is at the permittee's own risk and may be subject to the objection that the use of the whole lake is thus unreasonably impeded.

LIABILITY - Grantee hereby releases, waives, discharges and covenants not to sue the State of Michigan, its departments, officers, employees and agents, from any and all liability to Grantee, its officers, employees and agents, for all losses, injury, death or damage, and any claims or demands thereto, on account of injury to person or property, or resulting in death of Grantee, its officers, employees or agents, in reference to the activities authorized by this permit.

INDEMNIFICATION - Grantee hereby covenants and agrees to indemnify and save harmless, the State of Michigan, its departments, officers, employees and agents, from any and all claims and demands, for all loss, injury, death or damage, that any person or entity may have or make, in any manner, arising out of any occurrence related to (1) issuance of this permit; (2) the activities authorized by this permit; and (3) the use or occupancy of the premises which are the subject of this permit by the Grantee, its employees, contractors, or its authorized representatives.

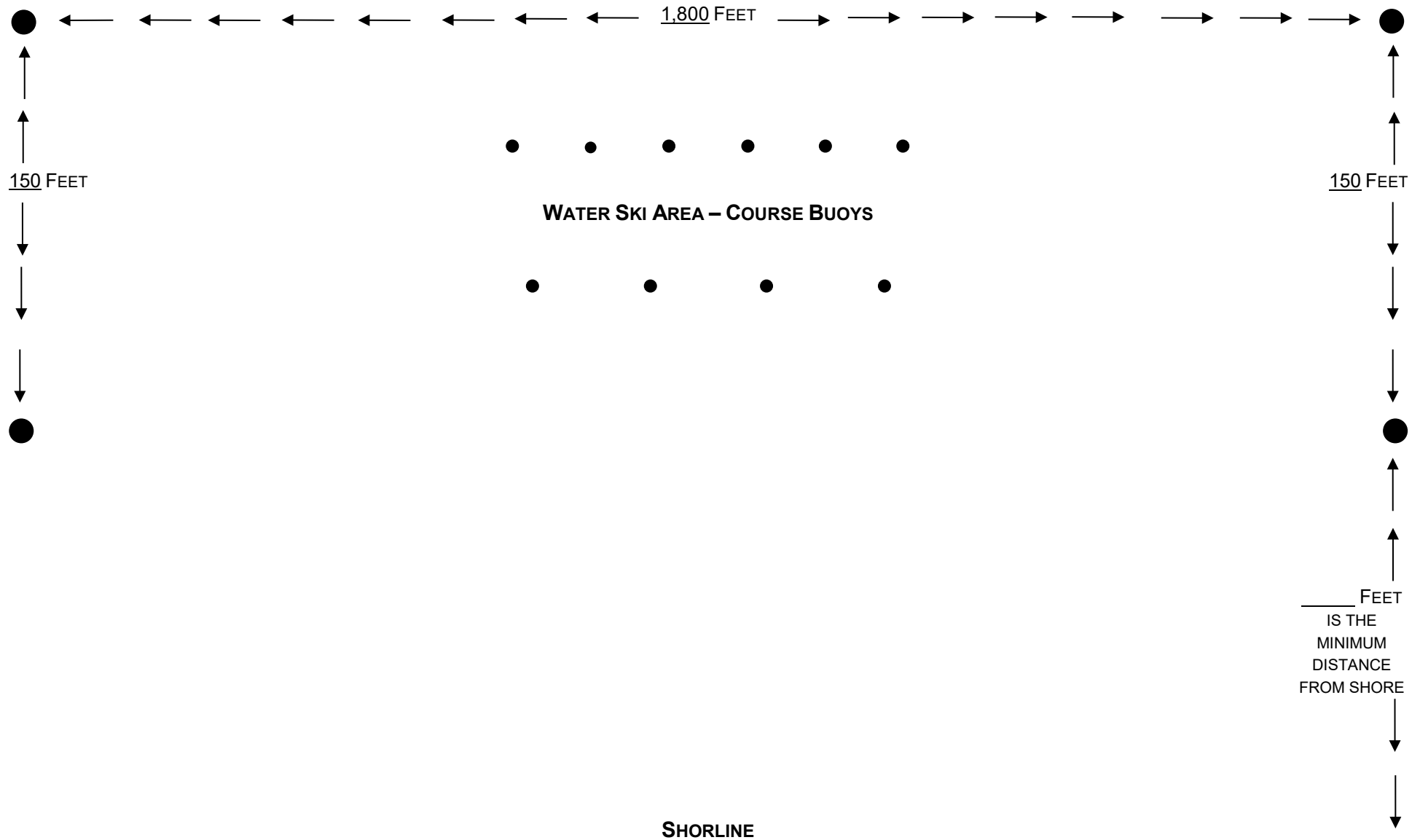
PENALTY - The Michigan Department of Natural Resources reserves the right to cancel this permit at any time if conditions and requirements are not adhered to.

COUNTIES		DISTRICTS	COUNTIES		DISTRICTS
Baraga Dickinson Gogebic Houghton Iron	Keweenaw Marquette Menominee Ontonagon	DISTRICT 1 LAW ENFORCEMENT MARQUETTE CUSTOMER SERVICE CENTER MICHIGAN DEPARTMENT OF NATURAL RESOURCES 1990 US-41 SOUTH MARQUETTE MI 49855 TELEPHONE (906) 228-6561	Arenac Bay Gratiot Huron Isabella	Midland Montcalm Saginaw Sanilac Tuscola	DISTRICT 6 LAW ENFORCEMENT BAY CITY CUSTOMER SERVICE CENTER MICHIGAN DEPARTMENT OF NATURAL RESOURCES 3580 STATE PARK DRIVE BAY CITY MI 48706 TELEPHONE (989) 684-9141
Alger Chippewa Delta	Luce Mackinac Schoolcraft	DISTRICT 2 LAW ENFORCEMENT NEWBERRY CUSTOMER SERVICE CENTER MICHIGAN DEPARTMENT OF NATURAL RESOURCES 5100 STATE HWY M-123 NEWBERRY MI 49868 TELEPHONE (906) 293-5131	Allegan Barry Berrien Cass Ionia Kalamazoo	Kent Muskegon Ottawa St. Joseph Van Buren	DISTRICT 7 LAW ENFORCEMENT PLAINWELL CUSTOMER SERVICE CENTER MICHIGAN DEPARTMENT OF NATURAL RESOURCES 621 NORTH 10th STREET PLAINWELL MI 49080 TELEPHONE (269) 685-6851
Alpena Antrim Charlevoix Cheboygan	Emmet Montmorency Otsego Presque Isle	DISTRICT 3 LAW ENFORCEMENT GAYLORD CUSTOMER SERVICE CENTER MICHIGAN DEPARTMENT OF NATURAL RESOURCES 1732 WEST M-32 GAYLORD MI 49735 TELEPHONE (989) 732-3541	Branch Calhoun Clinton Eaton Lenawee Livingston	Hillsdale Ingham Jackson Shiawassee Washtenaw	DISTRICT 8 LAW ENFORCEMENT LANSING CUSTOMER SERVICE CENTER MICHIGAN DEPARTMENT OF NATURAL RESOURCES 4166 LEGACY PARKWAY LANSING MI 48911 TELEPHONE (517) 284-4720
Benzie Grand Traverse Lake Leelanau Manistee	Mason Mecosta Newaygo Oceana Osceola Wexford	DISTRICT 4 LAW ENFORCEMENT CADILLAC CUSTOMER SERVICE CENTER MICHIGAN DEPARTMENT OF NATURAL RESOURCES 8015 MACKINAW TRAIL CADILLAC MI 49601 TELEPHONE (231) 775-9727	Genesee Lapeer Macomb Monroe	Oakland St. Clair Wayne	DISTRICT 9 LAW ENFORCEMENT METRO DETROIT CUSTOMER SERVICE CENTER MICHIGAN DEPARTMENT OF NATURAL RESOURCES 1801 ATWATER STREET DETROIT MI 48207 TELEPHONE (313) 396-6890
Alcona Clare Crawford Gladwin Iosco	Kalkaska Missaukee Ogemaw Oscoda Roscommon	DISTRICT 5 LAW ENFORCEMENT ROSCOMMON CUSTOMER SERVICE CENTER MICHIGAN DEPARTMENT OF NATURAL RESOURCES 8717 NORTH ROSCOMMON ROAD ROSCOMMON MI 48653 TELEPHONE (989) 275-5151	MICHIGAN DNR WEBSITE: www.michigan.gov/dnr		

WATER SKI COURSE

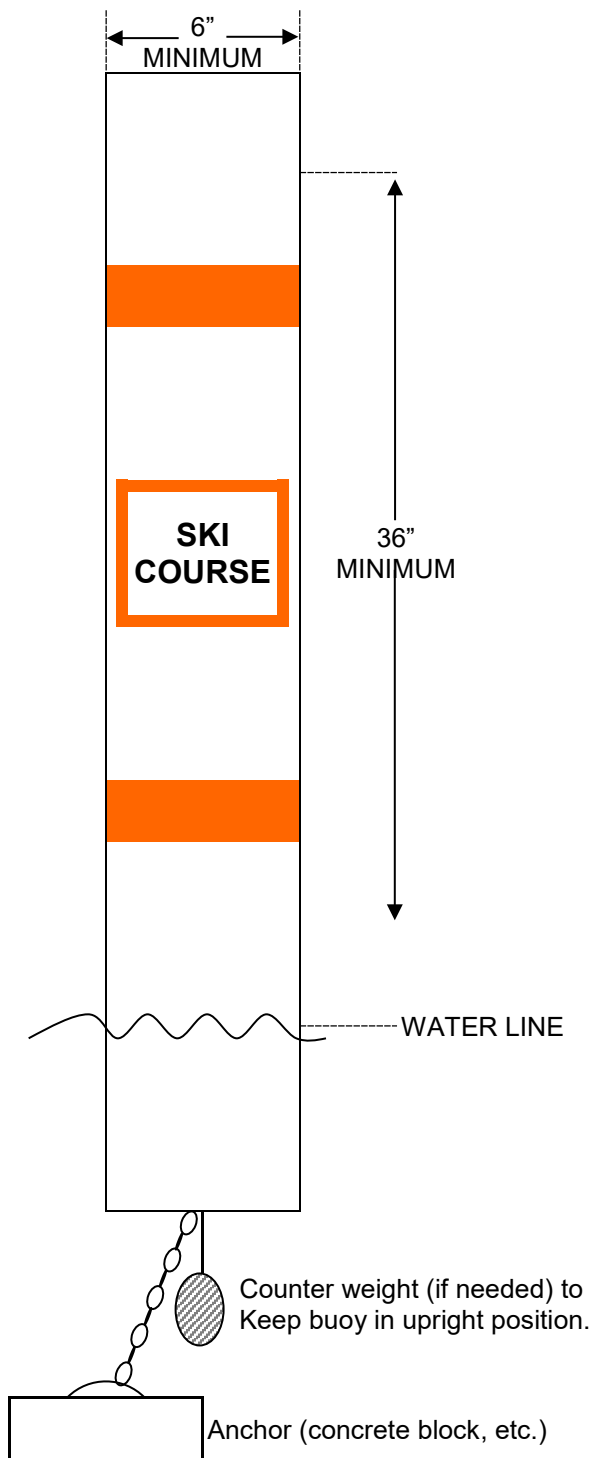
NOT A SCALE DRAWING

4 BUOYS PLUS COURSE BUOYS



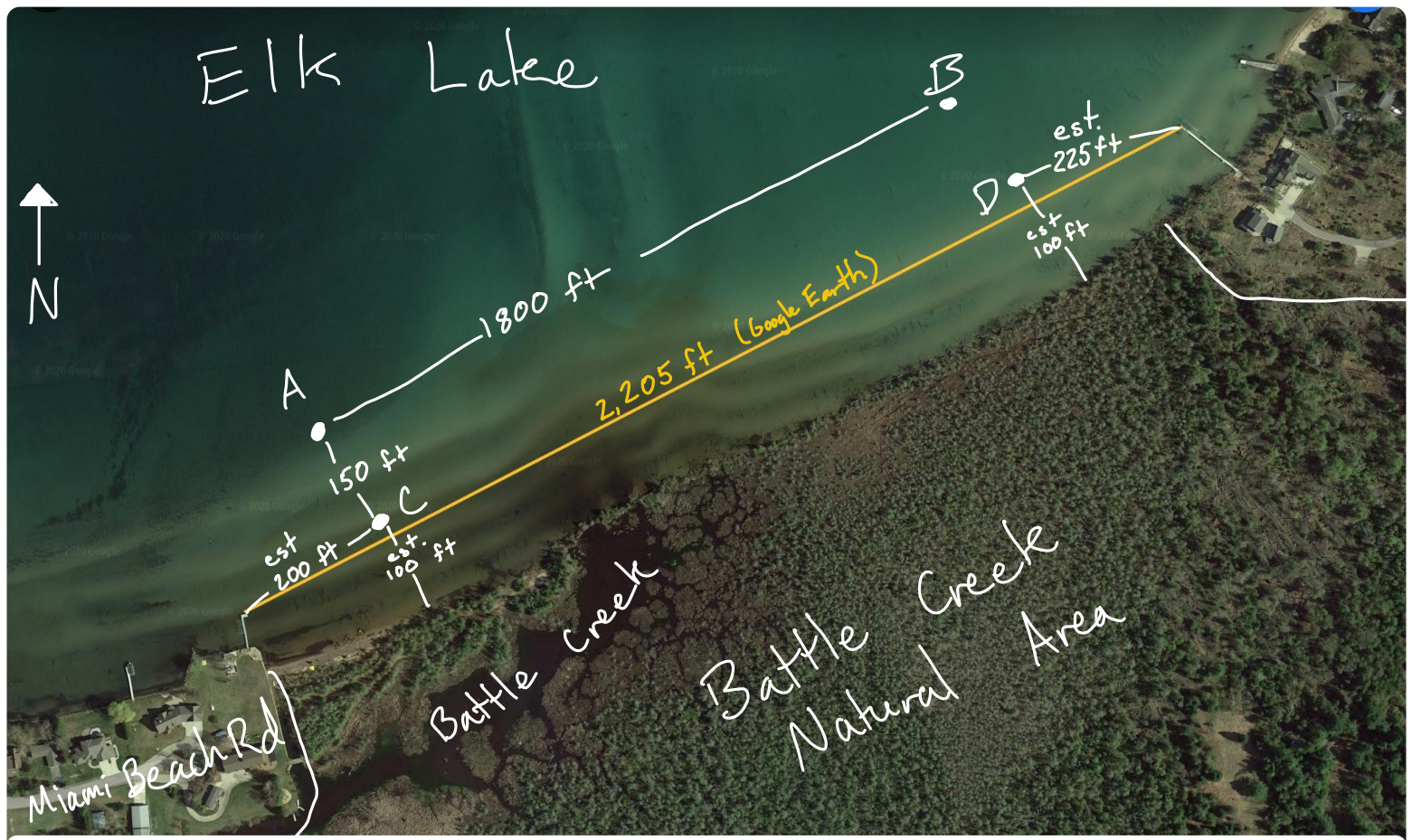
THE FOUR CORNER BUOYS TO BE **UNIFORM** MARKER BUOYS:
ANY NUMBER OR TYPE OF BUOYS MAY BE USED INSIDE THE CORNER BUOYS.

UNIFORM WATERWAY MARKER SYSTEM INFORMATION



1. Colors
 - a. White buoy
 - b. International Orange markings and bands.
 - c. Black lettering – at least 3" high of good proportion.
2. Minimum acceptable sizes for buoys are as shown on the diagram
3. Buoys may be made of any desired material.

BUOY, REGULATORY SYSTEM



Distance ?

2,205 ft

yellow line

Image and yellow line measurement
from Google Earth (c) 2020





WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

August 28, 2023

Michigan Department of Natural Resources – District 4 - Law Enforcement Division
8015 Mackinaw Trail
Cadillac, MI 49601

To Whom it May Concern,

Regarding a renewal request for a slalom water ski course at the south end of Elk Lake. Whitewater Township owns the property adjacent to the proposed water ski course further detailed by the map in the application packet provided by Isaac Moothart.

Tuesday, September 12, 2023, the Whitewater Township Board passed a motion to generate this letter of no objection to accompany the Moothart Application for a Permit to Place Buoys in Michigan Waters. Further, the Township Board conditionally supports Mr. Mootharts' request for the buoys to remain in place during the local water-skiing season, defined as June 1st to October 31st. The aforementioned condition allows the Township Supervisor, without board action, to request daily installation and/or removal of the buoy system to accommodate unforeseen events or concerns that may arise.

Please accept this as Whitewater Township's letter of no objection to the Mootharts' request.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. P. [unclear]".

Whitewater Township Supervisor

To: Whitewater Township Board
From: Rachel Steelman, PC Chairperson
Date: 08/28/2023

1. You are cordially invited to attend a Special Joint Planning Commission and Township Board meeting on November 9th, at 7pm to discuss The Master Plan and Zoning Project. We will share the progress and answer any questions you have. The goal being to keep everyone in the know and on the same page.

An Appropriate Motion would be; Schedule a Special Meeting with the Planning Commission on Thursday, November 9th, 2023 at 7pm.

2. It is my understanding at least one if not two applications for the PC have been sent in. We are requesting an appointment to the PC be made as expeditiously as possible. We have much work ahead of us and a full team is extremely important.
3. At the August 2nd, 2023, PC meeting we discussed the PC Budget and how it relates to our Master Plan and Zoning Project. Collectively we settled on requesting an additional \$25,000 for Line Item #804, Professional Services, via a Budget Amendment for the following reasons:
 - a. When our PC Budget was created early this year, the Zoning Project had not yet been approved. On 06/22/2023 the contract with North Place Planning, LLC was signed to include the Zoning Project with a cost estimate of \$9,000. In some respects, this project was unfunded.
 - b. We expect to conclude anticipated planned public outreach efforts by December and aim to have a draft master plan completed by the end of the current fiscal year (March 31, 2024). The recent contract with LIAA, and this proposed budget amendment, allows us to maintain momentum with scheduled public workshops before seasonal people leave, while also moving forward on a draft document.
 - c. We do not anticipate the need for any other consulting contracts, or other increases to the professional services budget for the remainder of this fiscal year.
 - d. After the first of the year, we will revisit our budget needs. The Michigan Planning Enabling Act calls for several adoption steps, and a long period of

review and commenting before final approval can take place. There will be some wrap up costs associated with moving this project across the finish line.

- e. The material below shows our expenditures to date and projected costs to the end of this fiscal year.

MASTER PLAN & ZONING CONSULTING SERVICES - PROJECTED FY 2023-24				April 1, 2023 to August 31, 2023		
Date	Account Title	Expense	Budget Balance	Master Plan	Zoning Update	Remaining %
	Professional Services 101-400-804		\$32,000.00			
04/25/2023	North Place Planning	\$900.00	\$31,100.00	\$900.00	\$0.00	97.19%
05/11/2023	North Place Planning	\$825.00	\$30,275.00	\$825.00	\$0.00	94.61%
06/20/2023	North Place Planning	\$975.00	\$29,300.00	\$975.00	\$0.00	91.56%
05/23/2023	Networks Northwest - Prepare Digital Survey (Contract #1 - Invoice 1 of 2)	\$400.00	\$28,900.00	\$400.00	\$0.00	90.31%
07/19/2023	Networks Northwest - Contract #1 Invoice 2 of 2 \$400 + Survey Tabulation Contract #2 Invoice #1 of 2 \$1,207.50)	\$1,607.50	\$27,292.50	\$1,607.50	\$0.00	85.29%
????	Networks Northwest - Survey Tabulation (Contract #2 - Invoice 2 of 2)	\$1,207.50	\$26,085.00	\$1,207.50	\$0.00	86.16%
07/19/2023	North Place Planning (June Inv.)	\$900.00	\$25,185.00	\$750.00	\$150.00	78.70%
08/08/2023	LIAA Contract	\$18,230.00	\$6,955.00	\$18,230.00	\$0.00	22.36%
08/16/2023	North Place Planning (July Inv.)	\$1,200.00	\$5,755.00	\$750.00	\$450.00	19.64%
Total		\$26,245.00		\$25,645.00	\$600.00	

MASTER PLAN & ZONING CONSULTING SERVICES - PROJECTED				Sept. 1, 2023 to March 31, 2024		
Date	Account Title	Expense	Budget Balance	Master Plan	Zoning Update	Remaining %
	Professional Services 101-400-804 BALANCE FROM AUGUST 31.		\$5,755.00			
9/1/2023	North Place Planning (Aug. Inv.) ESTIMATE	\$3,000.00	\$2,755.00	\$1,500.00	\$1,500.00	8.61%
10/1/2023	North Place Planning (Sept. Inv.) ESTIMATE	\$3,000.00	(\$245.00)	\$1,500.00	\$1,500.00	-0.77%
11/1/2023	North Place Planning (Oct Inv.) ESTIMATE	\$3,000.00	(\$3,245.00)	\$1,500.00	\$1,500.00	-10.14%
12/1/2023	North Place Planning (Nov. Inv.) ESTIMATE	\$3,000.00	(\$6,245.00)	\$1,500.00	\$1,500.00	-19.52%
1/1/2024	North Place Planning Dec. Inv.) ESTIMATE	\$3,000.00	(\$9,245.00)	\$1,500.00	\$1,500.00	-28.89%
2/1/2024	North Place Planning (Jan. Inv.) ESTIMATE	\$3,000.00	(\$12,245.00)	\$2,500.00	\$500.00	-38.27%
3/1/2024	North Place Planning (Feb. Inv.) ESTIMATE	\$3,000.00	(\$15,245.00)	\$2,500.00	\$500.00	-47.64%
Total		\$47,245.00	(\$15,245.00)	\$38,145.00	\$9,100.00	-47.64%

An appropriate Motion would be: Increase the Planning Commission's budget line item #804, Professional Services by \$25,000 to complete the Master Plan and Zoning Project.

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 8.31.2023
Re: Rebant Resignation PC

Board Members –

Please see attached.

Motion to accept Rod Rebant's resignation email dated July 11, 2023.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Fwd: Resignation from Planning Commission and Resident Outreach Subcommittee

1 message

Rod Rebant <rrrebant@gmail.com>

Tue, Aug 8, 2023 at 3:22 PM

To: Ron Popp <supervisorwhitewater@gmail.com>

Cc: Heidi Vollmuth <heidivourtrustee@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: Rod Rebant <rrrebant@gmail.com>

Date: July 11, 2023 at 8:47:37 AM EDT

To: Randy Mielnik <randy@northplaceplanning.com>, Rachel Steelman <rsteelmanpc@yahoo.com>, Thomas McElwee <tlmce@live.com>, Vicki Beam <vickibeam@gmail.com>, Denise Peltonen <advertisers.junk.others@gmail.com>, Lois Maclean <loismaclean@sbcglobal.net>, Heidi Vollmuth <heidivourtrustee@gmail.com>

Subject: Resignation from Planning Commission and Resident Outreach Subcommittee

Last night I decided that my ability to perform my various roles within the Planning Commission and ROS has become increasingly difficult to continue and has affected my personal life. After 17 years of volunteer work, it is time for me to step aside and refocus on other things.

I wish all of you the best and that you can move Whitewater Township forward in the near future.

I have enjoyed most of the last six months with all of you, and will always find time to cheer the positive steps forward in WWT.

Best Regards
Rod Rebant

I

Sent from my iPhone