

WHITEWATER TOWNSHIP BOARD
AGENDA REGULAR MEETING – NOVEMBER 15, 2022
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: Board Meeting

Time: Nov 15, 2022 09:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/85128374574?pwd=Z3RsT3VWSmh4WEFyRmRJTWtuN1pJUT09>

Meeting ID: 851 2837 4574 Passcode: 641420

One tap mobile +13092053325,,85128374574#,,,,*641420# US

+13126266799,,85128374574#,,,,*641420# US (Chicago)

Dial by your location: +1 312 626 6799 US (Chicago), +1 646 558 8656 US (New York)

Find your local number: <https://us06web.zoom.us/j/85128374574?pwd=Z3RsT3VWSmh4WEFyRmRJTWtuN1pJUT09>

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
- 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 – Proposed Parking Ordinance No. 63

G. Reports/Presentations/Announcements/Comments

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

H. Consent Calendar

Receive and File

1. Supervisor's Report for October 2022
2. Clerk's Report for October 2022 (none this month)
3. Treasurer Report October 2022
4. Trustee Vollmuth's October 2022 Report
5. Trustee Glenn's October 2022 Report
6. Zoning Administrator's Report for October 2022
7. Mobile Medical Response's September 2022 Activity Report
8. Fire Department October 2022 Report
9. Planning Commission October 2022 Report (part of Trustee report)
10. Historical Society September & October 2022 Report
11. Approved PC Minutes 2022.06.01
12. Approved PC Minutes 2022.07.06
13. Approved PC Minutes 2022.07.19
14. Approved PC Minutes 2022.08.03
15. Approved PC Minutes 2022.09.07

Correspondence

1. DNR Roads
2. Sheriff September Report
3. ARPA Support Letter Down by the Creek
4. ARPA Support Letter ACTS

Minutes for Approval

1. Whitewater Township Board Minutes 2022.10.11.
2. Whitewater Township Board Minutes 2022.10.17.
3. Whitewater Township Board Minutes 2022.10.24.

Bills for Approval

1. No documents provided by the Clerk's Office in time for publishing.

Budget Amendments No documents provided by the Clerk's Office in time for publishing.

Revenue & Expenditure Report No documents provided by the Clerk's Office in time for publishing

I. Unfinished Business

1. Final Approval Oosterhouse Letter
2. Proposed Zoning Ordinance 83 –
3. Proposed WWT Policy & Procedure Manual Section 4.5 Amendment
4. Whitewater Township Park Boat Launch-Entryway Improvement Project
Drawings and additional information can be found on the Township Website

5. Broadband Follow up Discussion.
6. Approval of Proposed General Ordinance No. 63 – Parking

J. New Business –

1. PC Request for Ordinance Update
2. PRAC Request for Date Change
3. Short Term Rental Statement
4. Packet Deadline Recommendation to Planning Commission

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K. Tabled Items

1. None

L. Board Comments/Discussion

M. Announcements

1. Special Whitewater Township Board Meeting November 17, 2022
2. Special Whitewater Township Board Meeting November 30, 2022
3. Regular Whitewater Township Board Meeting December 13, 2022

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.



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Source Traverse City Record-Eagle

Category Legal Notices

Published Date October 30, 2022

Notice Details

LEGAL NOTICE NOTICE OF PUBLIC HEARING WHITEWATER TOWNSHIP PROPOSED ORDINANCE NO. 63 PARKING ORDINANCE Notice is hereby given that the Whitewater Township Board of Trustees will hold a public hearing at a regular meeting on November 15, 2022, at 9:00 a.m., at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, to receive public comment regarding the proposed adoption of ORDINANCE NO. 63, Parking Ordinance. Ordinance No. 63 is: An Ordinance adopted under 1945 PA 246, as amended, to regulate the parking of vehicles in Whitewater Township to promote the general health, safety, and welfare of Township residents and visitors. The complete text of the proposed ordinance is available for public inspection at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690, during regular office hours, 9:00 a.m. to 5:00 p.m. Monday through Thursday, or on the home page of the township website at www.whitewatertownship.org. A copy may also be obtained by contacting the Township Clerk, 231-267-5141 x24, clerk@whitewatertownship.org. Individuals may make public comment in person at the public hearing, or written and/or faxed to 231-267-9020, or emailed to clerk@whitewatertownship.org, or mailed to Cheryl Goss, Clerk, P.O. Box 159, Williamsburg, MI 49690. Comments will be received until 5:00 p.m. on November 15, 2022. Written comments may also be submitted at the public hearing. The meeting can also be accessed via Zoom, Meeting ID: 851 2837 4574, Passcode: 641420. <https://us06web.zoom.us/j/85128374574?pwd=Z3RsT3VWSmh4WEFyRmRJTWtuN1pJUT09> Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the township supervisor at (231) 267-5141

x23 at least 5 days in advance of the public hearing. Cheryl A. Goss Whitewater Township Clerk
October 30, 2022-1T593219

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Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 9-26-2022
Re: Roadside Parking Ordinance Review

Board Members -

Here is a proposed parking ordinance from legal as requested from our discussion on the matter earlier this year. Parking on both sides of the street (shoulders) has been identified to inhibit passage of residents and emergency services and a regular occurring activity in need of some regulation.

The goal of this business item was to get “no parking this side of street” signs installed by the Grand Traverse County Road Commission (GTCRC) which would notify people of a no parking zone in certain areas of the Township. To accomplish this goal the GTCRC advised we needed to cite the ordinance number used to regulate parking on each sign. So, a proposed ordinance was created. As Mr. Patterson points out, the Board may have to take up the question of a civil infraction ordinance as part of the enforcement provision of the proposed ordinance. Nothing in Mr. Patterson comments indicates an immediate need but rather one that can be addressed as we work through other ordinance enforcement issues. Again, the goal was for signage in the problem areas with voluntary compliance key. No one wants their vehicle towed away.

The second part of the parking ordinance is a resolution establishing specific roads and locations for this regulation. Baggs Road and Lakeside Trail, even numbered side of the road (lakeside) is proposed. Are there other areas that need to be addressed?

Motion #1: Motion to approve proposed General Ordinance number 63 Parking Ordinance as amended.

Motion #2: Motion to add Baggs Road even numbered side of the road (lakeside) and Lakeside Trail even numbered side of the road (lakeside) to Resolution # 22-18 as a no parking zone.

Respectfully submitted



Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Parking Ordinance

1 message

Ron Popp <supervisorwhitewater@gmail.com>

Thu, Aug 11, 2022 at 10:55 AM

To: cpatterson@fsbrlaw.com, clerk@whitewatertownship.org, Ardella Benak <treasurer@whitewatertownship.org>, heidivourtrustee@gmail.com, Don Glenn <dglenn419@gmail.com>

Good Morning Chris -

At the 8.09.2022 Whitewater Township Board meeting we passed a motion to have a parking ordinance developed. Attached is the Board packet that was voted on. If you have further questions please feel free to call. I would like to have this for the October 11, 2022 meeting.

I understand your email and comments on the proposed ordinance will be in confidential format but, I would like to avoid having proposed ordinance documents being attached to a confidential email. This should allow the Township to share proposed ordinances as they are developed.

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

**NB 5 - Whitewater Township Parking Ordinance 8.2022.pdf**

199K



Ron Popp <supervisorwhitewater@gmail.com>

RE: Parking Ordinance

1 message

Christopher Patterson <cpatterson@fsbtlaw.com>

Wed, Sep 28, 2022 at 8:45 AM

To: Ron Popp <supervisorwhitewater@gmail.com>

Cc: Kyle O'Meara <komeara@fsbtlaw.com>

Ron,

See attached a draft Parking Ordinance and a template resolution for your review. As requested, the Parking Ordinance will prohibit parking in front of driveways. The Parking Ordinance also authorizes restricting parking to only one side of a roadway as specified by the Township Board in an accompanying resolution (see also attached).

Police power township ordinances cannot supersede parking requirements in the Michigan Motor Vehicle Code. See MCL 41.181(1). This is important because imposing parking restrictions to one side of a roadway will require posting signage that is posted upon the entrance or portion of the roadways impacted by such regulations. See MCL 257.606(4). Such signage needs to be "sufficiently legible as to be seen by an ordinarily observant person." The driveway provision does not require signage as the Motor Vehicle Code prohibits parking that blocks driveways. See MCL 257.674(1)(b).

The penalties in the draft Parking Ordinance are \$100 per day. The Township can lower or raise the amount of the penalty (up to \$500) as desired, but other similar ordinances typically have penalties ranging from \$50 to \$100.

Note that we may need to revise the penalty section because the Township has adopted ordinances with civil infraction penalties, but has also disfavored the issuance of those. If that is the case, we would want to consider adding or replacing the penalty section with misdemeanor penalties. We would prefer to treat these violations as civil infractions, but certainly, we will make any amendments directed by the Board. This also raises a previous recommendation of our firm to adopt a separate civil infraction citation/notice ordinance. This would be beneficial because the Township could issue civil citation notices that are payable at the Township hall and not subject violators to a court proceeding if it can be easily remedied, but still provide an effective penalty. Of course, if the notices are a sufficient deterrent, that same ordinance would still allow the issuance of civil infraction citations which could be pursued through the district court system. I know the Board is discussing its enforcement mechanisms and process now, so the final determination and conclusions of that discussion will likely drive the ultimate decision on how we revise or proceed with proposed Section 4 of this parking ordinance.

Please let me know if you have any questions about the attached. Should the Board desire changes to the draft ordinance (including adding more parking regulations), we would be happy to help implement any changes.

Sincerely,

Chris

Christopher S. Patterson



Member • Fahey Schultz Burzych Rhodes

Direct: 517.381.3205 • Cell: 269.744.4807

Office: 517.381.0100 • Fax: 517.381.3185

fsbriaw.com • cpatterson@fsbriaw.com

[4151 Okemos Road, Okemos, MI 48864 USA](#)

▼ U.S. News & World Report Ranked Best Law Firm

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Neither this information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is included in this message. Thank you.

2 attachments



2022.09.27 Whitewater Township Parking Ordinance.docx

26K



2022.09.28 Whitewater Township Resolution re One Way Parking.docx

26K

WHITEWATER TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

PARKING ORDINANCE

Proposed Ordinance No. 63
Adopted: October 11, 2022
Effective: _____, 2022

At a duly called meeting of the Township Board of Whitewater Township, Grand Traverse County, Michigan, held at the Whitewater Township Hall on October 11, 2022 at 9:00 a.m., Board Member _____ moved to adopt the following Ordinance, which motion was supported by Board Member _____.

An Ordinance adopted under 1945 PA 246, as amended, to regulate the parking of vehicles in Whitewater Township to promote the general health, safety, and welfare of Township residents and visitors.

THE TOWNSHIP OF WHITEWATER, GRAND TRAVERSE COUNTY, MICHIGAN,
ORDAINS:

SECTION 1. PURPOSE AND TITLE

The Whitewater Township Board finds and declares as follows:

- A. A township may enact ordinances regulating the public health, safety, and general welfare of persons and property including ordinances that regulate the parking of vehicles on streets, roads, or highways. See MCL 41.181(1) and (2); see also MCL 257.606(1)(a) (township authorized to regulate the standing or parking of vehicles).
- B. Whitewater Township adopts this ordinance, which shall be referred to the Whitewater Township Parking Ordinance ("Parking Ordinance"), to among other things, regulate the manner of vehicle parking in the Township to ensure vehicles are parked in an organized manner to allow safe vehicular circulation, to avoid the parking of vehicles in front of driveways, and to also provide organized parking to access water resources in the Township.

SECTION 2. DEFINITIONS

The terms below as used within this Ordinance shall have the following meanings regardless of capitalization. All other words throughout this Ordinance shall be interpreted based on their plain and ordinary meaning in the context of their use.

- A. **Parking:** The act of stopping a vehicle to either idle, stand, or otherwise wait in a fixed location regardless of whether the vehicle is occupied or not.
- B. **Roadway:** Roadways include any street, road, or highway within the Township.
- C. **Vehicle:** Any motorized vehicle and any associated trailers including, but not limited to, automobiles, trucks, semi-trucks, off-road vehicles, mopeds, and recreational vehicles. For purposes of this Ordinance, the definition of vehicle shall exclude any vehicles used for

emergency services (police protection, fire protection, or emergency medical services) that are parked while responding to an emergency.

SECTION 3. PARKING REGULATIONS

The parking of all vehicles in the Township shall be subject to the following regulations.

- A. **Driveway Access:** No vehicle shall be parked on a roadway in a manner that blocks a public or private driveway of any residence, business, or other type of property.
- B. **One Side Roadway Parking:** The Township Board shall be authorized to limit vehicle parking on defined roadways within the Township to only one side of an individual roadway. The Township Board shall specify the roadways where vehicles may only be parked on one side of the roadway by resolution, which: (1) specifies the roadway and where the one side parking regulation shall be enforced; and (2) notes the permissible side of the roadway for parking. Consistent with MCL 257.606(4) all roadways with one side parking regulations shall have signage giving notice of the one side parking regulation that is sufficiently legible as to be seen by an ordinarily observant person.

SECTION 4. ENFORCEMENT AND PENALTIES

- A. **Enforcement:** This Ordinance may be enforced by any individual authorized by the Township Board to enforce this Ordinance including those authorized to issue civil infraction citations under the Township's Civil Infraction Ordinance such as the Township Code Enforcement Officer. The Ordinance may also be enforced by a local law enforcement agency that provides law enforcement services to the Township including the Grand Traverse County Sheriff's Department.
- B. **Penalties:** Any person or entity who violates the provisions of this Ordinance shall be deemed responsible for a municipal civil infraction and subject to a civil penalty of \$100.00 for each violation of this Ordinance, as well as the Township's fees and costs in enforcing the Ordinance as permitted by law. Each day that a violation continues to exist shall be considered a separate violation. This Section shall not be construed as precluding the Township from enforcing this Ordinance in any other manner authorized by law, including without limitation, the commencement of a civil action for injunctive or other relief.

SECTION 5. SEVERABILITY

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect 30 days after notice of its adoption is published in a local newspaper.

SECTION 7. REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

ROLL CALL VOTE

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED

Ron Popp, Whitewater Township Supervisor

Date

CERTIFICATION

I, Cheryl A. Goss, Clerk of Whitewater Township, do hereby certify that the foregoing is a true and accurate copy of Ordinance No. 63, adopted by the Whitewater Township Board on the October 11, 2022. A summary of the Ordinance was duly published in the _____ newspaper, a newspaper that circulates within Whitewater Township, on _____, 2022. Within seven days after such publication, I recorded the Ordinance in a book of Ordinances kept by me for that purpose, including the date of passage of the Ordinance, the names of the members of the Township Board voting, and how each member voted. I filed an attested copy of the Ordinance with the Grand Traverse County Clerk on _____, 2022.

Attested:

Cheryl A. Goss, Whitewater Township Clerk

WHITEWATER TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN
PARKING ORDINANCE
NOTICE OF ADOPTION

At a meeting of the Township Board of Whitewater Township, Grand Traverse County, Michigan, held at the Whitewater Township Hall on October 11, 2022, at 9:00 a.m., the Township Board adopted Ordinance No. 63, also known as the Whitewater Township Parking Ordinance, to regulate the parking of vehicles in Whitewater Township to promote the general health, safety, and welfare of Township residents and visitors. Copies of the complete text of the Ordinance are available at the Whitewater Township Hall, 5777 Vinton Road, P.O. Box 159, Williamsburg, MI 49690 during normal business hours.

The Ordinance has the following sections and catch lines: Section 1: Purpose and Title; Section 2: Definitions; Section 3: Parking Regulations; Section 4: Enforcement and Penalties; Section 5: Severability; Section 6: Effective Date, which is thirty days after publication of this notice; and Section 7: Repeal.

Published by Order of the Township Board

Whitewater Township, Grand Traverse County, Michigan
Cheryl A. Goss, Township Clerk
Tel: 231-267-5141 ext 24
Email: clerk@whitewatertownship.org
5777 Vinton Road, P.O. Box 159
Williamsburg, MI 49690

Publication Date: _____, 2022

Whitewater Township, Grand Traverse County

Resolution to Adopt Parking Ordinance Regulations

Resolution No. 22-18

At a meeting of the Whitewater Township Board, Grand Traverse County, Michigan, held on October 11, 2022, at 9:00 a.m.

PRESENT: _____

ABSENT: _____

The following was moved by _____ and seconded by _____:

WHEREAS, the Township lawfully adopted Ordinance No. 63, the Whitewater Township Parking Ordinance (“Ordinance”); and

WHEREAS, the Parking Ordinance authorizes the Township Board to restrict parking on roadways or portions of roadways to one side of the roadway; and

WHEREAS, the Township Board desires to specify roadways that will be subject to restricting parking on one side the roadway.

NOW, THEREFORE, BE IT RESOLVED:

1. The following roadways will only permit parking on one side of the roadway as specified below:
 - a. Baggs Road even numbered side of the road (lakeside)
 - b. Lakeside Trail even numbered side of the trail (lakeside)
2. The Township is authorized to purchase and post signage as required by law informing the public of the parking regulations above.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded

Roll call vote:

Yes: _____

No: _____

Absent/Abstain: _____

The Supervisor declared the resolution adopted.

Ron Popp, Whitewater Township Supervisor

Certificate

I, Cheryl A. Goss, the duly elected and acting Clerk of Whitewater Township, hereby certify that the foregoing resolution was adopted by the Township Board by a roll call vote at a regular meeting of the Board held on October 11, 2022, at which meeting a quorum was present; and that this resolution was ordered to take immediate effect.

Cheryl A. Goss, Whitewater Township Clerk

To: Whitewater Township Board

From: Ron Popp, Township Supervisor

Date: 11.03.2022

Re: Consent Calendar November 15, 2022 Whitewater Township Board Meeting

Receive & File –

1. Supervisor's Report for October 2022
2. Clerk's Report for October 2022 (none this month)
3. Treasurer Report October 2022
4. Trustee Vollmuth's October 2022
5. Trustee Glenn's October 2022 Report
6. Zoning Administrator's Report for October 2022
7. Mobile Medical Response's September 2022 Activity Reports Not Available.
8. Fire Department October 2022 Report
9. Planning Commission October 2022 Report – (part of Trustee report)
10. Historical Society September and October 2022 Reports
11. Approved PC Minutes 2022.06.01
12. Approved PC Minutes 2022.07.06
13. Approved PC Minutes 2022.07.19
14. Approved PC Minutes 2022.08.03
15. Approved PC Minutes 2022.09.07

Correspondence

1. DNR Roads
2. Sheriff September Report
3. ARPA Support Letter Down by the Creek
4. ARPA Support Letter ACTS

Minutes –

1. Approve Whitewater Township Board Meeting Draft 2022.10.11 Minutes
2. Approve Whitewater Township Special Board Meeting Draft 2022.10.17 Minutes
3. Approve Whitewater Township Special Board Meeting Draft 2022.10.24 Minutes

Bills for Approval – Not Available at Time of Posting

Budget Amendments Required documents not supplied.

Revenue & Expenditure Report – None supplied this month

Motion to Approve Consent Calendar.

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Whitewater Township Supervisor's Report

October 2022

1) Investigate citizen observations:

- A. Local high-water level has been a long stand concern along the Williamsburg Creek south of M-72. This area has been a long favorite of beavers and it look like the culverts under M-72, the railroad grade, and Old M-72 are once again populated by a family of them. The Grand Traverse County Road Commission has been apprised of the new residents.

2) Office duties:

A. Meetings:

- 1) No Freedom of Information Act (FOIA) request were received this month.
- 2) Significant time was devoted to generation of a finding of fact document regarding broadband ARPA investment in the Township. This topic is elsewhere in the November agenda.
- 3) The Zoning Administrator advised additional land use applications were filed using the Lossie Road Nature Trail as an ingress and egress point. The matter is elsewhere in the November Agenda.
- 4) Board Members gathered for two special meeting in the month of October, making the month very busy. One such gathering dealt with broadband investment in the Township and the other reviewed additional boat ramp expansion plans. Both items appear elsewhere on the November agenda.
- 5) Attended the monthly Supervisor's meeting. ARPA applications and the rise in public complaints were two major points of interest.
- 6) Attended a meeting hosted by Garfield Township that focused on Ordinance enforcement and interaction with the court system. Those Townships that regularly appear before the magistrate or judge want to streamline the process. The group asked Garfield Township Planner John Sych to draft a letter in hopes of scheduling a meeting with court and township officials.
- 7) Continued to learn about boat wash equipment and preferred methods of protecting our waters from invasive species. The current CD-3 system proposed as part of the Whitewater Township Park boat ramp expansion appears to be good, if no other options are available. The preferred method of washing is quickly becoming high pressure water.

- 8) Participated in a meeting with Darryl Nelson, Rob Hentschel and the new Grand Traverse County Road Commissioner Haider Kazim. The meeting served as a formal introduction and a fact-finding opportunity for the Commissioners. My opposition to the current policies and produces, including the Road Commissions new funding program for local roads is no secret. It is clear Whitewater Township is not the only local unit aggrieved by these new policies. We hope Haider's efforts will have a positive effect on the Road Commission.

3. Other Items of Interest:

- 1) At the Board's direction two support letters were generated and attached to Grand Traverse County ARPA fund applications. Both letters appear in correspondence on the November agenda.
- 2) The Township currently has openings on the Board of Review. 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.
- 3) Significant time resources were committed to General Ordinance 26, Land Division, review. It was discovered that at least two versions of this ordinance are in circulation. Discrepancies between the two are significant and will be forwarded to legal to determine which version has legal standing.
- 4) In response to Planning Commission request, this office has begun printing a hard copy of both the zoning ordinance and general ordinance for commissioners to use during their gatherings. This significant task of more than 5,000 pages should be completed in early November.
- 5) Work on policy & procedure concerns continues. This month you will notice the term **Internal Control** in several business items. The term can apply to almost every aspect of daily operation in the township. This month, the goal is to tackle the problems we have with high value documents in the township by addressing who is responsible for making changes to policy and ordinances when they are amended. A second person would monitor the progress of changes and provide a final report to the Board when completed. On the surface this may appear to be a simple fix and it is for a facility with full-time staff. We are not a full-time staff and often find ourselves pulled from one hot spot to the next. The township has never had written internal control document and that fact has been identified as one cause of multiple versions (wording) of the same ordinance. Case in point, General Ordinance 26, land division never had amendments made in 2011 added to the base document and filed with the Clerk's office. This was likely one cause for the multiple versions in circulation.

- 6) No time was allotted to verify the legal description of the N- Industrial Zoning District.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ron Popp". The signature is stylized with a large, looped "R" and a cursive "Popp".

Ron Popp
Whitewater Township Supervisor.

Whitewater Township

Bank Accounts

August 31, 2022

	Balance
General Fund Checking - ASB	
General Fund-ASB - 101	715,366.39
Road Fund-ASB- 203	32,599.77
Road Repair/Rep-ASB - 204	416,870.76
Fire Fund-ASB- 206	255,889.44
Park Fund-ASB - 208	402,655.68
Recreation Fund-ASB - 209	7,553.15
Ambulance Fund-ASB- 210	418,769.07
Public Imprvmt Fund-ASB - 401	128,836.83
Fire Cap Imprvmt Fund-ASB- 406	145,749.11
Payroll Clearing-Gen Fund-750	12,676.36
	<hr/>
Total General Fund Checking	2,536,966.56
 General Fund MM - ASB	 153,651.84
 General Fund Savings - FCB	 11,036.31
 Property Tax Fund - FCB	
Property Tax Fund FCB - 703	898,043.78
 Federal Fund (ARPA)	
Federal Fund FCB 285	295,434.22

Whitewater Township**Cash Balance Report****August 31, 2022****101 General Fund**

101-000-001	General Fund-ASB - 101	\$	715,366.39
101-000-003	General MM - 101		102,421.74
101-000-005	Tower Removal FCB Savings		11,036.31

Total 101			828,824.44
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203 Road Fund

203-000-001	Road Fund-ASB- 203		32,599.77
203-000-003	Road Fund MM - 203		20.31

Total 203			32,620.08
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204 Road Repair/Replacement Fund

204-000-001	Road Repair/Rep-ASB - 204		416,870.76
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Total 204			416,870.76
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206 Fire Fund

206-000-001	Fire Fund-ASB- 206		255,889.44
206-000-003	Fire MM - 206		25,604.90

Total 206			281,494.34
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208 Park Fund

208-000-001	Park Fund-ASB - 208		402,655.68
208-000-003	Park MM - 208		18,435.58

Total 208			421,091.26
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209 Recreation Fund

209-000-001	Recreation Fund-ASB - 209		7,553.15
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Total 209			7,553.15
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210 Ambulance Fund

210-000-001	Ambulance Fund-ASB- 210		418,769.07
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Total 210			418,769.07
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211 Ambulance Replacement Fund

Total 211			0.00
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285 Federal Fund

285-000-001	Federal Fund FCB 285		295,434.22
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Total 285			295,434.22
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401 Public Improvement Fund

401-000-001	Public Imprvmt Fund-ASB - 401		128,836.83
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Total 401			128,836.83
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Whitewater Township

Cash Balance Report

August 31, 2022

406 Fire Capital Improvement Fund

406-000-001	Fire Cap Imprvmt Fund-ASB- 406	145,749.11
406-000-003	Fire Cap Imp MM - 406	7,169.31

Total 406

152,918.42

703 Property Tax Fund

703-000-001	Property Tax Fund FCB - 703	898,043.78
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Total 703

898,043.78

750 Payroll Clearing Fund

750-000-001	Payroll Clearing-Gen Fund-750	12,676.36
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Total 750

12,676.36

Grand Total

\$

3,895,132.71

Whitewater Township

Bank Accounts

August 31, 2022

Balance

General Fund Checking - ASB

General Fund-ASB - 101	715,366.39
Road Fund-ASB- 203	32,599.77
Road Repair/Rep-ASB - 204	416,870.76
Fire Fund-ASB- 206	255,889.44
Park Fund-ASB - 208	402,655.68
Recreation Fund-ASB - 209	7,553.15
Ambulance Fund-ASB- 210	418,769.07
Public Imprvmt Fund-ASB - 401	128,836.83
Fire Cap Imprvmt Fund-ASB- 406	145,749.11
Payroll Clearing-Gen Fund-750	12,676.46

Total General Fund Checking

2,536,966.66

General Fund MM - ASB

153,651.84

General Fund Savings - FCB

11,036.31

Property Tax Fund - FCB

Property Tax Fund FCB - 703

898,043.68

Federal Fund (ARPA)

Federal Fund FCB 285

295,434.22

NIV. Board PKT

Unaudited - For Management Purposes Only
November 2, 2022

emailed

Whitewater Township**Cash Balance Report****August 31, 2022****101 General Fund**

101-000-001	General Fund-ASB - 101	\$	715,366.39
101-000-003	General MM - 101		102,421.74
101-000-005	Tower Removal FCB Savings		11,036.31

Total 101			828,824.44
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203 Road Fund

203-000-001	Road Fund-ASB- 203		32,599.77
203-000-003	Road Fund MM - 203		20.31

Total 203			32,620.08
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204 Road Repair/Replacement Fund

204-000-001	Road Repair/Rep-ASB - 204		416,870.76
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Total 204			416,870.76
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206 Fire Fund

206-000-001	Fire Fund-ASB- 206		255,889.44
206-000-003	Fire MM - 206		25,604.90

Total 206			281,494.34
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208 Park Fund

208-000-001	Park Fund-ASB - 208		402,655.68
208-000-003	Park MM - 208		18,435.58

Total 208			421,091.26
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209 Recreation Fund

209-000-001	Recreation Fund-ASB - 209		7,553.15
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Total 209			7,553.15
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210 Ambulance Fund

210-000-001	Ambulance Fund-ASB- 210		418,769.07
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Total 210			418,769.07
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211 Ambulance Replacement Fund

Total 211			0.00
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285 Federal Fund

285-000-001	Federal Fund FCB 285		295,434.22
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Total 285			295,434.22
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401 Public Improvement Fund

401-000-001	Public Imprvmt Fund-ASB - 401		128,836.83
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Total 401			128,836.83
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Whitewater Township

Cash Balance Report

August 31, 2022

406 Fire Capital Improvement Fund

406-000-001	Fire Cap Imprvmt Fund-ASB- 406	145,749.11
406-000-003	Fire Cap Imp MM - 406	7,169.31

Total 406

152,918.42

703 Property Tax Fund

703-000-001	Property Tax Fund FCB - 703	898,043.68
-------------	-----------------------------	------------

Total 703

898,043.68

750 Payroll Clearing Fund

750-000-001	Payroll Clearing-Gen Fund-750	12,676.46
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Total 750

12,676.46

Grand Total

\$

3,895,132.71

November Trustee Vollmuth Report

From the Plan Commission Front the township welcomed Randy Mielnik Planner and Heidi Vollmuth Trustee to the Plan Commission Team. Now that the team is complete we will continue to move forward on the ordinances and updating the Master Plan. This past meeting the PC was greeted by the preliminary site plan review of the High Pointe Golf Course project. This project is half in Acme Township and half in Whitewater Township. The Golf course is a private course and apparently will support about 200 out of town members and their guests from all over the world. I am saddened that none of the amenities will be open to public, however it will bring several seasonal jobs to our township, as golf is a seasonal hobby. It is really important that everyone pays attention to this project as it will continue to move thru the process and the peoples voices and concerns need to be heard.

The results of the Plan Commission revealed that the removal of the private road ordinance has created issues with the site condo ordinance. This issue needs to be revisited and resolved as indicated by the planners notes highlighted in the packet. It was discussed that the Plan Commission has sent at least three different private road ordinances, in past years, only for the board to reject all three. It was a consensus from the peoples comments in the audience that it should be dug out and redone as the township does have a different board now. I will spend more time in the coming weeks researching this issue. Let us be hopeful that our attorney spots this error and helps us move ahead.

With all the upcoming push to develop and update our Master Plan now is the crucial time for all residents to come forward with your wants and needs to better our small rural community.

Happy Halloween as the fire chief hit the grant button for Grand Traverse County ARPA funds to help Whitewater township with the costs of upgrading our outdated and in need of repairs fire truck. This will be an on going project as a team looks for other funds to aid in this large expense. We are a small team feel free if you would like to help us find other ways to fund this project.

until next month cheers for now
heidivourtrustee@gmail.com

October 2022

Whitewater Township Trustee report – Don Glenn

Citizen communications and/or observations

- Spoke with a concerned citizen regarding the operations of WWT Park and discussed what role the PRAC plays in our township.
- Spoke with a concerned citizen regarding when the work was to be completed on the Hi Pray playground as the funds have been approved and they want the work completed this year and not next spring.

Educational opportunities

1. Webinars:

- A. October 19th Granicus webinar **Metrics that Matter: How to Evaluate Civic Engagement** / the material covered in this webinar was centered around three (3) areas: 1) working to make a difference in the civic life of our communities and developing the combination of knowledge, skills, values , and motivation to make that difference, 2) promoting the quality of life in a community through both political and non -political processes and 3) the many forms that civic engagement can take.
 - B. October 25th reviewed the EagleView material **Local Government Presentation** / EagleView Cloud is a new aerial imagery and software service that helps governments make informed and timely decisions. County and Township government departments that can benefit from this oblique imagery software service include tax assessment, GIS, public safety and public works.
 - C. October 27th Granicus webinar **Understanding Impacts of Fractional Ownership** / Short-term rentals have significantly altered the landscape of guest accommodations and a new ownership trend is appearing. Fractional ownership, where multiple parties formally work together through a service to purchase an investment rental property, is on the rise and understanding the implications of these new property owners entering your community for explicitly commercial purposes.
-

2. **Continuing education:** reading “Supervisor’s Guide to Township Government” which is a MTA publication.

OCTOBER 2022 REPORT

To: Whitewater Township Board

Since the moratorium effecting Site Plan Reviews and Special Uses has been lifted, a Preliminary Site Plan Review was conducted by the PC at their November 2nd meeting regarding the revitalization of the High Point Golf Course. The general consensus among the membership was that because it was a permitted use – that the site plan be approved as presented. The PC did engage the applicant's representative in discussion about concerns related to the road used for access, increased traffic and general safety concerns.

PLANNER / PLANNING

The November 2nd meeting of the PC allowed our 'new' planner to make several presentations regarding current projects / ordinance work. It was clearly evident that the presentation materials made an immediate impact and allowed the PC to engage and take quicker action.

PC member Wrouble completed his online Citizen Planner!

Land Use (zoning) Permit Activity (year-to-date report)¹

PERMIT #	TAX ID #	ZONE	Owner Name	Project Description	Date
2022-01	28-13-133-018-31	V	Soper, Dan	Conversion to Dwelling	1/20/2022
SLUP-2022-01	28-13-004-001-20	C1	Send Bro's Feed - Mark Send	SLUP-Change of Use to Vet	1/20/2022
LD-2022-01	28-13-134-008-00	R1	Whiteford, Timothy	LAND DIVISION(S)	1/27/2022
2022-02	28-13-134-003-10	A1	Hooper, Theodore	Accessory Structure	1/27/2022
2022-03	28-13-150-008-60	R1	Knop, Stephen	Accessory Structure	2/3/2022
2022-04	28-13-001-014-05	A1	Rajala, Jon and Desi	New Dwelling	2/3/2022
2022-05-SPR-01	28-13-136-001-03	A1	Cianciolo, Vince and Eileen	AG Barn	2/17/2022
			VanSolkema	Site Condo	44602
2022-06	28-13-230-007-00	R1	Wolf, Brian	Accessory Structure	2/17/2022
LD-2022-02	28-13-136-002-00	A1	Foster, Jacob	LAND DIVISION(S)	2/17/2022
2022-07	28-13-017-004-31	RC	Weaver, Andrew	Interior Remodel-Structural	3/3/2022
SLUP-22-02	28-13-005-008-20	C1	Johnson-Classic Equine	SLUP-New Vet Clinic	2/17/2022
2022-08	28-13-630-029-00	R1	Gulick, Peter and Charlotte	New Deck	3/3/2022
2022-09	28-13-110-010-00	R1	Rettig, Maximilian and Kristine	Attached Garage	3/10/2022
LD-2022-03	28-13-128-011-00	A1	Stites, Randal and Jeanne	LAND DIVISION(S)	3/10/2022
2022-10	28-13-134-008-02	R1	Whiteford, Timothy and Dave	New Dwelling*	3/11/2022

¹ The hi-lighted cells have no 'specific' meaning; it used internally to recognize activity that is NOT associated with the typical Land Use Permit for more rapid identification

2022-11	28-13-134-008-03	R1	Whiteford, Timothy and Dave	New Dwelling*	3/11/2022
2022-12	28-13-134-008-04	R1	Whiteford, Timothy and Dave	New Dwelling*	3/11/2022
SPR-2022-01	28-13-136-001-03	A1	Cianciolo, Vince and Eileen	Riding Stable-10.10.D	3/24/2022
2022-13	28-13-104-008-02	A1	Bratschi, Jennifer	New Dwelling*	4/7/2022
2022-14	28-13-104-001-04	R1	Peterman, Deanna and Ken	New Dwelling*	4/7/2022
LD-2022-04	28-13-125-025-00	A1	Korson, Leonard and Doris	LAND DIVISION(S)	04/07/2022
LD-2022-05	28-13-128-003-00	A1	Nowak, Joseph	LAND DIVISION(S)	4/7/2022
2022-15	28-13-05-018-30	A1	Hellman Family Trust / Draper	Basement Finish / Interior	4/7/2022
2022-16	28-13-009-015-01	RC	Patzer, Joshua	Accessory Structure	4/7/2022
2022-17	28-13-003-016-00	A1	Davey, Randy and Sara	Residential Addition	4/14/2022
2022-18	N/A	N/A	Williamsburg UMC	TEMPORARY SIGNS-EVENT	4/14/2022
2022-19	28-13-017-004-10	RC	Sperry, James	Accessory Structure	4/14/2022
2022-20	28-13-126-012-20	A1	Oosterhouse, Roland	AG - Accessory	4/14/2022
2022-21	28-13-128-003-01	A1	Nowak, Joseph	New Dwelling*	4/21/2022
2022-22	28-13-124-018-20	A1	Fries, Mark - Mapleridge Con.	Accessory Addition	4/21/2022
2022-23	28-13-109-017-30	A1	Hogarth, Ken	Residential Addition	4/21/2022
2022-24	28-13-109-017-30	A1	Hogarth, Holly	POOL	4/21/2022
2022-25	28-13-128-001-10	PUD	Pray, Steve	DECK	5/5/2022
2022-26	28-13-010-005-00	A1	Peters/Bidwell, Duncan/Lori	Accessory Building	5/12/2022
2022-27	28-13-016-008-03	RC	Salenski, Tony and Jennifer	New Dwelling* / Accessory	5/12/2022
2022-28	28-13-350-007-00	R1	Bank, Dave and Kathy	Residential Addition	5/12/2022
2022-29	28-13-023-002-01	RC	Sommerville, Stepen and Marc	New Dwelling + Garage	5/19/2022
2022-30	28-13-103-002-00	R1	Cole, Andrew and Christina	DEMOLITION-DWELLING	5/19/2022
2022-31	28-13-125-009-29	A1	Spencer, Douglas	In-Ground Pool Installation	5/19/2022
2022-32	28-13-031-005-02	RC	Altwood, Kyle	New Dwelling*	5/19/2022
2022-33	28-13-332-004-00	R1	Turnbull/Sauer, James and Rac	New Dwelling	5/19/2022
2022-34	28-13-004-063-10	A1	Melton, Joshua and Melissa	Front Porch Addition	5/19/2022
2022-35	28-13-340-042-00	R1	Farmer, Thomas and Christine	New Dwelling*	5/26/2022
2022-36	28-13-113-003-00	R1	Ellens, Don and Linda	2 Deck Additions	5/26/2022
2022-37	28-13-800-028-00	R1	Hayworth, Roger - LLC	New Dwelling	6/2/2022
2022-38	28-13-125-009-18	A1/R1	Archambo, Duane	New Dwelling*	6/2/2022
2022-39	28-13-003-024-20	A1	Zimmerman, John and Sharon	Accessory Building	6/9/2022
2022-40	28-13-116-010-00	A1	Gualtiere, Bruce	Accessory Building	6/16/2022
2022-41	28-13-103-015-02	R1	Mishler, Ron and Shelly	New Dwelling and Accessory	6/16/2022
2022-42	28-13-136-011-21	A1	Titus, Matt and Heather	Residential Addition	6/16/2022
2022-43	28-13-121-002-06	A1	Kenny, David	New Dwelling*	6/30/2022
COMB-22-01	28-43-032-008-01	R1	Ferguson, Kerry and Karen	COMBINATION	6/30/2022
2022-44	28-13-003-010-21	C1	Savage, Renee - Quilts	TEMP ACT EVENT TENT	7/14/2022
ZBA-2022-01	28-13-122-019-00	R1	Compere (family)	NonConforming	44756
LLA-2022-01	28-13-136-008-00		Zeldes	Lot Line Adjustment	7/14/2022
LD-2022-06	28-13-109-013-00		Dean, Barbara and Dennis	LAND DIVISION(S)	7/14/2022
ZBA-2022-02	28-13-122-003-00	R1	Stover, Bernie	NonConforming	7/28/2022

2022-45	18-113-150-009-00	R1	Hayden, Donald	Accessory Building	7/28/2022
COMB-22-02	28-13-136-018-02	A1	Morris, Greg and Joann	COMBINATION	7/28/2022
2022-46	28-13-136-008-02	A1	Makinson, Anthony	Accessory Building	8/4/2022
2022-47	28-13-005-012-11	A1	Scott, Linda and Albert	AG BUILDING	8/4/2022
2022-48	28-13-133-029-00	V	Hatcher / Martinez, Caroline	FENCE	8/4/2022
2022-49	28-13-133-009-00	A1	Send, Tara	POOL	8/25/2022
2022-50	28-13-103-002-00	R1	Cole, Andrew and Christina	New Dwelling*	8/25/2022
LD-2022-07	28-13-108-004-00	A1	Rennie/Estate-Wood, Amy	LAND DIVISION(S)	8/25/2022
COMB-22-03	28-13-108-005-00	A1	Rennie/Estate-Wood, Amy	Lot Line Adjustment	8/25/2022
2022-51	28-13-230-017	R1	Richardson, Kelly and Jeffrey	New Dwelling	9/1/2022
2022-52	28-13-270-017-00	R1	Grady, Brian	Accessory Building	9/1/2022
2022-53	28-13-009-014-30	RC	Nienhouse, Adam	New Dwelling	9/15/2022
2022-54	28-13-135-033-00	A1	Altonen, Dianna	TEMP ACTIVITY PERMIT	9/29/2022
2022-55	28-13-122-017-00	R1	Adams, Judson	Repair/Alter ZO 4.14	10/6/2022
2022-55	28-13-010-004-00	A1	Brown, Susan	Accessory Building	10/20/2022
LLA-2022-02	28-13-126-001-05	A1	Beam, James and Vicki	Lot Line Adjustment	10/19/2022
2022-56	28-13-126-012-20	A1	Oosterhouse, Roland	New Dwelling	10/20/2022
2022-57-SPR-02	28-13-005-014-00	A1	Jozwiak Consulting-High Point	Golf Course / Acc. Uses	10/27/2022
2022-58	28-13-010-002-01	RC	Render, Eric	Accessory Building	10/27/2022

General Notes:

I always encourage BC and Board members alike to remain abreast of happenings and training opportunities. This [ZONING REFORM TOOLKIT](#) from the Michigan Chapter of the American Planning Association is real eye-opener.

If the purpose of zoning is truly to protect the public's health, safety, and general welfare then fair zoning regulations are needed to serve everyone in Michigan's communities. How can our villages, cities, townships, and counties evolve in a rapidly changing world if zoning only maintains the status quo? New paradigms are needed and past practices modified to address the growing need to expand housing choice and supply.²

Respectfully submitted,



Robert (Bob) Hall
Whitewater Township Zoning Administrator

² American Planning Association – Michigan Chapter [<https://www.planningmi.org/zoning-reform-for-housing>]

WW RT September 2022

Response Time Minutes	Call Count	Cumulative Call Count	Percentage	Cumulative Percentage
00:00:00 - 00:00:59	0	0	0.00%	0.00%
00:03:00 - 00:03:59	1	1	5.56%	5.56%
00:04:00 - 00:04:59	2	3	11.11%	16.67%
00:05:00 - 00:05:59	2	5	11.11%	27.78%
00:06:00 - 00:06:59	2	7	11.11%	38.89%
00:08:00 - 00:08:59	1	8	5.56%	44.44%
00:09:00 - 00:09:59	3	11	16.67%	61.11%
00:10:00 - 00:10:59	3	14	16.67%	77.78%
00:11:00 - 00:11:59	1	15	5.56%	83.33%
00:14:00 - 00:14:59	1	16	5.56%	88.89%
00:15:00 - 00:15:59	1	17	5.56%	94.44%
00:20:00 - 00:20:59	1	18	5.56%	100.00%

Whitewater Twp Responses

September 2022

Nature of Call	WW	Total
10-Chest Pain (Non-Traumatic)	2	2
12-Convulsions/Seizures	1	1
17-Falls	3	3
23-Overdose / Poisoning (Ingestion)	1	1
26-Sick Person (Specific Diagnosis)	1	1
28-Stroke (CVA)	3	3
29-Traffic/Transportation/Accidents	5	5
4-Assault/Sexual Assault	1	1
6-Breathing Problems	2	2
9-Cardiac or Respiratory Arrest/Death	1	1
Total	20	20

Call Disposition	WW	Total
Transport	12	12
Refusal	6	6
Cancelled	2	2
Total	20	20

Response Priority	WW	Total
P-1 Emergency ALS	11	11
P-2 Emergency BLS	8	8
P-3 Non-Emergent	1	1
Total	20	20

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
116,583	09/02/2022	P-3	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Canceled	16:59:46		
116,749	09/03/2022	P-2	28-Stroke (CVA)	Whitewater	10 GTA3	Transport	0:13:34	0:19:48	00:06:14
117,264	09/04/2022	P-2	17-Falls	Whitewater	10 GTA3	Transport	8:10:20	8:14:45	00:04:25
117,792	09/05/2022	P-1	6-Breathing Problems	Whitewater	10 GTA3	Transport	15:37:48	15:46:24	00:08:36
118,444	09/07/2022	P-1	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	8:10:06	8:20:08	00:10:02
118,702	09/07/2022	P-1	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	16:25:59	16:35:16	00:09:17
120,163	09/10/2022	P-2	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Canceled	1:06:24		
121,013	09/11/2022	P-2	4-Assault/Sexual Assault	Whitewater	10 GTA3	Transport	22:45:37	22:52:13	00:06:36
121,107	09/12/2022	P-2	17-Falls	Whitewater	10 55A1	Transport	6:39:43	7:00:12	00:20:29
122,753	09/15/2022	P-1	23-Overdose / Poisoning (Ingest	Whitewater	10 GTA3	Transport	12:30:09	12:44:10	00:14:01
124,326	09/18/2022	P-2	28-Stroke (CVA)	Whitewater	10 GTA2	Transport	12:45:30	12:55:44	00:10:14
124,440	09/18/2022	P-1	9-Cardiac or Respiratory Arrest/I	Whitewater	10 GTA3	Refusal	18:02:29	18:12:04	00:09:35
124,679	09/19/2022	P-2	17-Falls	Whitewater	10 GTA3	Transport	10:17:46	10:33:04	00:15:18
125,550	09/21/2022	P-1	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	9:27:59	9:33:57	00:05:58
125,555	09/21/2022	P-1	29-Traffic/Transportation/Accider	Whitewater	10 55A1	Transport	9:35:38	9:47:33	00:11:55
125,779	09/21/2022	P-1	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	11:29:17	11:32:45	00:03:28
126,275	09/22/2022	P-1	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	10:15:35	10:20:24	00:04:49
127,668	09/25/2022	P-1	6-Breathing Problems	Whitewater	10 GTA3	Transport	11:55:33	12:05:22	00:09:49
128,278	09/26/2022	P-1	12-Convulsions/Seizures	Whitewater	10 GTA3	Refusal	23:02:28	23:08:23	00:05:55
130,067	09/30/2022	P-2	28-Stroke (CVA)	Whitewater	10 GTA3	Refusal	10:22:51	10:32:56	00:10:05

GT-A3 Activity (September 2022)

Call Disposition	Acme	WW	Elk Rapids	Milton	East Bay	GT-Traverse	Total
Transport	39	10	1	2	1	1	54
Refusal	11	4	2	0	0	0	17
Cancelled	16	0	1	1	0	0	18
Total	66	14	4	3	1	1	89

Response Priority	Acme	WW	Elk Rapids	Milton	East Bay	GT-Traverse	Total
P-1 Emergency ALS	12	3	2	0	0	0	17
P-2 Emergency BLS	47	9	2	2	1	1	62
P-3 Non-Emergent	6	2	0	1	0	0	9
P-18 Stage	1	0	0	0	0	0	1
Total	66	14	4	3	1	1	89

Nature of Call	Acme	WW	Elk Rapids	Milton	East Bay	GT-Traverse	Total
10-Chest Pain (Non-Traumatic)	6	0	0	0	0	0	6
11-Choking	1	0	0	0	0	0	1
12-Convulsions/Seizures	1	1	0	0	0	0	2
13-Diabetic Problems	1	0	0	0	0	0	1
14-Drowning (near)/Diving/ Scuba Accid	1	0	0	0	0	0	1
17-Falls	22	2	0	1	0	1	26
18-Headache	1	0	0	0	0	0	1
1-Abdominal Pain/Problems	1	0	0	0	0	0	1
21-Hemorrhage/Lacerations	2	1	1	0	0	0	4
23-Overdose / Poisoning (Ingestion)	1	0	0	0	0	0	1
25-Psychiatric/ Abnormal Behavior/Suici	1	0	0	0	0	0	1
26-Sick Person (Specific Diagnosis)	10	4	1	1	0	0	16

	Acme	WW	Elk Rapids	Milton	East Bay	GT-Traverse	Total
28-Stroke (CVA)	2	2	1	0	0	0	5
29-Traffic/Transportation/Accidents	1	1	0	1	1	0	4
2-Allergies (Reactions)/Envenomations (2	0	0	0	0	0	2
30-Traumatic Injuries (Specific)	1	1	0	0	0	0	2
31-Unconscious/Fainting (Near)	3	1	1	0	0	0	5
32-Unknown Problem (Man Down)	3	0	0	0	0	0	3
5-Back Pain (Non-traumatic or Non Rece	1	0	0	0	0	0	1
6-Breathing Problems	3	0	0	0	0	0	3
8-Carbon Monoxide/Inhalation/HazMat	1	0	0	0	0	0	1
9-Cardiac or Respiratory Arrest/Death	1	1	0	0	0	0	2
Total	66	14	4	3	1	1	89

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
100,421	08/01/2022	P-2 E	31-Unconscious/Fainting (Near)	Whitewater	10 GTA3	Transport	10:11:17	10:23:23	00:12:06
100,586	08/01/2022	P-2 E	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	15:58:28	16:02:18	00:03:50
100,630	08/01/2022	P-2 E	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	18:07:21	18:09:28	00:02:07
100,749	08/02/2022	P-2 E	17-Falls	Acme	10 GTA3	Canceled	2:22:17		
100,822	08/02/2022	P-2 E	17-Falls	Acme	10 GTA3	Transport	8:50:14	8:57:29	00:07:15
100,874	08/02/2022	P-2 E	5-Back Pain (Non-traumatic or N	Acme	10 GTA3	Transport	10:33:55	10:46:20	00:12:25
101,077	08/02/2022	P-2 E	17-Falls	Acme	10 GTA3	Canceled	16:56:04		
101,120	08/02/2022	P-2 E	12-Convulsions/Seizures	Acme	10 GTA3	Transport	18:59:52	19:13:58	00:14:06
101,327	08/03/2022	P-2 E	17-Falls	Acme	10 GTA3	Refusal	9:31:49	9:34:09	00:02:20
101,355	08/03/2022	P-2 E	14-Drowning (near)/Diving/ Scut	Acme	10 GTA3	Canceled	10:56:40	11:06:24	00:09:44
101,576	08/03/2022	P-2 E	17-Falls	Acme	10 GTA3	Canceled	18:43:00	18:50:12	00:07:12
101,658	08/03/2022	P-2 E	17-Falls	Acme	10 GTA3	Canceled	22:43:01		
101,699	08/04/2022	P-2 E	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	1:17:14	1:25:55	00:08:41
102,019	08/04/2022	P-2 E	17-Falls	Milton	10 GTA3	Transport	10:22:57	10:45:14	00:22:17
102,073	08/04/2022	P-2 E	26-Sick Person (Specific Diagno	Acme	10 GTA3	Canceled	12:39:37		
102,603	08/05/2022	P-2 E	17-Falls	Whitewater	10 GTA3	Transport	14:07:47	14:15:52	00:08:05
102,681	08/05/2022	P-2 E	17-Falls	Acme	10 GTA3	Refusal	16:26:22	16:38:35	00:12:13
102,761	08/05/2022	P-2 E	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Canceled	20:07:43		
102,857	08/06/2022	P-1 L	2-Allergies (Reactions)/Envenorr	Acme	10 GTA3	Refusal	1:54:44	2:06:06	00:11:22
102,879	08/06/2022	P-2 E	23-Overdose / Poisoning (Ingest	Acme	10 GTA3	Canceled	4:05:48	4:18:18	00:12:30

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
103,087	08/06/2022	P-2 F	17-Falls	Acme	10 GTA3	Transport	13:20:11	13:26:15	00:06:04
103,112	08/06/2022	P-2 F	17-Falls	GT-Traverse City	10 GTA3	Transport	14:10:18	14:15:46	00:05:28
103,215	08/06/2022	P-2 F	17-Falls	Acme	10 GTA3	Transport	18:07:33	18:15:35	00:08:02
103,314	08/06/2022	P-1 L	21-Hemorrhage/Lacerations	Elk Rapids	10 GTA3	Canceled	21:51:27		
103,394	08/07/2022	P-2 F	29-Traffic/Transportation/Accider	East Bay	10 GTA3	Transport	2:50:44	3:09:56	00:19:12
103,473	08/07/2022	P-2 F	30-Traumatic Injuries (Specific)	Acme	10 GTA3	Transport	9:12:17	9:20:36	00:08:19
103,701	08/07/2022	P-2 F	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	20:08:05	20:19:16	00:11:11
103,818	08/08/2022	P-2 F	17-Falls	Acme	10 GTA3	Transport	5:21:23	5:38:06	00:16:43
104,040	08/08/2022	P-1 L	9-Cardiac or Respiratory Arrest/I	Whitewater	10 GTA3	Refusal	15:04:24	15:16:36	00:12:12
104,103	08/08/2022	P-2 F	2-Allergies (Reactions)/Envenorr	Acme	10 GTA3	Transport	17:33:39	17:38:07	00:04:28
104,385	08/09/2022	P-2 F	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	11:19:16	11:19:32	00:00:16
104,661	08/09/2022	P-1 L	11-Choking	Acme	10 GTA3	Canceled	21:00:14		
105,356	08/10/2022	P-2 F	17-Falls	Acme	10 GTA3	Canceled	21:26:24		
105,545	08/11/2022	P-3 L	17-Falls	Acme	10 GTA3	Refusal	7:57:33	8:03:55	00:06:22
105,925	08/12/2022	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	1:35:22	1:47:24	00:12:02
106,073	08/12/2022	P-3 L	26-Sick Person (Specific Diagno	Milton	10 GTA3	Transport	9:57:13	10:20:05	00:22:52
106,127	08/12/2022	P-2 F	32-Unknown Problem (Man Dow	Acme	10 GTA3	Canceled	11:47:31		
106,143	08/12/2022	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	12:05:52	12:12:49	00:06:57
106,251	08/12/2022	P-2 F	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Refusal	15:08:41	15:22:56	00:14:15
106,408	08/12/2022	P-1 L	17-Falls	Whitewater	10 GTA3	Transport	22:24:33	22:27:00	00:02:27
106,530	08/13/2022	P-2 F	26-Sick Person (Specific Diagno	Elk Rapids	10 GTA3	Refusal	6:22:02	6:33:06	00:11:04
106,639	08/13/2022	P-2 F	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	12:40:23	12:51:26	00:11:03
106,705	08/13/2022	P-2 F	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Refusal	16:00:44	16:11:32	00:10:48
106,797	08/13/2022	P-2 F	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Refusal	21:08:04	21:20:00	00:11:56
106,818	08/13/2022	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	22:27:16	22:37:31	00:10:15
107,078	08/14/2022	P-2 F	17-Falls	Acme	10 GTA3	Transport	17:01:20	17:11:27	00:10:07
107,364	08/15/2022	P-2 F	17-Falls	Acme	10 GTA3	Transport	11:37:30	11:41:20	00:03:50
107,540	08/15/2022	P-2 F	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	17:25:57	17:33:05	00:07:08
107,828	08/16/2022	P-2 F	28-Stroke (CVA)	Whitewater	10 GTA3	Transport	12:24:57	12:31:52	00:06:55
108,057	08/16/2022	P-2 F	28-Stroke (CVA)	Elk Rapids	10 GTA3	Transport	21:17:25	21:36:43	00:19:18
108,398	08/17/2022	P-2 F	30-Traumatic Injuries (Specific)	Whitewater	10 GTA3	Transport	9:06:43	9:16:42	00:09:59
108,752	08/17/2022	P-3 L	12-Convulsions/Seizures	Whitewater	10 GTA3	Transport	23:00:38	23:10:51	00:10:13
109,048	08/18/2022	P-2 F	17-Falls	Acme	10 GTA3	Transport	12:13:52	12:18:55	00:05:03
109,089	08/18/2022	P-3 L	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Refusal	13:51:47	14:03:47	00:12:00
109,103	08/18/2022	P-1 L	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Transport	14:10:23	14:13:44	00:03:21
109,588	08/19/2022	P-1 L	31-Unconscious/Fainting (Near)	Elk Rapids	10 GTA3	Refusal	12:54:16	13:02:53	00:08:37
109,951	08/20/2022	P-1 L	8-Carbon Monoxide/Inhalation/H	Acme	10 GTA3	Canceled	3:59:41		
109,963	08/20/2022	P-1 L	6-Breathing Problems	Acme	10 GTA3	Transport	5:36:06	5:42:42	00:06:36

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
110,136	08/20/2022	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	15:59:38	16:11:00	00:11:22
110,306	08/21/2022	P-3 F	1-Abdominal Pain/Problems	Acme	10 GTA3	Transport	1:08:47	1:23:08	00:14:21
110,588	08/21/2022	P-2 F	17-Falls	Acme	10 GTA3	Canceled	19:46:33	19:58:11	00:11:38
110,662	08/21/2022	P-2 F	17-Falls	Acme	10 GTA3	Transport	23:12:48	23:22:28	00:09:40
110,893	08/22/2022	P-2 F	32-Unknown Problem (Man Dow	Acme	10 GTA3	Canceled	13:20:14		
110,920	08/22/2022	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	14:04:01	14:07:59	00:03:58
111,340	08/23/2022	P-1 L	9-Cardiac or Respiratory Arrest/I	Acme	10 GTA3	Transport	13:40:27	13:42:41	00:02:14
111,483	08/23/2022	P-1 L	28-Stroke (CVA)	Whitewater	10 GTA3	Transport	19:00:12	19:12:17	00:12:05
111,583	08/23/2022	P-3 F	17-Falls	Acme	10 GTA3	Transport	23:41:22	23:54:01	00:12:39
111,899	08/24/2022	P-1 L	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	10:16:20	10:24:00	00:07:40
112,145	08/24/2022	P-1 L	28-Stroke (CVA)	Acme	10 GTA3	Transport	20:18:57	20:26:56	00:07:59
112,186	08/24/2022	P-1 L	28-Stroke (CVA)	Acme	10 GTA3	Refusal	22:51:59	23:04:21	00:12:22
112,204	08/25/2022	P-18	25-Psychiatric/ Abnormal Behavi	Acme	10 GTA3	Canceled	0:16:48		
112,233	08/25/2022	P-1 L	6-Breathing Problems	Acme	10 GTA3	Transport	4:41:57	4:54:07	00:12:10
112,543	08/25/2022	P-3 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	17:12:03	17:15:58	00:03:55
112,852	08/26/2022	P-2 F	17-Falls	Acme	10 GTA3	Canceled	6:05:16	6:18:40	00:13:24
112,890	08/26/2022	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	8:48:15	8:55:20	00:07:05
112,963	08/26/2022	P-1 L	6-Breathing Problems	Acme	10 GTA3	Refusal	11:53:25	11:56:46	00:03:21
113,406	08/27/2022	P-2 F	17-Falls	Acme	10 GTA3	Refusal	12:26:55	12:31:02	00:04:07
113,467	08/27/2022	P-2 F	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Transport	15:23:02	15:30:04	00:07:02
113,641	08/28/2022	P-2 F	21-Hemorrhage/Lacerations	Acme	10 GTA3	Transport	0:06:46	0:15:38	00:08:52
113,808	08/28/2022	P-2 F	18-Headache	Acme	10 GTA3	Transport	12:28:38	12:33:22	00:04:44
113,934	08/28/2022	P-2 F	29-Traffic/Transportation/Accider	Milton	10 GTA3	Canceled	18:59:58		
114,139	08/29/2022	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	9:54:52	9:58:00	00:03:08
114,304	08/29/2022	P-2 F	17-Falls	Acme	10 GTA3	Transport	16:13:35	16:15:25	00:01:50
114,570	08/30/2022	P-3 F	17-Falls	Acme	10 GTA3	Refusal	9:55:06	9:58:57	00:03:51
114,717	08/30/2022	P-2 F	13-Diabetic Problems	Acme	10 GTA3	Transport	15:37:02	15:39:53	00:02:51
115,295	08/31/2022	P-1 L	29-Traffic/Transportation/Accider	Acme	10 GTA3	Refusal	6:45:23	6:51:43	00:06:20
115,334	08/31/2022	P-2 F	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	9:03:54	9:08:04	00:04:10
115,463	08/31/2022	P-2 F	32-Unknown Problem (Man Dow	Acme	10 GTA3	Refusal	13:21:52	13:26:50	00:04:58
115,615	08/31/2022	P-3 F	21-Hemorrhage/Lacerations	Acme	10 GTA3	Transport	18:38:00	18:44:44	00:06:44

A-3 Transports By Month (Billable Calls)

Dispatch Zone	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Total
Antrim-City of Elk Rapids	0	2	0	1	1	0	0	1	0	1	3	0	9
Antrim-Elk Rapids	0	0	1	0	0	0	0	0	0	3	0	0	4
Antrim-Milton	0	1	0	0	1	1	0	0	1	0	2	0	6
GT-Acme	1	9	31	26	26	22	26	33	41	50	50	24	339
GT-Blair	0	0	1	0	0	0	0	0	0	0	0	0	1
GT-East Bay	0	0	1	1	1	1	0	1	2	2	1	0	10
GT-Garfield	0	1	0	0	0	0	0	0	0	0	0	0	1
GT-Traverse City	0	0	0	0	1	0	0	1	0	1	1	1	5
GT-Whitewater	17	23	16	14	16	18	12	16	12	23	14	15	196
Kalkaska-Clearwater	1	0	0	0	0	1	0	0	0	0	0	0	2
Kalkaska-Excelsior	0	1	0	0	0	0	0	0	0	0	0	0	1
Kalkaska-Rapid River	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	19	37	50	42	46	43	38	52	56	80	71	41	575



WHITEWATER TOWNSHIP FIRE DEPARTMENT

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

October 2022 Monthly Report Fire Chief Brandon Flynn

Alarms: The fire department responded to 11 emergency calls in October.

- 4 EMS assists
- Tree down
- Power line down
- Residential chimney fire
- Mutual aid assist to Metro FD for a kitchen fire
- Motorcycle crash
- Commercial Fire Alarm
- Wash down

Training: 4 training sessions were held in October.

- Vehicle Maintenance & SCBA check
- Target Solutions, MIOSHA Part 74
- New air compressor training, OSHA Questionnaire
- Stokes Basket and Patient Handling

Meetings/Other:

- Regional Training Center, October 6
- EMPT, October 17
- County Fire Chiefs, October 19
- LEPC, October 20
- 911 BOD, October 20

General:

Firefighters assisted with the 47th Annual Halloween Party on October 1 located at the Whitewater Township Park. The event was an overwhelming success and the weather was great.

A follow-up fire inspection was conducted at Turtle Creek Casino/Hotel with inspectors from Metro Fire and GTB Fire Rescue on October 5.



Committed to proudly serving the community with professionalism and integrity.

Chief Flynn attended a Fire Instructor I class hosted by the Regional Training Center on October, 7, 8, 9, 22 and 23. This 5 day class was paid in full by State Fireworks funds.

Training on the new SCBA air compressor has begun with a general overview. Each employee will go through a one-on-one in depth training session on the operation of the air compressor later this year.

Assistant Chief Carpenter attended a Lockdown Drill at Woodland School on October 7. Chief Flynn also attended scheduled fire drills at Woodland and Mill Creek School's this month.

Historical Society Report for September 2022

To: Whitewater Township Board Members

From: Luann Snider, Historical Society Director

Date: October 4, 2022

Meetings: Because of not having a Quorum no meetings were held in September 2022

Public Inquiries: None

Scan/Catalog Documents: A few hours were spent sorting out information and making phone calls.

New Documents/Items Received: Nothing new was received.

Williamsburg School Reunion: Nothing new to report at this time.

Other News: No other news at this time.

Historical Society Report for October 2022

To: Whitewater Township Board Members

From: Luann Snider, Historical Society Director

Date: October 25, 2022

Meetings: Because of not having a quorum no meetings were held in October 2022.

Public Inquiries: There were no Inquiries in October.

Scan/Catalog Documents: A few hours were spent sorting items and typing out papers.

New Documents/Items Received: Nothing new was received in October.

Williamsburg School Reunion: I talked to the president of the school reunion about maybe starting the reunions again, we discussed sending out a post card to see if the interest is still there to have the school reunion. She feels that some of them will still be worried about covid, and I commented to her that I don't think it will be an issue to most of them.

Other News: Nothing new to report at this time.

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
w/ public participation via Zoom
June 1, 2022

Call to Order at 6:04 p.m.

Roll Call: In person: Darrow, Jacobson, Keaton, Mangus, Wroubel

Absent:

Unfilled seat: One commission member and the Township Board Representative

Also in attendance: Zoning Administrator Hall, Recording Secretary MacLean and 13 participants via Zoom

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None

Public Comment:

In person:

Vicky Beam: development pressures; rural character; developer choice; campgrounds; Baggs Road.

Randy Mielnik, 9304 Wheeler Oaks: campground; setbacks; equine clinic approval.

Comment: Baggs Road proposed project; land divisions; rural character; listen

Comment: Marihuana ordinance; Special Use Permits; GAAMPs (Generally Accepted Agricultural Management Practices); right to farm.

Vern Gutknecht: PC is fighting fires; strategic plan; rural nature; development; Acme management plan; listen.

Zoom:

Connie Hymore, Baggs Rd.: Baggs Road proposed project; moratorium requested; Grobbel letter.

Public Hearing: None

Approval of Minutes:

MOTION by Jacobson, second by Keaton to approve May 4, 2022, special meeting minutes.

Roll call: Jacobson-yes; Keaton-yes; Mangus-yes; Wroubel-yes; Darrow-yes. All in favor. Motion carried.

MOTION by Wroubel, second by Keaton to approve May 4, 2022, regular meeting minutes.

Roll call: Keaton-yes; Mangus-yes; Wroubel-yes; Darrow-yes; Jacobson-yes. All in favor. Motion carried.

Correspondence: (Included in packet) Mangus read a note from Kim Elliott.

Reports:

Zoning Administrator Report, Hall: Personal policy – respect.

Training, relevant right now: zoning districts use by right and special uses, example manufacturing needed special utilities appropriate for the specific site.

Master Plan with the zoning ordinance: The MP is looking into the future, a goal, and the zoning ordinance is the here and now.

The ZA observes and make recommendations – what’s really important on your agenda: Marihuana provisions because the Board has opted in through the General Ordinances for Marihuana and Article 25 and the Master Plan.

Chair’s Report, Mangus: Requested materials are available tonight. Hard copies of the zoning ordinance to come.

Public Hearings: Keaton, PC Secretary, to follow-up and verify that public hearing notices get noticed.

Township Board Rep., None assigned.

ZBA Representative, Wroubel: No cases in May. Communication needed when there is not a ZBA meeting. Request that someone put cancelled on the calendar.

Committee Reports: None.

Additional Items: None.

Unfinished Business:

1. Article 25, Site Plan Review Amendment #82 discussion and notations: font changes; few verbiage changes; application fees, escrow, expert/consultants (question for attorney regarding consultants); consensus on the initial application – impact statement; 300’ vs 1 mile notification to other townships or entities (consensus to ask the attorney why is the 1 mile designation included); receive input from the general public; “the township shall draft a

written special use permit report and be signed by PC Chair or Secretary and applicant.” (Bob or attorney input); applicant shall provide the ZA with documentation of registration with the County Register of Deeds (attorney / Bob); Special Use Permit (SUP) and security deposit, if any, runs with the land; SUP expiration time frame. Schedule another public hearing with the adjustments and questions.

MOTION by Jacobson, second by Keaton to set a public hearing on Article 25, Amendment #82, for the July meeting.

Roll call: Jacobson-yes; Keaton-yes; Mangus-yes; Wroubel-yes, Darrow-yes. All in favor. Motion carried

2. Article 25, Special Use Permit Amendment #82. Included above.

3. Article 1, Preamble- review attorney’s notes: Remove “purpose” as it is covered in Article 2.

MOTION by Jacobson, second by Keaton to set a public hearing on Article 1 for the July meeting.

Roll call: Mangus-yes; Wroubel-yes, Darrow-yes; Jacobson-yes; Keaton-yes. All in favor. Motion carried.

4. Article 12, Setback – review attorney’s notes: housing; high water mark, including in Article 14; campground – ask the attorney to make recommendations on campground guidelines – leave what we have already.

MOTION by Jacobson, second by Darrow to set a public hearing for Article 12 for the July meeting.

Roll call: Wroubel-yes, Darrow-yes; Jacobson-yes; Keaton-yes; Mangus-yes. All in favor. Motion carried.

5. Medical Marihuana proposed Zoning Ordinance amendments discussion: consensus on the following: waste disposal, number of days security recordings are kept, loading/unloading hours, setbacks, nuisances verbiage, to limit the number of locations in Ag, shall include landscape buffers, facility building to neighboring property line setbacks (include a graphic), include the minimum 5 acre lot size, drop the variance condition on existing buildings, “may require a traffic study”.

MOTION by Darrow, second by Keaton to forward document as amended to attorney and set for a public hearing for the July meeting.

Roll call: Darrow-yes; Jacobson-yes; Keaton-yes; Mangus-yes; Wroubel-yes. All in favor. Motion carried.

6. Article 5, Zoning Districts – Rules of Interpretation - postponed

7. Master Plan review – Looking to get professional input.

New Business: None

Next Regular Meeting is scheduled for July 6, 2022, 7 p.m.

Next meeting agenda: Master Plan review and public hearings on Articles 1, 12, 25 and Medical Marihuana zoning ordinance.

Public Comment:

Comment: Public input on MP; building blight

Randy Mielnik: medical marihuana building distance; traffic impact; suggest a subcommittee to work on the zoning ordinance.

Sue Mielnik, 9304 Wheeler Oaks: definition of rural character; definitions are important; work on the zoning ordinance and the Master Plan at the same time; equine clinic; planner; live stream meeting.

Vicky Beam: work together; conflict of interest; ZBA meeting communication; marihuana and site condos – start small and grow big.

Tom McElwe, Lakeside Trail: PC is working with the best of intentions; marihuana; master plan drives zoning ordinance; moratorium requested: Mangus notes that the PC had requested the moratorium until Article 25 is complete.

Vern Gutknecht: impressed with the PC transparency; holes in the zoning ordinance; definitions for clarity.

Karin Boyd: looking for education on what, how and why the PC makes specific decisions; Baggs Road proposed project; boards and the community need to come together; rural character; willing to help and serve.

Comment: marihuana lot sizes; utility notification

Zoom:

Connie Hymore: a lot got accomplished tonight; marihuana and site condo should start small; PUD and Site Condo.

Commission Discussion/Comments: Site condominium act is a state law.

Wroubel appreciates the comments and input on the campground. The living quarters/apartments in the equine clinic are legal per the zoning.

Jacobson thanks Mr. Mielnik for input.

Continuing Education: Township Law from the township attorneys regarding Adult Use Marihuana Establishments.

Adjournment: 9:36 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
with public participation via Zoom
July 6, 2022

Call to Order at 7:05 p.m.

Roll Call: Present: Jacobson, Keaton, Mangus, Wroubel

Absent: Darrow

Unfilled seats: One commission member and the Township Board Representative

Also in attendance: Recording Secretary MacLean

Set / Adjust Agenda: Move all new business items ahead of unfinished business - consensus

Declaration of Conflict of Interest: None

Public Comment:

Connie Hymore quoted zoning ordinance and comment on survey, community wants.

Vicki Beam commented on Baggs Road project, lot sizes, road intersection

Mangus noted amendment number changes from previous public hearings.

Public Hearing:

1. Zoning Ordinance Amendment #83

- a. Open public hearing on Amendment #83 regarding Article 1-Preamble, Article 12- Building Sizes and Yard Requirements and Article 14-Waterfront Property at 7:15 p.m.
Published in the Record Eagle on June 19, 2022
- b. Presentation – Zoning Administrator: n/a
- c. Correspondence received from Vicki Beam.
- d. Public comment in favor : none
- e. Public comment in opposition:
Linda Slopsema commented on setbacks, campground density, clarification
- f. Public comment who has not yet commented:
Randy Mielnik, 9304 Wheeler Oaks, commented on clarification of campground information, confusion regarding mixed use in campgrounds
Vicki Beam commented on industrial district clarification, campground density.
- g. Close public hearing at 7:30 p.m.

2. Zoning Ordinance Amendment #84:

- a. Open public hearing on Amendment #84 regarding Article 25-Site Plan Review and Special Use Permits at 7:31 p.m.
Published in the Record Eagle on June 19, 2022
- b. Presentation – Zoning Administrator: n/a
- c. Correspondence – none received
- d. Public comment in favor: none
- e. Public comment in opposition: none
- f. Public comment who has not yet commented: none
- g. Close public hearing at 7:33 p.m.

3. Zoning Ordinance Amendment #85

- a. Open public hearing on Amendment #85 regarding Medical Marihuana Amendments including Article 3-Definitions, Article 6-Residential R1, Article 9-Industrial N, Article 10-Agricultural A-1, Article 25.22 E Site Plan Review and Special Land Uses and Article 37-Supplementary Provisions at 7:34 p.m.
Published in the Record Eagle on June 19, 2022
- b. Presentation – Zoning Administrator-n/a
- c. Correspondence received from Linda Slopsema and Randy Mielnik.
- d. Public comment in favor: none

e. Public comment in opposition:

Randy Mielnik commented on larger grow facilities, ordinance deficiencies, winter lighting, security access, odor control.

Linda Slopsema commented on the visits to other facilities in other communities in their industrial districts, not spreading out for ease of administration and police enforcement, expanding the industrial district and odor control.

Vicki Beam noted odors in Kalkaska and do what is best for our community.

f. Public comment who has not yet commented: none

g. Close public hearing at 7:49 p.m.

Approval of Minutes:

MOTION by Jacobson, second by Keaton to approve June 1, 2022, meeting minutes.

Roll call: Mangus-yes; Jacobson-yes; Keaton-yes; Wroubel-yes; Darrow-n/a. All in favor. Motion carried.

Correspondence: East Bay Township Master Plan Review notice.

Reports:

Zoning Administrator Report, Hall: n/a Mangus noted that Hall has indicated to her that he continues to receive a lot of inquiries regarding short term rentals.

Chair's Report, Mangus: None.

Township Board Rep., None assigned.

ZBA Representative, Wroubel: No cases in June.

Committee Reports: None.

Additional Items: None.

New Business before Unfinished Business.

New Business:

1. Zoning Ordinance amendment process worksheet combining state and local requirements.
2. Special Meeting – joint meeting with the Board for a closed session with township attorneys 6 or 7 p.m. July 19 (first choice) or the 21st as a backup date.
3. Zoning Ordinance MS Office Word copy project. In an attempt to get an editable version of the ordinance Mangus is requesting each commissioner select a couple articles and go through the two versions (the old Word version and the online pdf version) and compare word for word / line by line. Highlight on the white if it does not match the yellow, sign and date at the top of the page.

Unfinished Business:

1. Zoning Ordinance Amendment #83: Article 1-Preamble, Article 12-Building Sizes and Yard Requirements and Article 14-Waterfront Property discussion of attorney recommendations.
Article 1 – consensus as presented.
Article 12 – consensus to make changes: change inch (") to feet ('); correct references; change title from "... Yard Requirements to Setback Requirements"; under Additional Standards add "See Article 14"
Article 14 – consensus to make all setbacks 50' whereas the Boardman currently has a 100' setback, vegetative strip of 50', clarification, 14.11 sentence structure.

Continue public hearing discussions at the August meeting.

2. Zoning Ordinance Amendment #84: Article 25, Site Plan Review and Special Use Permit Amendment (postpone to the August 3 meeting)
3. Zoning Ordinance Amendment #85: Medical Marihuana Amendment to Articles 3, 6, 9, 10, 25.22 and 37. (postpone to the August 3 meeting)

4. Marihuana proposed Zoning Ordinance amendment – Adult Use (Recreational)
(postpone to the August 3 meeting)
5. Master Plan Review – status
(postpone to the August meeting)

Next meeting: Special Meeting, possibly July 19, to schedule with Board and attorneys

Next Regular Meeting is scheduled for August 3, 2022, 7 p.m.

Next meeting agenda: Public hearing items discussions and decisions, adult use marihuana ordinance, master plan review

Public Comment:

Name not given thanked the commission for the work, listen to the residents.

Tom McElwee commented on the public hearing suggestions. Mangus explained the public hearing process.

Vicki Beam commented that we are at a critical time in our township.

Sue Mielnik noted that Compare Right is a program that does the comparison in two Word documents, page numbering.

Commission Discussion/Comments: None

Continuing Education: None.

Adjournment: 9:13 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

DRAFT MINUTES

**Whitewater Township Board
and
Whitewater Township Planning Commission
Minutes of Joint Meeting held July 19, 2022**

Call to Order

Supervisor Popp called the meeting to order at 6:00 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

Roll Call of Township Board Members

Members present in person: Popp, Goss, Benak, Glenn, Vollmuth

Members absent: None

Roll Call of Planning Commission Members

Members present in person: Mangus, Jacobson, Keaton, Wroubel, Darrow, Steelman

Members absent: (Township Board Representative vacancy)

Others Present

Others present in person: None

Others present via Zoom: 1

Set/Adjust Meeting Agenda

Typo corrected on the agenda. No other adjustments.

Declaration of Conflict of Interest

Planning Commission: None

Township Board: None

Public Comment

Public comment began at 6:06 p.m.

Linda Slopsema commented on the lawsuit agenda item and delay of township projects.

Public comment ended at 6:09 p.m.

CLOSED SESSION – STATUS CONFERENCE RE: NORTHPOINT FARMS V WHITEWATER

Planning Commission motion to go into closed session:

Regarding the case of Northpoint Farms, LLC v Whitewater Township, now pending in the Grand Traverse County Circuit Court, Case No. 21-035830-AW, Jacobson moved to go into closed session to consult with the Township's attorney regarding trial or settlement strategy in connection with specific pending litigation because an open meeting would have a detrimental financial effect on the litigating or settlement position of the Township; second by Wroubel.

DRAFT MINUTES

Roll call vote: Wroubel-yes; Darrow-yes; Keaton-yes; Mangus-yes; Jacobson-yes; Steelman-yes. Motion carried.

Township Board motion to go into closed session:

Regarding the case of Northpoint Farms, LLC v Whitewater Township, now pending in the Grand Traverse County Circuit Court, Case No. 21-035830-AW, Goss moved to go into closed session to consult with the Township's attorney regarding trial or settlement strategy in connection with specific pending litigation because an open meeting would have a detrimental financial effect on the litigating or settlement position of the Township; second by Glenn.

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

At 6:16 p.m., Recording Secretary MacLean exited the meeting room and the closed session began.

At 6:31 p.m., Recording Secretary MacLean returned to the meeting room. The open session resumed at 6:32 p.m.

Township Board/Planning Commission Comments/Discussion

There were brief comments from Darrow and Mangus.

Public Comment

None

Adjournment

Planning Commission

Motion by Jacobson to adjourn; second by Darrow. Roll call vote: Darrow-yes; Keaton-yes; Mangus-yes; Jacobson-yes; Steelman-yes; Wroubel-yes. Meeting adjourned at 6:35 p.m.

Township Board

Motion by Benak to adjourn; second by Vollmuth. Roll call vote: Goss-yes; Vollmuth-yes; Glenn-yes; Popp-yes; Benak-yes. Meeting adjourned at 6:36 p.m.

Respectfully submitted,

Lois MacLean
Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
w/ public participation via Zoom
August 3, 2022

Call to Order at 6:00 p.m.

Roll Call: In person: Darrow, Jacobson, Keaton, Mangus, Wroubel

Absent: Steelman

Unfilled seat: Township Board Representative

Also in attendance: Zoning Administrator Hall via Zoom, Recording Secretary MacLean

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None

Public Comment:

Vicky Beam commented on representation of community, site condos, zoning ordinance, Baggs Road project.

Linda Slopsema commented on marihuana tours, water and noise concerns, ordinance not ready, industrial district, zoning, campground sites.

Public Hearing: None

Approval of Minutes:

MOTION by Jacobson, second by Keaton to approve July 6, 2022, meeting minutes.

Roll call: Wroubel-yes; Darrow-yes; Jacobson-yes; Keaton-yes; Mangus-yes; Steelman-n/a.

All in favor. Motion carried.

Correspondence: Included in packet. Mangus noted the article from the Traverse City Ticker.

Reports:

Zoning Administrator Report, Hall: noted that the township board has placed a moratorium on site plan review, site condominiums, special uses, not accepting applications. The adult use referendum passed. Can recommend to the board to adopt or not adopt the adult use marihuana (it has had the public hearing already). There will be two ZBA cases in August, both are non-conforming properties that wish to make changes.

The report to the board indicates that the moratorium items need to be addressed right away.

Article in MI Planning email – not all zoning is conducive to affordable housing and will include in the next packet.

Chair's Report, Mangus: Will cover in the agenda.

Township Board Rep., None assigned.

ZBA Representative, Wroubel: No cases in July. There are two on the schedule for August 25, 2022.

Committee Reports: None.

Additional Items: None.

Unfinished Business:

1. Article 1, Preamble amendment: Findings of fact: Whereas, the reference to Act 184 and 231 are outdated. Whereas, Township Zoning is currently derived from Act 110 of the Public Acts of 2006. The Planning Commission recommends approval of the proposed amendment to section 1 of this amendment. Consensus.

Article 12, Building Sizes and Yard Requirements amendment: Findings of fact: Whereas, Article 12 contains housekeeping errors in need of update. Whereas, waterfront guidelines should be more appropriately located in Article 14, Waterfront. Whereas, there are standards not in agreement with other references in the ordinance. Whereas, multi-family standards should be equally applied in all districts. Whereas, improved organizational structure should improve clarity and more easily accommodate future amendments. The Planning Commission recommends approval of the proposed amendment to section 2 of this amendment. Consensus

Article 14, Waterfront Property amendment: Findings of Fact: Whereas, waterfront guidelines should be more appropriately located in Article 14, Waterfront. Whereas, outdated terminology should be updated. The Planning commission recommends approval of the proposed amendment to section 3 of this amendment. Consensus.

MOTION by Keaton, second by Jacobson to forward Zoning Ordinance Amendment #83 to the township board to adopt as amended based on the stated findings of fact.

Discussion: Change from “DEQ to EGLE or their successors”.

Roll call: Darrow-yes; Jacobson-yes; Keaton-yes; Mangus-yes; Steelman-n/a; Wroubel-yes.

All in favor. Motion carried.

2. Article 25, Site Plan Review and Special Land Use Permit amendment discussion ensued.
Section 1 and 2, Article 25, Site Plan Review: Findings of fact: Whereas, Special Land Use standards should be clearly distinguished from Site Plan Review standards. Whereas, Site Plan Review contains housekeeping errors in need of update. The Planning Commission recommends approval of the proposed amendment to sections 1 and 2 of Article 25 of this amendment.
Section 3, Article 25, Special Land Uses: Findings of fact: Whereas, Special Land Use standards should be clearly distinguished from Site Plan Review standards. Whereas, improved clarity and specificity in standards benefits the public, current residents, potential future residents and township administration alike. The Planning Commission recommends approval of the proposed amendment to section 3 of Article 25 of this amendment.

MOTION by Jacobson, second by Keaton to forward Zoning Ordinance Amendment #84 to the township board to adopt as amended based on the stated findings of fact.

Roll call: Jacobson-yes; Keaton-yes; Mangus-yes; Steelman-n/a; Wroubel-yes; Darrow-yes.

All in favor. Motion carried

3. Article 25 Medical Marihuana Amendment discussion and consensus of changes.
Article 25 Medical Marihuana findings of fact: Whereas, Medical Marihuana has been established by the Whitewater Township Board of Trustees as a permitted land use in Whitewater Township by special use permit.

Request to have the attorney come up with the definition of premises..

Mangus indicates the quantities of changes to the Medical Marihuana Amendments to Article 25 warrants another public hearing.

Postpone the rest of this section to the next meeting.

4. Proposed Adult-Use Marihuana zoning ordinance amendment discussion. Based on the vote in favor of the referendum the Planning Commission will send this to the board as it is. Consensus to send this with the Medical Marihuana Amendment to the Board with a recommendation to not adopt based on the referendum vote.
5. Planning Consultant discussion is at the board level at this time.
6. Master Plan review status: Consensus to delay work on the master plan and public input until we have the planning consultant.
7. Zoning Ordinance Word document project discussion. Consensus to review the whole zoning ordinance and readopt in chunks.

New Business:

1. PC Training and continuing education is required. The Zoning Administrator has been providing education. Will bring back more information next month.
2. Prioritize next projects: First finish everything that has gone to public hearing, then campground standards, Article 5-Districts, Zoning Ordinance Word document. Master Plan when we have a consultant then as previously discussed adult use marihuana.

Next Regular Meeting is scheduled for September 7, 2022, 7 p.m. Schedule an additional meeting in September.

Next meeting agenda medical marihuana zoning ordinance, adult use marihuana zoning ordinance,

Public Comment:

Connie Hymore, Baggs Road, commented on the master plan and zoning ordinance interpretation, general ordinance

availability.

Vicky Beam indicated that training is needed, TC Ticker article, communication with developer, gaping holes in zoning ordinance, ZA attendance at meetings.

Karin Boyd, Baggs Road, commented on a planner.

Commission Discussion/Comments:

Continuing Education: N/A

Adjournment: 9:20 p.m.

Respectfully Submitted

Lois MacLean,

Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
September 7, 2022

Call to Order at 7:03 p.m.

Roll Call: In person: Darrow, Jacobson, Keaton, Mangus, Steelman

Absent: Wroubel

Unfilled seat: Township Board Representative

Also in attendance: Zoning Administrator Hall via Zoom, Recording Secretary MacLean

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: Mangus noted that she owns property that has been made into a site condo.

Public Comment:

Scott Jozwiak, East Bay Township resident, civil engineer, commented that he is working on a project in Whitewater Township with a site plan review and was told this afternoon about the moratorium. He noted that he is going on record that he is anxious to get going on this project that they have been working on for months and just now learned there is a moratorium. Requested the PC intervene with the township board to move on a site plan review, not special use, to move forward on the process. Mangus recommended taking the request to the Board.

Vicky Beam, 6847 Baggs Road, commented that she is not against development, passed out information on the Baggs Road project, quoted Hall from previous meeting, width to depth ratio, campground, rural character.

Connie Hymore, Baggs Road, commented on General Ordinance availability, zoning articles and amendments.

Linda Slopsema commented on marihuana.

No name given commented on terminology and definitions.

Public Hearing: None

Approval of Minutes:

MOTION by Steelman, to approve July 19, 2022, closed session meeting minutes as presented; second by Jacobson.

Roll call: Wroubel-N/A; Darrow-yes; Jacobson-yes; Keaton-yes; Mangus-yes; Steelman-yes. Motion carried.

August 3, 2022, meeting minutes: Remove the reference to the findings of fact regarding the medical marihuana amendment.

MOTION by Jacobson to approve August 3, 2022, meeting minutes as amended; second by Darrow.

Roll call: Darrow-yes; Jacobson-yes; Keaton-yes; Mangus-yes; Steelman-yes; Wroubel-N/A. Motion carried.

Correspondence: Included in packet. Mangus noted the article from the Traverse City Ticker.

Reports:

Zoning Administrator Report, Hall:

Site Plan review and special land use are two separate items.

Importance of consistency in language in the ordinances.

Continue to receive inquiries regarding short term rentals (STR). Short term rentals are not permitted in the township.

ZA has been requested by the supervisor to address the "complaint manual" regarding ordinance administration and ordinance enforcement. We have no remedies, only a recommendation to go to the township board. Typically if you do not have municipal civil infraction (MCI) ordinances you can only initiate legal action through the circuit court, with is 10 to 20 times more expensive than issuing an MCI and going through the district court.

Regarding the moratorium, there has been email communication with Mr. Jozwiak. Developers are out there and they cannot do a thing right now. Normally a board will instruct the PC to work exclusively on the moratorium issues to get it addressed as moratoriums are frowned upon.

ZBA had a couple cases regarding nonconformities. The ordinance that addresses nonconformities gives little to no guidance to the zoning board of appeals and is lacking detail and direction. Planning and Zoning News regarding nonconformities passed out.

Land Use Permit (LUP) activities have slowed. Have been advised by the attorneys to not take any applications, do not begin any review processes, do not take any money, don't do anything right now.

Questions regarding ordinances can be looked into on "ask the expert" or "ask an expert", a nationwide university extension service.

Chair's Report, Mangus: Adult use marihuana ordinance has been rescinded by the board and medical marihuana is on the agenda at their September 13, meeting.

The Planning Commission's site plan review and special use permit amendment recommendations have been sent to the board. The board has not addressed them yet. It is on their September meeting agenda. No other direction has come from the board. No check list has come from the board as to what needs to be done for the board to lift the moratorium.

Township Board Rep,. None assigned.

ZBA Representative, Wroubel: Via Hall, two cases August 25, 2022, regarding nonconformities. Both parcels were built on before zoning was implemented and both are considered nonconforming so any changes need to be approved by the ZBA. One was keeping the nonconformity of being in the setback and the other moved the new building out of the setback bringing the property more into conformity.

Committee Reports: None.

Additional Items: None.

Unfinished Business:

1. Update on pending amendments. Both amendments are on the board agenda along with a recommendation to fill the Board representative to the PC seat with Heidi Vollmuth.

2. Article 25, Medical Marihuana Amendments Discussion. Continue or postpone until the board makes their determination at their next meeting.

Consensus to delay discussion of the medical marihuana until the next meeting.

3. PC Training and Continuing Education.

Citizens Planner program is available to all online and recommend everyone take it. Darrow, Steelman, Keaton are interested in starting in October. Jacobson is interested in starting after the first of the year.

4. Articles 28.11.D, 31, and 32 strategies to address issues related to Board SUP moratorium.

Article 28:

Mangus passed out the condominium ordinance that was in place prior to being amended in March of 2021.

Mangus provided some explanation on Article 28.

Discussion ensued. Language, terminology, clarity and consistency are important throughout the ordinance(s).

Mangus and Steelman will work on the fine tuning on Article 28.

MOTION by Mangus for Mangus and Steelman to work as a subcommittee to prepare and send a list of questions and recommendations for the attorney; second by Keaton.

Roll call: Steelman-yes; Jacobson-yes; Mangus-yes; Wroubel-N/A; Keaton-yes; Darrow-yes. Motion carried.

The goal is to have a draft back in October.

Article 31 and 32:

MOTION by Jacobson for Mangus and Steelman to work as a subcommittee to prepare and send a list of questions and recommendations for the attorney on Articles 31 and 32; second by Keaton.

Roll call: Keaton-yes; Mangus-yes; Wroubel-N/A; Steelman-yes; Darrow-yes; Jacobson-yes. Motion carried.

The goal is to have a draft back in October.

5. Proposed Adult-Use ZO amendment – forward to Board? Can move it forward to the board to adopt or not adopt as a completed, rejected amendment.

Whereas Adult-Use Marihuana has been rejected by Whitewater Township residents by a referendum of the voters. The Planning Commission recommends disapproval of the proposed amendment establishing Adult Use Marihuana Grow and Processing establishment as a Special Use.

MOTION by Jacobson to forward Adult Use Marihuana Grow and Process zoning ordinance to the board based on the stated findings of fact, with a recommendation of disapproval, second by Darrow.

Roll call: Mangus-yes; Wroubel-N/A; Keaton-yes; Steelman-yes; Darrow-yes; Jacobson-yes. Motion carried.

6. Planning Consultant is on the next board agenda.
7. Master Plan review is on hold until we have a consultant available.
8. Update on pending projects: Article 5, Districts and mapping and the Zoning Ordinance Word copy are on hold until the moratorium is lifted.

New Business:

1. First review of Article 25, Special Use Permit (SUP) standards for commercial campgrounds.
Discussion ensued regarding specifics and definitions.
Read through of ZO Article 25.22 and change recommendations.
Mangus will update and bring back.

Next Regular Meeting is scheduled for October 5, 2022, 7 p.m.

Next meeting agenda ,

Public Comment:

Tom McElwee commented on communication and lack of guidance from the board.

No name given commented length of camping stay in relation to voting rights.

Connie Hymore, Baggs Road, commented on Hall being present at the meeting with possible covid exposure, ZBA cases, site condos, and guidelines.

Randy Mielnik, 9304 Wheeler Oaks, provided a proposal to the board as a planning consultant and commented on standards, definitions, resources available and the moratorium timing,

Vicky Beam, Baggs Road, commented on subcommittee, planning consultant, conflict of interest, width to depth ratio, no return comment from Baggs Road developer, flow chart, public feedback, green space and buffers.

Vicki Emerson commented on new PC members, MTA training, research, consultant, resources, efficiency, communication and covid exposure.

Commission Discussion/Comments: Mangus commented on what is and is not allowed and what is and is not appropriate regarding commission communication. The Planning Commission does not have control over the Board, Zoning Board of Appeals or the Zoning Administrator.

Continuing Education: Planning & Zoning News “Regulating Nonconformities” provided by ZA Hall.

Adjournment: 10:03 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

DNR State Forest Road Program changes

1 message

legislation <legislation@michigantownships.org>
To: Michelle Hart <michelle@michigantownships.org>

Fri, Oct 28, 2022 at 1:31 PM



MTA is forwarding the attached letter and information at the request of the state Department of Natural Resources regarding the state forest road program and requesting your review. The DNR updates its forest road inventory on an annual basis as required by law and is required to issue notice of intent to open or close forest roads on state lands—some of these proposed changes may be located in your township. Please note comments can be submitted until Dec. 1.

Should you have any questions, please contact Mark Monroe, DNR Forest Road – Project Manager, at 989-983-4101, 989-329-9827 (cell) or MonroeM@Michigan.gov.

2 attachments**DNR 2022 Review Cycle Summary.pdf**
260K**Road Inventory Review_Townships Notification.pdf**
351K

Michigan Department of Natural Resources

Road Inventory Review 2022 Summary

The Michigan Department of Natural Resources updates its forest road inventory on an annual basis, which meets Public Act 288 legislative requirements and provides an opportunity to account for current road conditions. The DNR also encourages public involvement in the management of state forest roads, as well as incorporating staff input.

In 2018 the DNR launched an online map to provide an easy way for the public to interactively view forest roads and to submit comments on the management of those roads. This interactive web map has continued to be a very useful tool throughout the 2022 road inventory cycle. As of Aug. 31, 2022, the public submitted **124** comments over the previous year. These comments were reviewed by DNR staff and considered as potential proposals for changes to the road inventory. All remaining changes were proposed by DNR staff as they worked to complete inventory on the ground and refine the existing road data and/or respond to the impact of off-road vehicle use on state forest roads.

Detail of mileage:

Changes in mileage can occur due to adding or deleting a road following field confirmation of what exists. This includes either extending or shortening a road segment, as well as data cleanup such as deleting duplicate segments from the map. A statewide summary of the proposed mileage changes includes the following:

- Total mileage of roads to be removed from the state forest road maps due to closure to conventional vehicles and ORVs: **28.3 miles.**
 - Reasons for roads to be closed to conventional vehicles include environmental or resource protection.
- Total mileage of roads to delete due to data cleanup: **23.3 miles.**
 - Examples of data cleanup include roads that do not exist on the ground, duplicate roads and data reconciliation.
- Total mileage of roads to add: **39.7 miles.**
 - Added roads must be classified as either open to ORVs, closed to ORVs, or seasonally closed to ORVs. The mileage summary for each of these categories is as follows:
 - Added roads open to ORVs: **26.5 miles.**
 - Added roads closed to ORVs: **12.9 miles.**
 - Reason for roads closed to ORVs include resource protection and existing Land Use Orders of the Director.
 - Added roads seasonally closed to ORVs: **0.3 miles.**

- Reason for roads closed to ORVs seasonally: Road leads to a boating access site or public water access site, which is open to ORVs in the winter only to provide access to the ice in the Lower Peninsula.

In addition to actual road mileage being added or deleted, changes in road mileage open or closed to ORVs can also occur as a result of the ORV status on the existing road changing. Those changes are summarized as follows:

- Total mileage of roads to be changed from opened to closed to ORVs: **0.1 miles.**
- Total mileage of roads to be changed from closed to ORVs to open: **9.4 miles.**

Overall summary:

When incorporating DNR staff refinements, as well as proposals that were initiated both by DNR staff and by comments submitted from members of the public, the overall mileage of state forest roads by region is as follows:

- **Upper Peninsula:**
 - Total miles of state forest roads: **5,612.8 miles.**
 - Total miles of state forest roads open to ORVs: **5,503.4 miles.**
 - Total miles of state forest roads closed or seasonally closed to ORVs: **109.4 miles.**
 - Total percentage of roads open to ORV use: **98.1%.**
- **Northern Lower Peninsula:**
 - Total miles of state forest roads: **7,309.2 miles.**
 - Total miles of state forest roads open to ORVs: **6,109.9 miles.**
 - Total miles of state forest roads closed or seasonally closed to ORVs: **1,199.3 miles.**
 - Total percentage of roads open to ORV use: **83.6%.**
- **Southern Lower Peninsula:**
 - Total miles of state forest roads: **365 miles.**
 - Total miles of state forest roads open to ORVs: **10.1 miles.**
 - Total miles of state forest roads closed or seasonally closed to ORVs: **354.9 miles.**
 - Total percentage of roads open to ORV use: **2.8%.**



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

Dear Township Supervisor:

In compliance with Public Act 288, Section 72118 (2)(c), the Department of Natural Resources hereby provides notice of the intent to open or close certain forest roads on state lands to conventional vehicles, off-road vehicles or both. You can view the specific proposed changes and road locations in detail beginning Nov. 1 at Michigan.gov/ForestRoads. Some of these proposed changes may be on lands located within your jurisdiction.

The proposed changes in forest road status are based on DNR staff site reviews and comments received from the public. A summary of the changes, as well as the primary reasons for the changes, is available on the enclosed "Department of Natural Resources – Road Inventory Review 2022 Summary" document. Additional details are on the website.

Comments may be submitted until Dec. 1 by using the interactive web map found on the website or via email to DNR-RoadInventoryProject@Michigan.gov. The formal information memo to the DNR director will be submitted at the January 2023 Natural Resources Commission meeting. The final land use order will be submitted for action by the director at the February 2023 NRC meeting. Comments will also be received at each of the NRC meetings.

Please contact me at either of the phone numbers provided below if you have any questions.

Sincerely,

Mark Monroe
Forest Road – Project Manager
989-983-4101
989-329-9827 (cell)
MonroeM@Michigan.gov

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

September 2022

Location	Citations	Traffic Crashes			Arrests		Traffic Crash Totals
		Fatal	PIA	PDA	OWI	Criminal	
01 Acme	13	0	2	19	0	0	21
02 Blair	23	1	3	20	1	15	24
03 East Bay	11	0	6	24	5	13	30
04 Fife Lake	0	0	0	8	0	5	8
05 Garfield	43	0	13	75	6	44	88
06 Grant	0	0	0	2	0	1	2
07 Green Lake	9	0	4	12	3	3	16
08 Long Lake	0	0	0	11	0	1	11
09 Mayfield	4	0	2	4	0	2	6
10 Peninsula	3	0	0	6	0	2	6
11 Paradise	7	0	1	8	1	1	9
12 Union	1	0	2	0	0	1	2
13 Whitewater	4	1	3	6	0	1	10
29 Fife Lake Vlg	0	0	1	1	0	0	2
30 Kingsley Vlg	2	0	0	1	0	0	1
66 Traverse City	2	0	0	0	6	35	0
84 Out of County	0	0	0	0	0	9	0
Totals	122	2	37	197	22	133	236

Ticket stats are based on what District Court has entered as of 10/03/22.

Arrest stats are as of 10/02/22.

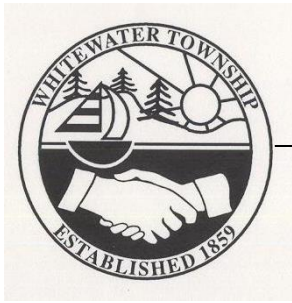
Grand Traverse Sheriff's Office Citation, Accident & Arrest Statistics

First Quarter Totals July - September 2022

Location	Citations	Traffic Crashes			Arrests		Traffic Crash Totals
		Fatal	PIA	PDA	OWI	Criminal	
01 Acme	33	0	4	57	1	14	61
02 Blair	65	1	7	58	9	55	66
03 East Bay	68	0	16	82	9	32	98
04 Fife Lake	12	1	2	20	2	9	23
05 Garfield	141	1	37	230	26	181	268
06 Grant	3	0	1	7	0	6	8
07 Green Lake	36	0	6	25	6	21	31
08 Long Lake	22	1	2	26	2	3	29
09 Mayfield	15	0	7	14	1	4	21
10 Peninsula	35	0	3	14	1	9	17
11 Paradise	20	0	3	22	3	7	25
12 Union	1	0	2	2	0	1	4
13 Whitewater	12	1	5	23	0	2	29
29 Fife Lake Vlg	0	0	1	5	0	0	6
30 Kingsley Vlg	5	0	0	2	2	1	2
66 Traverse City	20	0	0	3	8	115	3
84 Out of County	0	0	0	0	0	26	0
Totals	488	5	96	590	70	486	691

Ticket stats are based on what District Court has entered as of

Arrest stats are as of



WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

October 19, 2022

Grand Traverse County ARPA Advisory Committee
400 Boardman Avenue
Traverse City, Michigan 49684

RE: Grand Traverse County ARPA Funding for Down By The Creek Children's Center & Pre-school

ARPA Advisory Committee Members:

The Whitewater Township Board is excited to endorse Down By The Creek Children's Center and Pre-School (DBTCC) grant request for funds from the American Rescue Plan Act (ARPA). DBTCC provides highly sought after childcare and educational services to young families within the greater area Grand Traverse Area. This is the only year-round facility of its kind on the entire eastern side of Grand Traverse County.

Since 2011, Down By The Creek Children's Center & Preschool's 2,400 square foot purpose-built facility has been providing easy access to affordable secure, childcare offering program-based structured lesson plans for age groups 1 to 5 years ranges. Conveniently located next door to Mill Creek Elementary School at 9129 Old M-72 the proposed construction site has access to municipal water supplied by the Grand Traverse Band of Ottawa and Chippewa Indian Tribe. For many reasons, **Down By The Creek Children's Center & Preschool is uniquely positioned to address the Fourth Highest Ranked Primary Goal set for ARPA Fund spending in Grand Traverse County.** Funding this collaborate design build effort is investing in the future leadership of our local area and in the short term helps keep pace with the demand and growth this region is experiencing.

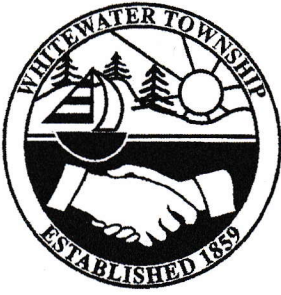
ARPA funding will be expressly used to move this 36-youngster childcare expansion project across the goal line and will serve the community by maintaining affordability of high-quality childcare services, and expanding services to the 6-week-old age range, while stimulating the local economy in the foreseeable future. Truly transformational investment opportunity for American Rescue Plan Act funds.

Please join the Whitewater Township Board of Trustees in reshaping the future of Childcare in Grand Traverse County by supporting this funding request.

Respectfully submitted on behalf of the Whitewater Township Board of Trustees.

A handwritten signature in black ink, appearing to read "Ron Popp".

Ron Popp
Supervisor
Whitewater Township, Michigan



WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690

(231) 267-5141 • FAX (231) 267-9020

October 20, 2022

Grand Traverse County ARPA Advisory Committee
400 Boardman Avenue
Traverse City, Michigan 49684

RE: Grand Traverse County ARPA Funding for Acme Christian Thrift Store & Food Pantry

ARPA Advisory Committee Members:

The Whitewater Township Board is pleased to recommend the Acme Christian Thrift Store & Food Pantry (ACTS) grant requests for funds from the American Rescue Plan Act (ARPA). ACTS provides critical services within the Township to alleviate food insecurity and meet other needs of families and individuals within their three-county service area (Grand Traverse, Kalkaska & Antrim Counties). This is the only food pantry within the Township.

ACTS is a stable and well-managed organization, having just celebrated their twentieth anniversary. They have grown steadily over the course of their history and now operate the thrift store and food pantry from an 8,760 square foot building owned by ACTS. Income generated by the thrift store substantially supports the annual budget. Nonetheless, support is needed in three current areas:

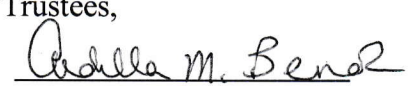
- 1.) Funds for the purchase of food are always needed to supplement food received through free or low-cost resources. Cash donations make it possible for ACTS to offer a complete selection of nutritious foods that best meets the needs of our clients, including those with dietary restrictions.
- 2.) An investment in ACTS infrastructure in the form of an emergency generator will assure that ACTS is able to continue helping neighbors in need, even in times of power outages. This will also assure refrigeration systems continue to operate protecting the onsite food resources.
- 3.) ACTS has launched a campaign this fall entitled the "Campaign for ACTS' Future" in order to raise \$50,000 to completely retire the ACTS mortgage on their thrift store located at 8925 M-72 E Williamsburg. Once accomplished, it will mean that virtually all donations can be directed toward the purchase of food and other direct emergency assistance to families and individuals in need. This will create greater security and sustainability for ACTS going forward.

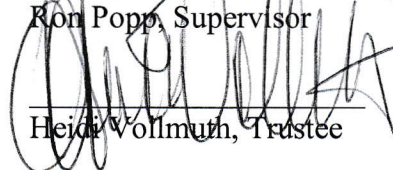
Investment in ACTS represents an investment in the people of our Township. ACTS creates a safety net for those who are food insecure and helps the needy in many additional ways through the Thrift Store and through emergency needs grants. I fully support the award of support to this organization.

Respectfully submitted by the Whitewater Township Board of Trustees,


Ron Popp, Supervisor


Cheryl Goss, Clerk


Ardella Benak, Treasurer


Heidi Vollmuth, Trustee


Don Glenn, Trustee

*DRAFT MINUTES***Whitewater Township Board
Minutes of Regular Meeting held October 11, 2022****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, Treasurer Benak, Trustee Glenn, Trustee Vollmuth, Popp

Board Members absent: None

Others present in person: Fire Chief Brandon Flynn, County Commissioner Darryl Nelson, County Commissioner Rob Hentschel, and 4 others

Others present via Zoom: 12

Set/Adjust Meeting Agenda

Goss noted she is only available until 2:00 p.m.

Glenn questioned Unfinished Business items 1 and 4 as duplicate. Popp noted they are separate.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:02 a.m.

Lois MacLean
Denise Peltonen
Rod Trump
Brian Green
Melissa Melton
Vicki Beam
Connie Hymore

Public comment ended at 9:32 a.m.

Public Hearing

None

Reports/Presentations/Announcements/Comments**County Commissioner Report**

Darryl Nelson gave the following report:

- Introduced Rob Hentschel, chairman of Grand Traverse County Commission.
- They have ARPA applications coming in. Encouraged everyone to bring them things.
- They are transitioning to the Workday software.

DRAFT MINUTES

- Haider Kazim has been appointed to the road commission. Nelson commented on frustrations with the road commission from Whitewater Township.

Rob Hentschel commented as follows:

- BOC has taken on heavy projects in last few years, provided examples.
- Re: ARPA, it is now halfway through the 60-day period for applications. They have three applications as of last week but are aware of more coming.
- Noted that the county board does not control the road commission; they only appoint a new member every six years.

Fire Department Report

Brandon Flynn gave the following report:

- September was busy, including Tim Shaffer's funeral and completion of the air truck project.
- Ordered a cab and chassis for the replacement brush truck.
- Greg Bird has rewritten the Natural Hazard Mitigation Plan. Flynn urged the township board to adopt it in case something bad happens in this area, and noted Bird is available to come to township board meetings for questions.

Planning Commission Report

Heidi Vollmuth gave the following report:

- PC met this past Wednesday, two members missing.
- Working on campgrounds and condominium developments.
- Restarting process to update master plan.
- All members will enroll in Citizen Planner.
- Planner was present. Zoning Administrator was not present.

Parks & Recreation Advisory Committee Report

Cheryl Goss gave the following report:

- The committee met last night with 3 members present. Minutes were approved.
- Updates were provided for the Hi Pray Park dugouts and Whitewater Township Park playground.
- Discussion items included:
 - PRAC's question why the trail to the right and the trail past the pond in Battle Creek Natural Area were not addressed in the storm damage cleanup process.
 - Largent's rough dollar figure assessment for the Lossie Road Nature Trail wetland fix and a potential meeting between Largent and EGLE.
 - Lack of a decision by the township board on 9/13 to move forward with HPP playground repairs. Do Not Enter tape is down at the playground.
 - Permanent BCNA signs will await clearance of the two impassable trail sections. The main BCNA sign needs to be repaired and should be a budget item for next year.
 - Goss's explanation of the history of the Park Fund and Recreation Fund and her conversation with (former clerk) Carol Hockin.
 - The township board's request for the committee's top 3 projects.
 - New business items were addressed after Goss's departure at 9:00 p.m.

*DRAFT MINUTES***Julie Brown, Superintendent of Elk Rapids Schools**

- Provided written material for their November millage request.
- Provided information on the history of school funding.
- Explained the Elk Rapids Schools and Northwest Education millage requests.

Consent Calendar**Receive and File**

1. Supervisor's Report for September 2022
2. Clerk's Report for September 2022 (none this month)
3. Treasurer's Report September 2022
4. Trustee Vollmuth's September 2022 Report
5. Trustee Glenn's September 2022 Report
6. Zoning Administrator's Report for September 2022
7. Mobile Medical Response's September 2022 Activity Report
8. Fire Department September 2022 Report
9. Planning Commission September 2022 Report (none for this month)
10. Historical Society September 2022 Report (none for this month)

Correspondence

1. Jacob Fox – Ordinance 62 – Final
2. Fleis & VandenBrink – Grants
3. Bell – GFL Billing
4. Lossie Trail/Battle Creek Cleanup
5. Damon McCormick – Petobego Haying Schedule
6. Gerwin – Whitewater Township Park
7. Goss – Infrastructure 1
8. Goss – Infrastructure 2
9. Popp – Proposed Budget Transfers

Minutes

- ~~1. No minutes posted to website~~ Recommend approval of 09/13/2022 regular meeting minutes, 09/21/2022 special meeting minutes, and 09/22/2022 special meeting minutes

Bills for Approval

- ~~1. No documents provided by the Clerk's Office in time for publishing.~~ Alden State Bank voucher #s 48276 through 48383

Budget Amendments - No documents provided by the Clerk's Office in time for publishing.

Revenue & Expenditure Report - No documents provided by the Clerk's Office in time for publishing.

Motion by Benak to approve the Consent Calendar; second by Popp.

Benak will supply June and July treasurer reports.

Whitewater Township Board - Minutes of 10/11/2022

DRAFT MINUTES

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

Unfinished Business**UPDATE ON WHITEWATER TOWNSHIP PARK PLAYGROUND REPAIRS**

Goss noted all repair items have been completed with the exception of the age decals, which are on order.

LOSSIE ROAD/BATTLE CREEK CLEANUP UPDATE

Motion to approve Grand Traverse Conservation District to remove the hazardous trees as listed in the Parshall Tree Care Plant Inventory List as #29, to chip all parts of the trees 6" or less and deposit those chips at the landowner's desired location 1,000 feet or less away from the debris site, project cost not to exceed \$3,400; second by Vollmuth.

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

REVIEW/APPROVE PROPOSED ORDINANCE 63 PARKING ORDINANCE

Motion to approve the proposed General Ordinance number 63 Parking Ordinance as amended; second by Vollmuth.

Goss questioned why the ordinance has not been set for public hearing.

The motion was not voted on.

Motion by Popp to set a public hearing on proposed General Ordinance No. 63 Parking Ordinance as amended; second by Vollmuth.

There was consensus to hold the public hearing at the 11/15 meeting using the version of the ordinance in the 10/11 meeting packet.

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

Motion by Popp to add Baggs Road even numbered side of the road (lakeside) and Lakeside Trail even numbered side of the road (lakeside) to Resolution #22-18 as a no parking zone; second by Glenn.

Resolution #22-18 will be moved to the 11/15 agenda.

The motion and second were rescinded.

WHITEWATER TOWNSHIP PLAYGROUND REPAIRS WRITTEN TIMELINE

Popp admitted this is a repeat of Unfinished Business No. 1.

HI PRAY PARK PLAYGROUND REPAIRS – PRAC

Motion by Goss to approve Hi Pray Park playground repairs in the amount of \$5,007.19 which is Option 1 in the new landscaper's bid, as recommended by the PRAC; second by Glenn.

DRAFT MINUTES

Goss amended the motion to add project to be completed no later than 11/30 at a cost not to exceed \$4,500.

Glenn re-seconded the motion.

After further discussion, *Goss noted it appears the project is not ready to be approved and rescinded her motion.*

Motion by Goss to approve Hi Pray Park playground repairs in an amount not to exceed \$5,000, which is Option 3 in the landscaper's bid, plus the addition of two more signs and 4 posts and fasteners, work to be completed by November 30, 2022; second by Glenn.

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

APPROVE 07/12/2022, 07/19/2022 9:00 AM, AND 07/19/2022 6:00 PM TOWNSHIP BOARD MINUTES

Goss informed the board that, per MCL 15.269 and page 165 of *Authorities and Responsibilities of Michigan Townships*, the July minutes were approved at the August regular meeting.

New Business

FIRE DEPARTMENT NEW PERSONNEL

Motion by Popp for Sean Dagenhart to become a member of the Whitewater Township Fire Department pending final approval by Fire Chief Flynn; second by Goss.

Flynn requested the board hold off on this approval.

Popp withdrew his motion.

Motion by Glenn to approve Chief Flynn's request to accept the applications of two new part paid firefighters Brian Haskin and Joseph Perkovich as presented to the board of trustees in Chief Flynn's memo dated 09/29/2022; second by Benak.

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

FIRE DEPARTMENT MEMORANDUM TO SELL

Motion by Popp to allow Chief Flynn to sell Whitewater Township's two Arctic Cat snowmobiles in a sealed bid format; second by Benak.

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

DISCUSS RESULTS OF ARPA SURVEY

Motion by Popp to use data collected from the June 2022 ARPA Survey and the September 22, 2022 townhall ARPA meeting to direct Whitewater Township's ARPA funding in three categories. broadband, fire truck repair/replacement, and park and recreation; second by Vollmuth.

DRAFT MINUTES

Popp amended the motion to replace the word direct with explore. Vollmuth confirmed the second.

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

DISCUSS COUNTY ARPA GRANT APPLICATIONS

There was board consensus that applications will be submitted for two potential projects from park and rec, supply letters of support for ACTS and Down By The Creek and potentially help them fill out their grant applications, as well as an application to be submitted for the fire department.

BROADBAND SET SPECIAL MEETING DATE

There was consensus to set a special meeting work session for 10/17 at 9:00 a.m. to discuss broadband proposals from Cherry Capital Connection, 186networks, and Spectrum.

FEASIBILITY REPORT DISCUSSION/SET SPECIAL MEETING

There was consensus to set a special meeting for 11/17 at 9:00 a.m. to discuss the feasibility report, with the C2AE project manager present.

PROPOSED RESOLUTION 22-17 TRANSFER OF NONRESTRICTED FUNDS

Motion by Glenn to approve Resolution #22-17 in support of transferring the current unexpended balance from the nonrestricted Whitewater Township Park fund to the General Fund no later than November 30, 2022. This resolution also includes the transfer of the 2022 park net revenue proceeds by November 30, 2022, and those park net revenue proceeds generated annually thereafter by November 30th of the corresponding year; second by Vollmuth.

Glenn amended his motion to replace transfer of the current unexpended with transferring 85% of the current unexpended balance.

The motion was re-read.

Glenn corrected the date to December 31, 2022.

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

Motion by Popp to move the remaining agenda items to a different date and time; second by Benak.

Discussion followed.

Popp amended his motion to move the rest of the agenda items, New Business 8 through 13, to 10/17 at 9:00 a.m.

Benak confirmed her second of the amended motion.

DRAFT MINUTES

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

PROPOSED POLICY & PROCEDURE MANUAL SECTION 4.5 AMENDMENT

Moved to 10/17 special meeting agenda.

RECEIVE & FILE MARIHUANA SUBCOMMITTEE FINAL RULES

Moved to 10/17 special meeting agenda.

MORATORIUM SITE PLAN REVIEW

Moved to 10/17 special meeting agenda.

PARKING LOT LIGHTS REPAIR PROPOSAL

Moved to 10/17 special meeting agenda.

BOAT LAUNCH SCHEDULE SPECIAL MEETING

Moved to 10/17 special meeting agenda.

DISCUSS/SCHEDULE MID-YEAR BUDGET/PROJECT WORK SESSION

Moved to 10/17 special meeting agenda.

Tabled Items

None

Board Comments/Discussion

None

Announcements

1. Special meeting on 10/17/2022 at 9:00 a.m.
2. Next regular meeting on 11/15/2022 at 9:00 a.m.

Public Comment

Public comment began at 1:33 p.m.

Lois MacLean
Rod Trump
Heidi Vollmuth
Melissa Melton
Vicki Beam
Connie Hymore

Public comment ended at 1:54 p.m.

Adjournment

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

DRAFT MINUTES

Meeting adjourned at 1:55 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk

DRAFT MINUTES**Whitewater Township Board
Minutes of Special Meeting held October 17, 2022****Call to Order**

Supervisor Popp called the meeting to order at 9:01 a.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

Roll Call of Board Members

Board Members present in person: Clerk Goss, Treasurer Benak, Popp, Trustee Vollmuth, Trustee Glenn

Board Members absent: None

Others present in person: 4

Others present via Zoom: 8

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:02 a.m.

Connie Hymore

Tom McElwee

Vicki Beam

Vern Gutknecht

Public comment ended at 9:10 a.m.

Agenda Items as Listed in Special Meeting Notice**DISCUSS BROADBAND PROPOSALS**

Joe and Mike Gaylord were present in person, explained the 186networks proposal, and answered questions from board members.

Regarding Charter's proposal, it was noted that they are looking for a letter of recommendation for the county's ARPA funds and not asking for anything from Whitewater Township.

There was consensus that the Charter letter will not be supported.

Tim Maylone was present from Cherry Capital Communications, explained their proposal, and answered questions from board members.

At 10:50 a.m., the meeting recessed.

At 11:00 a.m., the meeting reconvened.

DRAFT MINUTES

Regarding Grand Traverse County ARPA applications, letters of support will be provided for Acme Christian Thrift Store (ACTS) and Down by The Creek Children's Center.

An application will be submitted for a new fire truck.

Two grant applications for trail work at Battle Creek Natural Area and Lossie Road Nature Trail will be submitted.

Motion by Popp to fund broadband expansion services in Whitewater Township to 41% of Whitewater Township's ARPA allocation, and to fund the fire truck at 31.5% of Whitewater Township's ARPA allocation, and to fund Lossie Road Nature Trail and Battle Creek Natural Area trail projects at 27.5% of Whitewater Township's ARPA allocation; second by Glenn.

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

PROPOSED WWT POLICY & PROCEDURE MANUAL SECTION 4.5 AMENDMENT

Motion by Popp to amend the policy and procedure manual section 4.5(a) Periodic Revenue and Expenditure Report as approved October 17, 2022, to the Administrative Policy & Procedure manual; second by Vollmuth.

Glenn will wordsmith the motion and bring it back in November.

The motion and second were withdrawn.

RECEIVE & FILE MARIHUANA SUBCOMMITTEE FINAL RULES (SIC)

Motion by Popp to accept and file in the Clerk's Office the Marihuana Subcommittee Final Recommendations dated August 18, 2022. As Ordinance 61 & 62 now prohibit commercial marihuana facilities and establishments within the boundaries of Whitewater Township no further action will be taken on said recommendations; second by Glenn.

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

MORATORIUM SITE PLAN REVIEW

Motion by Benak to lift the moratorium on all Site Plan Reviews, Site Condominium, Planned Unit Development, Special Use Permits, Plat Approvals, and Condominium Conversions in Whitewater Township on October 17, 2022; second by Popp.

Motion amended by Benak as follows: to lift the moratorium only on site plan review and special use permits; all others would stay in effect; same timeline. Second by Popp.

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

DRAFT MINUTES**PARKING LOT LIGHTS REPAIR PROPOSAL**

Motion by Popp to approve Kuhns Electric Proposal 22-117 for a new high pole parking lot light and two device lamp shades to focus light in a downward direction, materials and installation not to exceed \$1,200; second by Glenn.

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

Goss will issue a PO.

At 1:08 p.m., the meeting recessed.

At 1:25 p.m., the meeting reconvened.

BOAT LAUNCH SCHEDULE SPECIAL MEETING

A special meeting to address this agenda item was set for 10/24 at 1:00 pm.

DISCUSS/SCHEDULE MID-YEAR BUDGET/PROJECT WORK SESSION

A special meeting will be set for 11/30 at 9:00 a.m. for a budget work session. A revenue/expenditure report will be provided through 10/31/2022.

Board Comments/Discussion

An invoice from Larry Wilson regarding a letter from the IRS was discussed.

Public Comment

Public comment began at 1:56 p.m.

Connie Hymore
Vicki Beam

Public comment ended at 2:03 p.m.

Adjournment

Motion by Vollmuth to adjourn; second by Popp. Roll call vote: Glenn, yes; Popp, yes; Benak, yes; Goss, yes; Vollmuth, yes. Meeting adjourned at 2:03 p.m.

Cheryl A. Goss
Whitewater Township Clerk

DRAFT MINUTES**Whitewater Township Board
Minutes of Special Meeting held October 24, 2022****Call to Order**

Supervisor Popp called the meeting to order at 1:01 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

Roll Call of Board Members

Board Members present in person: Clerk Goss, Treasurer Benak, Popp, Trustee Vollmuth, Trustee Glenn

Board Members absent: None

Others present in person: 11

Others present via Zoom: 11

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 1:02 p.m.

Linda Slopsema

Jan Garvey

Emails read:

- Kim Drury
- Lori Lemmien
- Lodena Benak
- Nancy Timmer
- Judi Blackmer
- Darrel Richards
- Janie Kopenski
- Sally Ruth
- Rodney Bridgeforth
- Rita Draper
- Pauline Pasch
- Matt Tulk
- Mr. and Mrs. Rollin Balsley
- Edward Broad
- Brian Wolf
- Deb Roelofs
- Kurt Veitengruber
- Paul Barek

DRAFT MINUTES

- Emilee Machelles
- Renata Wilson
- Bobbi Jo Whitefield

Beth (last name not given)

Beth Williams

Mark Williams

Melissa Melton

Vicki

No name given

No name given

Public comment ended at 1:39 p.m.

Agenda Items as Listed in Special Meeting Notice

WHITEWATER TOWNSHIP PARK BOAT LAUNCH-ENTRYWAY IMPROVEMENT PROJECT

Fleis & VandenBrink representatives Rick Stout and Andrew Filler were present via Zoom.

Summary of changes reviewed with Waterways:

- Ramps reduced to 3 bays, 25% reduction in number of piers.
- Planks go an additional 8 feet.
- Docks expanded an additional 8 feet.
- Original gravel parking lot – Phase one is a grass area of the same size. Gravel or paved could be done in the future.
- Moving boat wash facility to just west on Park Road to existing open area.

Stout reminded that this project is part of a larger master plan for the park, i.e., restroom, day use, beach, playground, renovation or expansion of pavilion, all part of a larger master plan for the park. The focus of the original grant application was improvement of launch and related activities to that. Changes still comply with basic elements of the Waterways grant.

Lengthy discussion followed. Stout answered numerous questions from board members.

There was board consensus that planks will be used.

Regarding the project manual, Stout will get the preliminary document out to everybody's hands well in advance of 11/15.

The bid document (project) manual will be reviewed by the board on 11/15.

Board Comments/Discussion

Vollmuth commented on the dugouts.

Public Comment

Public comment began at 4:17 p.m.

DRAFT MINUTES

Connie Hymore
Denise Peltonen
Linda Slopsema
Pat Muoio

Public comment ended at 4:23 p.m.

Adjournment

Motion by Glenn to adjourn; second by Popp. Roll call vote: Vollmuth, yes; Benak, yes; Popp, yes; Glenn, yes; Goss, yes. Meeting adjourned at 4:24 p.m.

Cheryl A. Goss
Whitewater Township Clerk

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 10-28-2022
Re: Letter to Oosterhouse


Board Members –

Here is the final version of the letter drafted by legal regarding use of Lossie Road Nature Trail as motorized ingress and egress and supporting established park rules for final approval.

Since sending this to legal the property owner has since applied for a second Land Use Permit from the Township to construct a home. The site plan submitted with the application is provided for your review and Board discussion.

Motion: Motion to approve Fahey Schultz Burzych Rhodes to send by certified return receipt U.S. Mail letter dated October 21, 2022 to Roland Oosterhouse.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

October 28, 2022

Roland Oosterhouse
7450 River Road Pike
Nashville, Tennessee 37209

Dear Mr. Oosterhouse:

Re: 7185 Skegemog Point Rd | Parcel 28-13-126-012-20 | Land Use Permit # 2022-20

Our office represents Whitewater Township (“the Township”) and is writing to inform you regarding the use of the Lossie Road Nature Trail (“Nature Trail”) that was brought to our attention with respect to the Zoning Administrator’s issuance of Land Use Permit # 2022-20 dated April 14, 2022 (“Land Use Permit”). As you are likely aware, the public use of motorized vehicles of any kind is strictly prohibited on the Nature Trail per the Township’s rules and regulations related to the Nature Trail. Please note that the purpose of this Letter is to provide notice that the approval of the Land Use Permit under the Township’s Zoning Ordinance to site and construct an agricultural building does not provide any license or approval to use the Nature Trail for ingress and egress.

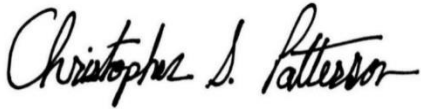
The Township acquired the Nature Trail in 1992 when the Grand Traverse County Road Commission relinquished jurisdiction. See MCL 224.18 (providing the board of county road commissioners can relinquish jurisdiction of any county road). At that time, under its authority as fee title owner to the property, the Township converted the right-of-way to a nature trail and motorized vehicles were prohibited. See *Klein v Dudley*, 59 Mich App 515, 517 (1975).

The Land Use Permit Application submitted to the Township sought for permission to build an agriculture building to store farming equipment at 7185 Skegemog Point Road. The application appears to depict the Nature Trail as a point of ingress and egress. However, nothing in the permit application or the Township’s grant of the Land Use Permit creates any right or allows the use of motorized vehicles on the Nature Trail. It is simply permission for an agricultural building under the Township’s jurisdiction under its Zoning Ordinance. As stated above, the use of motor vehicles on the Nature Trail is prohibited and has been prohibited since 1992.



Consistent with the Township's rules and regulations, the Nature Trail may be used for foot traffic. If the use of motor vehicles is intended or anticipated in the use or construction of the agricultural building, then a permanent means of ingress and egress from a public or private roadway to the proposed structures on the sketch must be submitted to the Township as soon as possible and prior to any construction.

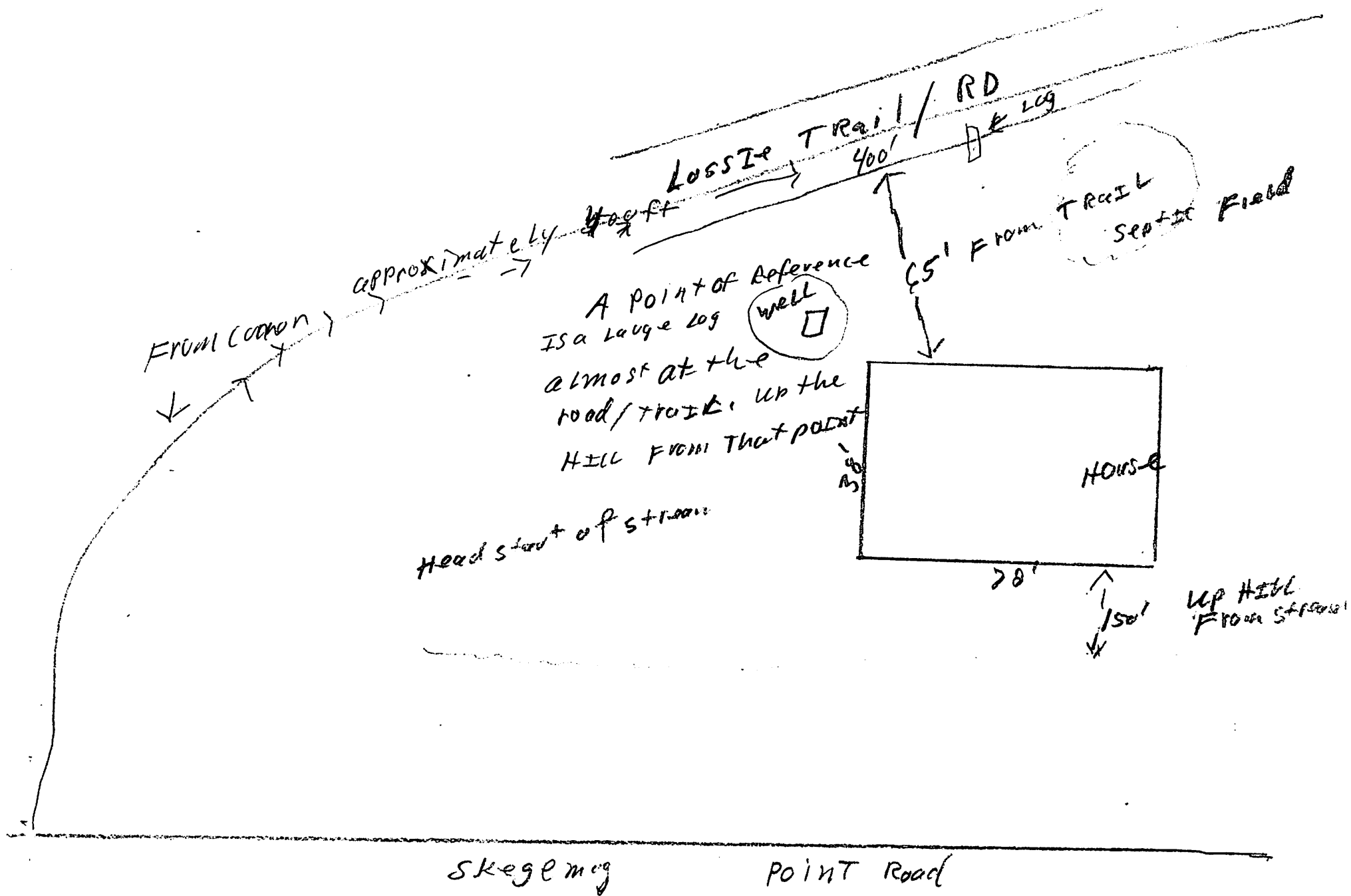
Sincerely,

A handwritten signature in black ink that reads "Christopher S. Patterson". The signature is written in a cursive, flowing style.

CHRISTOPHER S. PATTERSON
MEMBER

Direct: 517.381.3205

cpatterson@fsbrlaw.com



Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 10-28-2022
Re: Planning Commission Proposed Zoning Ordinance Amendments 83

Board Members -

The Township Board looked at two proposed zoning ordinance amendments during the 9.13.2022 Regular Meeting and again at the 9.21.2022 Special Board Meeting. The 9.21.2022 meeting began with proposed amendment 83 and its changes with a lengthy debate. Part of the debate begins with statements about perceived allowances and what is actually taking place under our zoning ordinance. The two concepts are miles apart. Additionally, statements interpreting codes and laws are made which are not correct and somehow, when repeated enough, they become law of the land. At about 3:13 hours: minutes into the 4 plus hour meeting Clerk Goss suggested proposed zoning ordinance amendment 84 be looked at because it was directly related to moratorium issues and likely ranked higher on the priority list. The Board agreed and focused on proposed amendment 84 which was adopted with several known issues contained in the verbiage. The Board never did return to proposed amendment 83 which still needs to be acted upon.


Proposed Zoning Ordinance Amendment 83 is recreated below for board action. A list of concerns and a motion returning the amendment back to the Planning Commission closes out this business item. Now the list:

- 1) The word YARD was removed from the verbiage of Article 12 because it was not defined anywhere in the ordinance. However, it was left in the chart headings. Consistency should be sought.
- 2) Section 12.12 not sure the individual charts provide an improvement for the end user. Use of the word general in the use column is a concern as it is not defined. Consistency should be sought.
- 3) Section 12.13 Commercial campground density standards are confusing and not clear. For example: Could a 100-acre parcel have 50 tent sites or 20 cabins with all of them clustered on 10 acres?

- 4) Section 12.14 Multi-family in commercial and industrial? How is the side yard setback calculated? Notes: Multi Family: applying density standard to all districts? So minimum lot area in the commercial and industrial district for multi-family is 11,000 square feet? Where is the well, septic placed to accommodate the small area? These concerns repeat in Village and N districts. What is the minimum lot size in R-2, R-3?
- 5) Section 12.16 All of it. Are we to assume lot widths are the same? 2.5 acres for horse and ten for dogs. No minimum lot sizes for chickens, Roosters? Should this be Poultry? Blue notes make no sense as there is no context.
- 6) Section 14.11 Lot width should be in the chart.

Motion to send proposed Zoning Ordinance Amendment 83 back the Planning Commission for additional work.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ron Popp", with a stylized flourish above the name.

Ron Popp

FOIA Coordinator
Supervisor, Whitewater Township

Amendments Notes:

The purpose of this amendment is to create an easier to read format, move items to more appropriate locations within the Ordinance, address apartment density and setbacks, address unclear standards, update terms, and address inconsistencies with other portions of the Ordinance.

**WHITEWATER TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN
ZONING ORDINANCE AMENDMENT
ORDINANCE NO. [INSERT NUMBER]**

At a meeting of the Township Board of Whitewater Township, Grand Traverse County, Michigan, held at the Whitewater Township Hall on _____, 2022, at ____:____ p.m., Township Board Member _____ moved to adopt the following Ordinance, which motion was seconded by Township Board Member _____:

An Ordinance to amend the Whitewater Township Zoning Ordinance, as amended to revise its preamble, amend Article XXII addressing building sizes, lot sizes and yard requirements, and alter Article XIV to address certain requirements in the Boardman River Valley in order to maintain the public health, safety, and welfare of the residents of and visitors to Whitewater Township.

THE TOWNSHIP OF WHITEWATER, GRAND TRAVERSE COUNTY, MICHIGAN, ORDAINS:

SECTION 1: AMENDMENT TO ZONING ORDINANCE WHITEWATER TOWNSHIP, MICHIGAN Ord. No. 6 eff. Dec. 23, 1972. The Whitewater Township Zoning Ordinance's preamble shall be amended to read as follows:

**ZONING ORDINANCE
WHITEWATER TOWNSHIP, MICHIGAN
Ord. No. 6 eff. Dec. 23, 1972**

An Ordinance to establish zoning districts and regulations in the Township of Whitewater, County of Grand Traverse and State of Michigan in accordance with the provisions of Act 184 of Public Acts of 1943, as amended, and act 231 of the Public Acts of 1970, as amended (Natural River Act); 110 of the Public Acts of 2006 as amended; to define certain terms used herein; to provide for regulations governing nonconforming uses and structures; to establish a Zoning Board of Appeals and define its duties and powers; to provide for the administration and enforcement of this Ordinance; to provide for amendments to this Ordinance; and to provide penalties for the violation of this Ordinance.

Amendment is to update authority to zone legal reference. Old text references outdated sources.

SECTION 2: AMENDMENT TO ARTICLE XII. The Whitewater Township Zoning Ordinance, Article XII shall be amended by amending ARTICLE XII Building Sizes and Yard Requirements to read as follows:

ARTICLE XII

BUILDING SIZES AND ~~YARD SETBACK~~ REQUIREMENTS



12.00 BUILDING SIZES AND ~~YARD SETBACK~~ REQUIREMENTS

12.10 BUILDING SIZES

- A. Each Dwelling or other main building hereafter erected in any district shall have a permanent foundation and a minimum of seven hundred (700) square feet of floor space, not including breezeways, porches and garages, unless specifically exempted elsewhere in this Ordinance.
- B. The floor area of a mobile home shall be that stated as the manufacturer's declared measurements.
- C. Campground cabins shall not exceed six hundred and fifty (650) square feet including covered porches.
- D. All structures, lots, and structure setbacks from property lines shall comply with the regulations established in Article XII of this Ordinance, unless specifically exempted elsewhere in this Ordinance.




12.11 GENERALLY APPLICABLE CONDITIONS: (~~Schedule of Regulations~~) (New name, previously just "Notes" - Numbers changed to letters)

- A. No structure shall be built within the minimum yards required except when expressly allowed elsewhere in the ordinance. (Relocated)
- B. Minimum Lot Areas shall be calculated by square foot unbroken by any road, street, or thoroughfare. (Relocated from table)
- C. Maximum Structure Height in all districts shall be 35' or 2 ½ stories above grade. (Relocated from table)
- D. Minimum Width to Maximum Depth Ratio regulating lot shape of new parcels shall be 1:4 in all districts. (Relocated from table)
- E. Variance provisions for Depth to Width Ratio are found in General Ordinance 26, Land Division Ordinance. (Relocated)
- F. There shall be a 30' Setback in all directions between multi-family residential structures in any district. (New to provide greater distance between structures that may use clustered development or be evaluated as a single complex, and preserve better fire department access to more densely populated housing)



12.12 RESIDENTIAL DISTRICTS (Table split into new tables by topic)

Color Code: **Black** = original standards **Red** = New or changed text **Blue** = Notes


District	Use	Minimum Lot Width	Minimum Lot Area	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Additional Standards
R1	General	100'	20,000	30'	15'	30'	--- 
R2	Single family	100'	12,000	30'	15'	30'	---
	Two Family	120'	22,000	30'	15'	30'	---
R3	General	120'	11,000 Per Dwelling	30'	15'	30'	---


12.13 AGRICULTURAL AND RECREATION (New table, same standards)

District	Use	Minimum Lot Width	Minimum Lot Area	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Additional Standards
Ag	General	200'	40,000	30'	15'	30'	----
	Commercial Campground	---	40-acre min	100'	100'	100'	----
RC	General	100'	5 acres	30'	15'	30'	----
	Commercial Campground	----	40-acre min	100'	100'	100'	Limit of 1 site per 2 acres or 1 cabin per 5 acres.

(RC Campground: New addition to table, existing standard)

12.14 COMMERCIAL AND INDUSTRIAL DISTRICTS

District	Use	Minimum Lot Width	Minimum Lot Area	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Additional Standards
Commercial - C	General	100'	----	50'	* 10'	30'	40% Max. lot coverage
	Multi-family Housing	 ----	11,000 Per Dwelling	50'	50'	50'	See 12.11.F

*Combination shall total 30% of width but not less than 10' per side. 

(Multi-Family: Applying density standard to all districts)

Color Code: **Black** = original standards **Red** = New or changed text **Blue** = Notes

Village -V	General	*	*	*	10'	15'	----
	Multi-family Housing	*	11,000 Per Dwelling	*	*	*	See 12.11.F
(Multi-Family: Applying density standard to all districts)							
*Refer to conditional standards in Article 8.6.							
Industrial - N	General	100'	----	50'	(a)	30'	40% Max. lot coverage
	Multi-family Housing	---	11,000 Per Dwelling	50'	50'	50'	See 12.11.F
(Multi-Family: Applying density standard to all districts)							
(a) Combination shall total 30% of width but not less than 15' per side.							

12.15 RESERVED FOR MARIHUANA RELATED ESTABLISHMENTS

12.16 SPECIAL SITUATIONS (New table, same standards)

Except for the specific requirements stated the regulation for the underlying zone shall remain unchanged.

Situation /Use	Minimum Lot Width	Minimum Lot Area	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Additional Standards
Frontage on Boardman River and tributaries	200'	----	100' from water's edge Ordinary High Water Mark			See Article 14
Frontage on all other Lakes and Streams	----	----	50' from the water's edge Ordinary High Water Mark			See Article 14
M72 in the Ag District	----	----	100'	----	----	----
Supply Rd.	----	----	100'	----	----	----
Old M-72 in the C District	----	----	30'	0	----	----
Enclosures/structures Enclosure/structures for livestock, domestic animals (except house pets)						
Horses/livestock	----	2 ½ acres	100'	100'	100'	----
Chickens/rabbits	----	2 ½ acres	40'	40'	40'	----

Dog Kennels – Sled, Hunting, or Breeding	----	10 acres	200'	200'	200'	----
Existing standard in Article 37.20 (chickens) and 37.30 (dogs) Chart was expanded to provide greater detail, incorporate missing standards in chart, and resolve conflict with other portions of the ordinance.						

~~12.12~~ **12.17 HARDSHIP**

No requirements contained in this Article shall prevent the use of a lot or parcel of land of lesser size, provided the same was of legal record or had been laid out by a registered surveyor prior to the effective date of this Ordinance; and provided, further, that as to any lot or parcel of land not of legal record or so laid out on the date of passage of this Ordinance, if any conditions shall create a hardship in complying with the restrictions contained in this Article, ~~then the Planning Commission~~ **Zoning Board of Appeals (ZBA)** may grant deviation therefrom after first determining that the same shall not be inimical to the public health, safety or welfare. **(Variance is determined by ZBA not PC)**

SECTION 3: AMENDMENT TO ARTICLE XIV. The Whitewater Township Zoning Ordinance, Article XIV, Section 14.11 Special Requirements for the Boardman River Valley shall be amended to read as follows:

14.11 SPECIAL REQUIREMENTS FOR THE BOARDMAN RIVER VALLEY.

~~The following special requirements shall apply to all properties within fifty (50) feet of the Boardman River and its tributaries.~~

All properties within fifty (50) feet of the Boardman River and its tributaries shall have the following special requirements. (Reworded to improve clarity)

A. A managed vegetative strip shall be maintained within fifty (50) feet of the ~~water's edge~~ **ordinary high water-mark**, as follows: **(Removed outdated term and replaced with current term)**

1. Vegetative strips shall consist of native trees, shrubs, vegetation and other natural materials.
2. Existing native vegetation should be preserved whenever possible.
3. No ponds shall be constructed, no earth moved, surface soils removed or filled for building within the managed vegetative strip.
4. Utility lines shall be installed only as follows:
 - (a) New distribution lines for utilities within the housing setback line shall be placed underground unless overhead lines are less disruptive to the environment.
 - (b) Brushy vegetation shall be restored to the disturbed area in the managed vegetation strip.

(c) Local service lines to private dwellings shall originate from the landward side of the dwelling.

5. Chemical control of vegetation shall be prohibited within the managed vegetative strip.

6. Fencing, grazing, riding trails and soil tilling for farm crops is prohibited within the managed vegetative strip.

7. The use of the managed vegetative strip for stock watering areas and stream crossing of horseback trails is subject to the approval of the Zoning Administrator, who may require a plan from the Soil Conservation District, or ~~Department of Environmental Quality (DEQ)~~ **Michigan Department of Environment Great Lakes and Energy (EGLE), or their successors, where applicable** as part of the requirement for use.

B. Any variance from these standards shall be in accordance with a plan approved by the Zoning Board of Appeals. In evaluating such applications, the Zoning Board of Appeals shall consider all relevant factors pertaining to the purpose of the vegetative strip which is to:

1. Stabilize the river banks.
2. Prevent erosion.
3. Absorb nutrients in water runoff from adjacent lands.
4. Provide shading for the stream to maintain cool water temperature.
5. Screen adjacent man-made structures.

C. In no case shall a lot or parcel having frontage on the Boardman River or its tributaries be less than two hundred (200) feet wide at the ~~water's edge~~ **ordinary high-water mark** or the building setback line, or be less than two hundred (200) feet deep. (**Re-located from 12.11.2 - Removed outdated term and replaced with current term**)

D. A dock may be constructed parallel to the bank, not exceeding ten (10) feet in length and not protruding in the stream, and when constructed of natural materials such as rocks or logs. (**Re-located from 12.11.4**)

SECTION 4: CONFLICT AND INTERPRETATION. The standards and provisions of this Zoning Amendment shall be interpreted as being the minimum requirements necessary to uphold the purposes of this Ordinance. Whenever this Zoning Amendment imposes a higher standard than that required by other regulations, ordinances, or rules, or by easements, covenants or agreements, the provisions of this Zoning Amendment shall govern. When the provisions of any other statute impose higher standards the provisions of such statutes shall govern. When it is alleged by a petitioner that there is an error in interpretation of this Zoning Amendment by the Zoning Administrator or designee, the Whitewater Township Zoning Board of Appeals pursuant to Article 18 of the Zoning Ordinance shall review such an appeal, provided

that a written appeal is filed within thirty (30) days of the decision of the Zoning Administrator or designee. The concurring vote of a majority of the Zoning Board of Appeals shall be necessary to reverse any interpretation of this Zoning Amendment by the Zoning Administrator or designee.

SECTION 5: SAVINGS CLAUSE. All proceedings pending and rights and liabilities existing, acquired or incurred at the time this Zoning Amendment takes effect are saved and may be consummated according to the law in force when they were commenced.

SECTION 6: SEVERABILITY. The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 7: EFFECTIVE DATE. This Ordinance shall become effective seven (7) days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

SECTION 8: REPEAL. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

Ron Popp, Whitewater Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Whitewater Township Board at a duly scheduled and noticed meeting of that Township Board held on _____, 2022, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the _____ newspaper, a newspaper that circulates within Whitewater Township, on _____, 2022.

Color Code: **Black** = original standards **Red** = New or changed text **Blue** = Notes

3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of the above Ordinance with the Grand Traverse County Clerk on , 2022.

ATTESTED:

Cheryl Goss, Whitewater Township Clerk



Ron Popp <supervisorwhitewater@gmail.com>

November 15, 2022 Board meeting packet insert

1 message

dglenn6542@yahoo.com <dglenn6542@yahoo.com>

Wed, Nov 2, 2022 at 12:35 PM

To: Ron Popp <supervisorwhitewater@gmail.com>

Ron, attached is my October 2022 Trustee report for inclusion into the November meeting packet.

At this writing, I do not have the language revision feedback to section 4.5(a) Periodic Revenue and Expenditure Report that we discussed at our October 2022 Board meeting. The proposed change in language was sent over to the Clerk to be reviewed and was intended to be brought back to the November 15th Board meeting.

Please hold space for this item ("Administrative Policy & Procedure manual - Section 4.5 Financial Reporting") on the December 13th agenda as I will bring the proposed changes to section 4.5(a) for further discussion and a motion, thanks.

Don Glenn

dglenn6542@yahoo.com

Trustee - Whitewater Township

cell phone: (614) 940-4601



Trustee report for October 2022 - Don Glenn.docx

17K

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 11-2-2022
Re: PC Packet Information

Whitewater Township Board Members -

Timely posting and public access to board and commission materials has been a concern for a while. The Board has expressed an opinion it needed more than 5 days' time to review packet information by expanding the deadline for packet distribution to 10 days. This business item seeks out any recommendation from the Board to the Planning Commission to do something similar.

The attached email clearly documents the PC packet was not available prior to three (business) days before the meeting. Review of the PC By-laws it appears they have no deadline for packet delivery to members or the public. Considering the monumental task, the PC is discharged with and in consideration of transparency with the public, this could be a concern the Board wishes to address.

Thinking about **Internal Controls** of high value documents if the Board makes a recommendation to the Planning Commission to include a packet distribution deadline in their by-laws, the following documents would be supplied to the PC for their review. If the PC approves the amended By-Laws the business item would return to the Board to complete the Internal Control segment of processing.

Motion One: Motion requesting Planning Commission to consider/adopt a packet distribution deadline of 10 days before the next meeting consistent with the Redline/Clean copy By-Laws attached.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Zoom Link

1 message

Kim Mangus <manguspc@yahoo.com>

Thu, Oct 27, 2022 at 8:41 PM

To: Lois Maclean <loismaclean@sbcglobal.net>, Ardella Benak <treasurer@whitewatertownship.org>

Cc: Ron Popp <supervisorwhitewater@gmail.com>, Heidi Vollmuth <heidivyourtrustee@gmail.com>

Lois,

I should have the PC packet available for distribution tomorrow. I still need to assemble the golf course material that came in today but I just realized that I don't have the Zoom link material.

Could you please get that to me.

Thanks,

Kim

From: Kim Mangus <manguspc@yahoo.com>
Sent: Saturday, October 30, 2021 12:13 AM
To: Ron Popp
Subject: Fw: PC packet 110521
Attachments: X PC Prelim SitePlanReview 110521.pdf

Ron,
It has come to my attention that the public does not have access to the attachment with the site plan document for the proposed development on M72. Lois sent out the PC packet without input again and missed several items. Just wanted to make sure you have a copy but also wanted to let you know that I will be requesting that she send out a corrected copy of the packet on Monday. I would happily do it myself but I still do not have access to the PC email list.
I know we all have bigger things to worry about these days. Just wanted to keep you informed as I'm sure you will hear some commentary on this issue.
Kim

----- Forwarded Message -----

From: Lois Maclean <loismaclean@sbcglobal.net>
To: "mickeydean@att.net" <mickeydean@att.net>; "manguspc@yahoo.com" <manguspc@yahoo.com>; "cwroubel@hotmail.com" <cwroubel@hotmail.com>; "alexjdarrow@icloud.com" <alexjdarrow@icloud.com>
Cc: "zoning@whitewatertownship.org" <zoning@whitewatertownship.org>
Sent: Thursday, October 28, 2021, 02:44:26 PM PDT
Subject: PC packet 110521

[Zoom link to 11/5/2021 PC Meeting:](#)

Whitewater Zoom is inviting you to a scheduled Zoom meeting.

Topic: Planning Commission

Time: FRIDAY, Nov 5, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/89781682159?pwd=OU92K0RzbGdZSWU3czg0aVZMSXBldz09>

Meeting ID: 897 8168 2159

Passcode: 727884

Planning Commission Agenda / Packet on township website:

https://www.whitewatertownship.org/uploads/2/1/9/6/21966412/pc_packetagenda_110521.pdf

From the Zoning Administrator: the Preliminary Site Plan Review drawings are attached for your reference.

Lois MacLean
Recording Secretary
Deputy Treasurer
231.735.3987

Whitewater Township Planning Commission Bylaws - Redline

The following rules of procedure are hereby adopted by the Whitewater Township Planning Commission to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, *et seq.*

SECTION 1: Membership

- A. Membership Size** - The Planning Commission shall consist of seven (7) members.
- B. Membership Terms of Office** – Members are appointed by the Township Supervisor for staggered three year terms with the approval of the Township Board and expire December 31. Members are expected to take the Oath of Office and serve until their term expires and a successor has been appointed as provided above.
- C. Membership Departure** - Members who are unable or unwilling to serve the entire terms for which they were appointed or who do not wish to be considered for reappointment shall provide sixty (60) days advance written notice of that fact to the Township Supervisor so that a successor may be appointed and approved in a timely manner that does not require the Commission to function with less than the seven (7) members provided.
- D. Membership Qualification** - All members shall be qualified electors of the Township of Whitewater, except that one member may be a non-qualified elector.
- E. Membership Representation** - Membership shall be representative of the important segments of the community including:
 - 1. Agriculture
 - 2. Natural Resources/Environmental
 - 3. Recreation
 - 4. Education
 - 5. Public Health
 - 6. Government
 - 7. Transportation
 - 8. Industry
 - 9. Commerce
 - 10. Waterfront Owner
 - 11. Building Trades
 - 12. Resident at Large
- F. Township Board Representation** – One member of the Township Board shall serve as a member of the Planning Commission. His/her term shall coincide with their term of office on the Whitewater Township Board of Trustees. The Township Supervisor is ineligible to serve in this capacity.
- G. Zoning Board of Appeals Representation** – One member of the Planning Commission shall be appointed by the supervisor to serve as a member of the Zoning Board of Appeals. His/her term shall coincide with their appointment to the Planning Commission. The PC chair shall provide the supervisor a recommendation for appointment following consult with the PC.
- H. Liaisons** - The Township Attorney and the Planning Department staff (including their agents and consultants) shall have the ability to participate in discussions of the Commission during their meetings.

SECTION 2: Officers

As Adopted by the Whitewater Township Planning Commission on 03/2/2022

- A. Selection and Tenure** - At the first regular meeting each January, the Planning Commission shall select a Chairperson, Vice Chairperson and Secretary. All officers shall serve a term of one year and shall be eligible for re-election for consecutive terms for the same office. The newly elected officers shall assume their responsibilities at the next regular meeting. If due to unforeseen circumstances, the Planning Commission is unable to elect officers at the January meeting, those officers whose terms as officers have expired and who remain as active members of the Planning Commission shall continue their services as officers until elections are held.
- B. Chairperson** - The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission, including recommending the Zoning Board Representative to the Township Board when a vacancy occurs.
- C. Vice Chairperson** - The Vice Chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term, and the Planning Commission shall select a successor to the office of Vice Chairperson for the unexpired term.
- D. Secretary** - The Secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine. The Secretary may be assisted by a Recording Secretary and/or the Zoning Administrator in the performance of his/her duties.

SECTION 3: Meetings

The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. The Planning Commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

- A. Regular Meetings** – Meetings of the Planning Commission shall be held on the First Wednesday of each month. All meetings shall take place at Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690 at 7:00 P.M. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

Notice of regular Planning Commission meetings shall be posted at Township Hall each year in accordance with the Open Meetings Act and on the township website.
- B. Special Meetings** - Special meetings may be called by the Chairperson or upon written request to the secretary by at least two members of the Planning Commission. Notice of special meetings shall be given to the members of the Planning Commission at least 48 hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act.
- C. Notice** - Notice required for specific planning, zoning or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, Land Division Act, or other applicable statute. All Planning Commission agendas and notices will be posted on the Township website, whitewatertownship.org. and in all other Township designated locations.
- D. Public Hearings** - All public hearings held by the Planning Commission must be held as part of a regular or special meeting of the Planning Commission.
 - 1. Public Hearings that will result in the consideration of amending the Zoning Ordinance text or map shall be set by motion of the Planning Commission.
 - 2. Public Hearings that are required for site plan and/or special use consideration may be set in accordance with the Planning Commissions regular schedule by the Zoning Administrator.

- E. Agenda** - The chairperson shall be responsible for preparing a tentative agenda, with the assistance of the Zoning Administrator or Recording Secretary, if requested, for Planning Commission meetings. The agenda may be modified by quorum of the Commission and shall be made available to members and public 10 days before the next meeting. -
- F. Quorum** - Four (4) members of the Planning Commission shall constitute a quorum for transacting business and taking official action for all matters with the exception of Master Plan adoption or amendments (see G below).
- G. Voting** - An affirmative vote of 2/3 of the members of the Planning Commission is required to recommend approval of the master plan or amendments to the plan or to amend these bylaws. Unless otherwise required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the members present and voting, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any Commission member or directed by the chairperson. Except in the case of conflict of interest, all Planning Commission members, including the Chairperson and ex officio member, shall vote on all matters.
- H. Public Records** - All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- I. Parliamentary Procedure** – Parliamentary procedure in Planning Commission meetings shall be governed by Roberts Rules of Order.

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The Planning Commission shall perform the following duties:

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- B.** Take such action on petitions, staff proposals and Township Board requests for amendments to the Zoning Ordinance as required.
- C.** Take such action on petitions, staff proposals and Township Board requests for amendments to the Master Plan as required.
- D.** Prepare an annual written report to the Township Board of the Planning Commission's operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.
- E.** Take such actions as authorized or required by the Michigan Planning Enabling Act.
- F.** Take such actions as authorized or required by the Michigan Zoning Enabling Act.
- G.** Review subdivision proposals and recommend appropriate actions to the Township Board.
- H.** Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

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- A.** To be excused, members of the Planning Commission shall notify the Planning Commission Chairperson, other Planning Commission member or Township Staff when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence.
- B.** Members may be removed by the Township Board for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing.

As Adopted by the Whitewater Township Planning Commission on 03/2/2022

- C. Following three consecutive absences or six within any 12-month period, the Planning Commission shall present to the Township Board a recommendation for dismissal or continued service of a member.

SECTION 6: Conflict of Interest

During the Declaration of Conflict of Interest portion of the agenda, Planning Commission member(s) shall disclose the potential conflict of interest to the Planning Commission. Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office.

Conflict of interest is defined as, and a Planning Commission member shall declare a conflict of interest and abstain from participating in Planning Commission deliberations and voting on a request, when:

1. An immediate family member is involved in any request for which the planning commission is asked to make a decision. "Immediate family member" is defined as a spouse, mother, father, sister, brother, son, or daughter, including an adopted child.
2. The Planning Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association.
3. The Planning Commission member owns or has a financial interest in neighboring property or property within a notification zone.
4. These guidelines shall be superseded when the "rule of necessity" is invoked.

If there is a question whether a conflict of interest exists or not, the question shall be put before the Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Commission.

In the event that a conflict is declared, the member shall remove themselves from the meeting table until the agenda item is concluded.

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Planning Commissioners will receive compensation on a per meeting basis as determined by the Township of Whitewater Board of Trustees. Planning Commissioners may receive reimbursement for travel and expenses with recommendation by the Planning Commission and approval by the Township Board.

SECTION 8: Education

Members shall complete one training/educational program each year. Training may be provided when available at regular meetings of the Planning Commission by the Planning/Zoning Administrator (or his/her designee) and will qualify as acceptable training. However additional training is encouraged.

SECTION 9: Order of Business

The order of business shall be as follows:

1. Call to Order/Pledge of Allegiance
2. Roll Call of Commission Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest

As Adopted by the Whitewater Township Planning Commission on 03/2/2022

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 - a. Comments shall be directed to the Commission, with questions directed to the Chair.
 - b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address.
 - c. Persons may address the Commission on matters that are relevant to Township planning and zoning issues.
 - d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Commission members' questions.
 - e. Public comment shall be limited to 3 minutes.

6. Public Hearing

- a. Open public hearing/ state time.
- b. Request those attending sign attendance sheet.
- c. State date of public hearing notice publication and newspaper published in.
- d. State purpose of public hearing.
- e. Introduce any presentations to be given.
 - i. Zoning Administrator
 - ii. Petitioner/Agent
- f. Read any written comments received.
- g. Receive public comment.
- h. Close public hearing/state time.

Questions shall be addressed through the Chair during the public hearing. Planning Commission discussion and/or action shall take place following the public hearing.

7. Approval of Minutes of Previous Meeting(s)
8. Correspondence
9. Reports/Presentations/Announcements/Comments
 - a. Zoning Administrator
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10. Unfinished Business
11. New Business
12. Next Meeting Agenda
13. Public Comment
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16. Adjournment

SECTION 10: Amendments

These bylaws may be amended at any time following a recommendation of the majority of the membership of the Planning Commission and subsequent notification to the Township Board.

Whitewater Township Planning Commission Bylaws - Clean Copy

The following rules of procedure are hereby adopted by the Whitewater Township Planning Commission to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, *et seq.*

SECTION 1: Membership

- A. Membership Size** - The Planning Commission shall consist of seven (7) members.
- B. Membership Terms of Office** – Members are appointed by the Township Supervisor for staggered three year terms with the approval of the Township Board and expire December 31. Members are expected to take the Oath of Office and serve until their term expires and a successor has been appointed as provided above.
- C. Membership Departure** - Members who are unable or unwilling to serve the entire terms for which they were appointed or who do not wish to be considered for reappointment shall provide sixty (60) days advance written notice of that fact to the Township Supervisor so that a successor may be appointed and approved in a timely manner that does not require the Commission to function with less than the seven (7) members provided.
- D. Membership Qualification** - All members shall be qualified electors of the Township of Whitewater, except that one member may be a non-qualified elector.
- E. Membership Representation** - Membership shall be representative of the important segments of the community including:
 - 1. Agriculture
 - 2. Natural Resources/Environmental
 - 3. Recreation
 - 4. Education
 - 5. Public Health
 - 6. Government
 - 7. Transportation
 - 8. Industry
 - 9. Commerce
 - 10. Waterfront Owner
 - 11. Building Trades
 - 12. Resident at Large
- F. Township Board Representation** – One member of the Township Board shall serve as a member of the Planning Commission. His/her term shall coincide with their term of office on the Whitewater Township Board of Trustees. The Township Supervisor is ineligible to serve in this capacity.
- G. Zoning Board of Appeals Representation** – One member of the Planning Commission shall be appointed by the supervisor to serve as a member of the Zoning Board of Appeals. His/her term shall coincide with their appointment to the Planning Commission. The PC chair shall provide the supervisor a recommendation for appointment following consult with the PC.
- H. Liaisons** - The Township Attorney and the Planning Department staff (including their agents and consultants) shall have the ability to participate in discussions of the Commission during their meetings.

SECTION 2: Officers

As Adopted by the Whitewater Township Planning Commission on 03/2/2022

- A. Selection and Tenure** - At the first regular meeting each January, the Planning Commission shall select a Chairperson, Vice Chairperson and Secretary. All officers shall serve a term of one year and shall be eligible for re-election for consecutive terms for the same office. The newly elected officers shall assume their responsibilities at the next regular meeting. If due to unforeseen circumstances, the Planning Commission is unable to elect officers at the January meeting, those officers whose terms as officers have expired and who remain as active members of the Planning Commission shall continue their services as officers until elections are held.
- B. Chairperson** - The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission, including recommending the Zoning Board Representative to the Township Board when a vacancy occurs.
- C. Vice Chairperson** - The Vice Chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term, and the Planning Commission shall select a successor to the office of Vice Chairperson for the unexpired term.
- D. Secretary** - The Secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine. The Secretary may be assisted by a Recording Secretary and/or the Zoning Administrator in the performance of his/her duties.

SECTION 3: Meetings

The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. The Planning Commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

- A. Regular Meetings** – Meetings of the Planning Commission shall be held on the First Wednesday of each month. All meetings shall take place at Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690 at 7:00 P.M. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

Notice of regular Planning Commission meetings shall be posted at Township Hall each year in accordance with the Open Meetings Act and on the township website.

- B. Special Meetings** - Special meetings may be called by the Chairperson or upon written request to the secretary by at least two members of the Planning Commission. Notice of special meetings shall be given to the members of the Planning Commission at least 48 hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act.
- C. Notice** - Notice required for specific planning, zoning or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, Land Division Act, or other applicable statute. All Planning Commission agendas and notices will be posted on the Township website, whitewatertownship.org. and in all other Township designated locations.
- D. Public Hearings** - All public hearings held by the Planning Commission must be held as part of a regular or special meeting of the Planning Commission.
 - 1. Public Hearings that will result in the consideration of amending the Zoning Ordinance text or map shall be set by motion of the Planning Commission.
 - 2. Public Hearings that are required for site plan and/or special use consideration may be set in accordance with the Planning Commissions regular schedule by the Zoning Administrator.

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16. Adjournment

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These bylaws may be amended at any time following a recommendation of the majority of the membership of the Planning Commission and subsequent notification to the Township Board.

Memo

To: Whitewater Township Board

From: Ron Popp, Supervisor

CC: None

Date: 10-25-2022

Re: ARPA Funds and Broadband

Board Members –

The race for broadband is very reminiscent of the early cable tv days here in Whitewater Township. Multiple small vendors erecting their own satellite dishes pointed to the stars and beyond to collect and reorganize a compressed signal pushed along a coaxial cable. Cable TV was born. Today's fiber business is much the same with multiple vendors racing down the "Last Mile" to bring a strand of light to your living room. As it was then, it is still all about the number of subscriptions you sell. Some vendors are using various government funding mechanisms to pay for infrastructure while others are self-funding projects or using a hybrid between government funding and private collaboration to expedite the subscription process. For sure the feeding frenzy that is Corporate America will begin gobbling up small providers in the circle of corporate buyouts. The point is, the company we award ARPA money to today will soon become part of a larger one and so one.

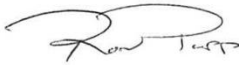
Whitewater Township was originally awarded a little over \$294,000 in ARPA funding. As reported in our October 11, 2022 Township Board Packet the amount has compounded to \$295,435 and is growing. At the Special Board Meeting held October 17, 2022 the Township Board reviewed proposals from two broadband service providers in our area to build and provide access to this type of infrastructure. The Board also determined in accordance with results of a recent public survey that 41% or approximately \$121,000 of the ARPA funds would be spent extending broadband services in Whitewater Township.

ARPA spending for broadband and more specifically the audit process is something we must keep in mind as we move closer to final allocations of this funding. Documentation of facts we use to determine spending continue to be both key and a moving target. For the purposes of Whitewater Township ARPA funds, according to final rules the definition we need to be concerned with is access to 100/20 speed for both un and underserved. Even though new funding programs like ROBIN change those definitions the rules we must follow have not changed. The Township must also guard against spending its ARPA funds on broadband infrastructure that already has other state and federal funding. Again, a moving target which supports having strong documentation to make our decision.

In early 2022 the final ARPA Rules were released describing how these funds could be spent. These rules varied from the Township's proposed spending plan to extend broadband in the Township. A list of differences was created and with a better understanding of our duties, we realize the proposals and maps used to make our decisions need to be part of the record or findings of fact. To help create that document, the list of concerns noted above is reprinted for reference and was used in combination with a Treasury Summary and MTA Summary also printed in this writing. It has been recommended to document and date the data (maps) used in our decision providing proof we used the best information available for the time. This should help prevent mixing ARPA funds with other Federal or State funding activities to extend broadband. Clearly as this nation-wide infrastructure project continues some information, we use to make our decision today will become unsupported but making the commitment sooner than later is a good goal for the Board. For those interested in the ARPA Final Rules, here is a link to the document.

[Treasury Issues Final Rule for ARPA State and Local Fiscal Recovery Funds Program \(gfoa.org\)](https://www.gfoa.org/treasury-issues-final-rule-for-arpa-state-and-local-fiscal-recovery-funds-program)

Respectfully submitted,

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

Ron Popp
Supervisor, Whitewater Township

Whitewater Township

Broadband Extension Project Findings of Fact

November 15, 2022

The following findings of fact were generated using multiple sources of information provided by the public, existing service providers, and interviews with community members. These findings should be considered a starting point for the Board to amend and approve as they see proper.

1. Identify an eligible area for investment.

- a) Public outreach was limited regarding connection speed and cost as most interviewed did know how to check internet speed.
 - 1. Supply Road School receives a 50/50, wireless internet service provider (WISP)
 - 2. One Island Lake resident received 35/20 service via WISP.
 - 3. One resident on Wheel Oaks uses Starlink best Effort Program speeds up to 100 Mbps. Cost is about \$110.00 per month
 - 4. One resident Bunker Hill Road no reliable wireline connectivity. AT&T U-Verse possible.
 - 5. One resident on the east west portion of Broomhead Road reports no services available
 - 6. One resident on south Samels Road reports AT&T U-Verse is available however extremely slow. Actual speed unknown.
- b) Mapping
 - 1. Cherry Capital Connection (CCC) supplied a detailed route map depicting the areas of the Township that from their perspective comply with the final rules. This map also indicates the areas of the Township that already have other funding sources such as RDOF. See Exhibit A.
 - 2. 186Networks (186) supplied a detailed route map that will be followed to serve the unserved area depicted in the Proposed Project Area. See Exhibit B.
 - 3. 186Networks also provided a map and cost estimate for the Proposed Project Area. See Exhibit B1.

2. Identify areas of the Township receiving other broadband funding sources.

- a) To ensure State and Local Fiscal Recovery Funds (SLFRF) will not be used in areas of other funding sources the Township used Exhibit A to create a project area labeled Exhibit E.

Finding of Fact:

Two internet service providers have detailed route maps of the Proposed Project Area of the Township labeled Exhibit E. Public outreach to residents in the areas presented confirmed lack of access to wireline with speeds of 100/20. For ARPA Audit purposes Whitewater Township could consider funding the Project Area Exhibit E making accounting for the \$121K very simple. The selected Internet Service Provider (ISP) contractor would be free to use other funding sources extending broadband services to the remained of the Township.

3. Design Standards

- a) As proposed on CCC pricing sheet Exhibit C the minimum designed speed is symmetrical 100 and up to symmetrical 1 Gig level.
- b) 186 pricing sheet Exhibit D also indicates minimum designed speed is symmetrical 100 and up to symmetrical 1 Gig service.
- c) With current development density, under either of these proposed broadband expansion plans, no area of the Township appears to be so remote or has such geographical or topography challenges that providing symmetrical 100 download and upload speeds would be cost prohibited. No definition of cost prohibited was discussed due to all areas the Township would appear to be served between RDOF, Private, and Township ARPA Funding sources.
- d) Whitewater Township prioritizes ARPA broadband funding to achieve the highest number of last mile connections. The area described in Exhibit E Proposed Project Area provides the greatest number of possible connections at approximately 36 when limited to \$121,000 of funding and restricting our expenditures to areas not covered under a different State or Federal Funding Source.

Finding of Fact:

Both proposals meet or exceed design standards for minimum speeds as outlined in Final ARPA Rules for broadband investment. All currently developed areas of the Township will be served regardless of cost. With 36 possible last mile connection opportunities the Proposed Project Area offers the highest number of possible connections for money invested.

4. Affordability – The Township reviewed six 6 items as follows

- a) Installation Cost – Both companies are very competitive on this point of interest. See CCC installation pricing on Exhibit F. 186 installation pricing can be found on Exhibit D.
- b) Subscription fees – Here a slight edge on this point of interest goes to 186. See Exhibit D. CCC subscription pricing can be found on Exhibit C.
- c) Price protection – Both proposals appear to offer contracts/price lock for one year.
- d) Both proposals participate in the FCC's Affordable Connectivity Program (ACP) Currently defined as \$30.00 dollars per month. See Exhibit C for CCC information. 186Network's information can be found on Exhibit D.
- e) Customer satisfaction and or reliability statistics were not a significant part of the decision-making process. As the service is not currently offered anywhere in the Township. It is important to note that each company has provided non fiber local internet services for a number of years. An internet search for labor or business complaints produced zero results on either company.

- f) No data was collected in regards to community affordability needs. Comments provided during the various outreach opportunities focused on no service available or service that was very slow.

Finding of Fact:

A slight edge is established in this point of interest in favor of 186. While service cost was not a specific question in the Township's outreach efforts, this should not be perceived as acceptance at any cost. Cost consideration can be made a function of this document with a finding of fact that equalizing speed, customer service, reliability factors then, what benefit would be realized if the more expensive subscription service was selected?

5. APPLICABLE STANDARDS & REQUIREMENTS – Recommend - Board discussion to the weight this point of interest carries.

Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurement's employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.

As an example of prevailing wage a few Job Classification numbers and related hourly wages that may apply to this project are:

Operating Engineer Underground	Class I Equipment - Backfiller Tamper, Backhoe, Batch Plant Operator, Clamshell, Concrete Paver 2 drums or larger, Conveyor Loader Euclid type, Crane (crawler, truck type or pile driving), Dozer, Dragline, Elevating Grader, Endloader, Gradall:	EN-324A2-UC1	\$60.93 hr.
	Class II Equipment - Boom Truck, Crusher, Hoist, Pump 6 inch discharge or larger, side boom tractor, Tractor (pneu-tired other than backhoe or front end loader), Trencher 8 ft. digging capacity and smaller, Vac Truck	EN-324A2-UC2	\$56.04 hr.
	Tap cutter/CCTV Tech/Grout Equipment Operator, driver and operator of CCTV; grouting equipment and tap cutting equipment	TM247-2	\$32.70 hr.
Underground Laborer Open Cut	Class I - Construction Laborer	LAUC-Z4-1	\$35.27 hr.

Emails were sent to each requestor to collect prevailing wage, local hire policy if any were on file. Similar emails were sent in regards to final project agreements. The responses follow:

- a) CCC response to local hiring can be found on Exhibit H. A response regarding prevailing wage was not provided.
- b) CCC proposed final agreement recommendations are presented on Exhibit J.
- c) 186's response to local hiring and prevailing wage is on Exhibit G.
- d) 186's response to final agreement recommendations can be found on Exhibit I.

- e) Labor disputes with either organization was not part of the decision matrix used by the Township.

Finding of Fact:

Proposed Pending Board Discussion:

Prevailing wage - Limited funds for an enormous task, sounds like the typical government project. With the current status of the local labor market employers are likely paying good wages just to keep their valued employees. Additional employer duties to track prevailing wage hours is another consideration. 186 is capable of complying with prevailing wage for the Township's portion of project funding however, the remainder of the project would use their standard labor rate. CCC did not comment on this question. Recommend that each requester understands their own total business model best. Requiring prevailing wages be paid for the Township's portion of this project is not an important element.

Final Agreement – Recommend discussion focus on simple provisions that are easy for Township Audit Staff, Supervisor & Treasurer to verify. 186 has provided a sample document used in Milton Township.

Conclusion – Pending Board discussion.

6. Other Factors

- a) Existing customer base in the Project Area was considered as not to change, modify, or disrupt what private investment either organization had currently in place. This was accomplished as an interview question when determining the eligible area for investment.
 - 1) Supply Road School wireless internet service provider 186
 - 2) One Island Lake resident wireless internet service provider 186.
 - 3) One resident on Wheel Oaks Starlink
 - 4) One resident on Bunkerhill Road no wireline connectivity.
 - 5) One resident on the east-west portion of Broomhead Road reports no services available
 - 6) One resident on south Samels Road reports AT&T Uverse.
- b) During the planning or deliberation phase of the proposed broadband expansion project no known broadband networks owned or operated by or affiliated with local governments, nonprofits, or co-operatives were discovered or applied for consideration.
- c) Project Agreements
 - 1) CCC has provided insight on this matter see Exhibit J.

2) 186 has provided a sample agreement in place with other local municipalities. See. Exhibit I

(Page 5 - Broadband Extension Project Findings of Fact November 15, 2022)

3) Confirmation SLRFR funds were not used in an area funded by other State or Federal funding sources. Exhibit A provided by CCC calls out RDOF funding construction taking place in the Township. Recommend directing Whitewater Township ARPA funding of broadband expansion to those areas outlined on Exhibit E Project Area to avoid overlap of funding streams.

Finding of Fact:

Customer Base: The area of expansion as outlined in Exhibit 5 is not served by any significant investment from either requestor. However, 186Networks appears to have a significant existing WISP subscriber base in the southwest corner, of the Township. 186's proposed route map takes them to considerably closer to that existing customer base which may support more private investment on their part to complete wireline effort.

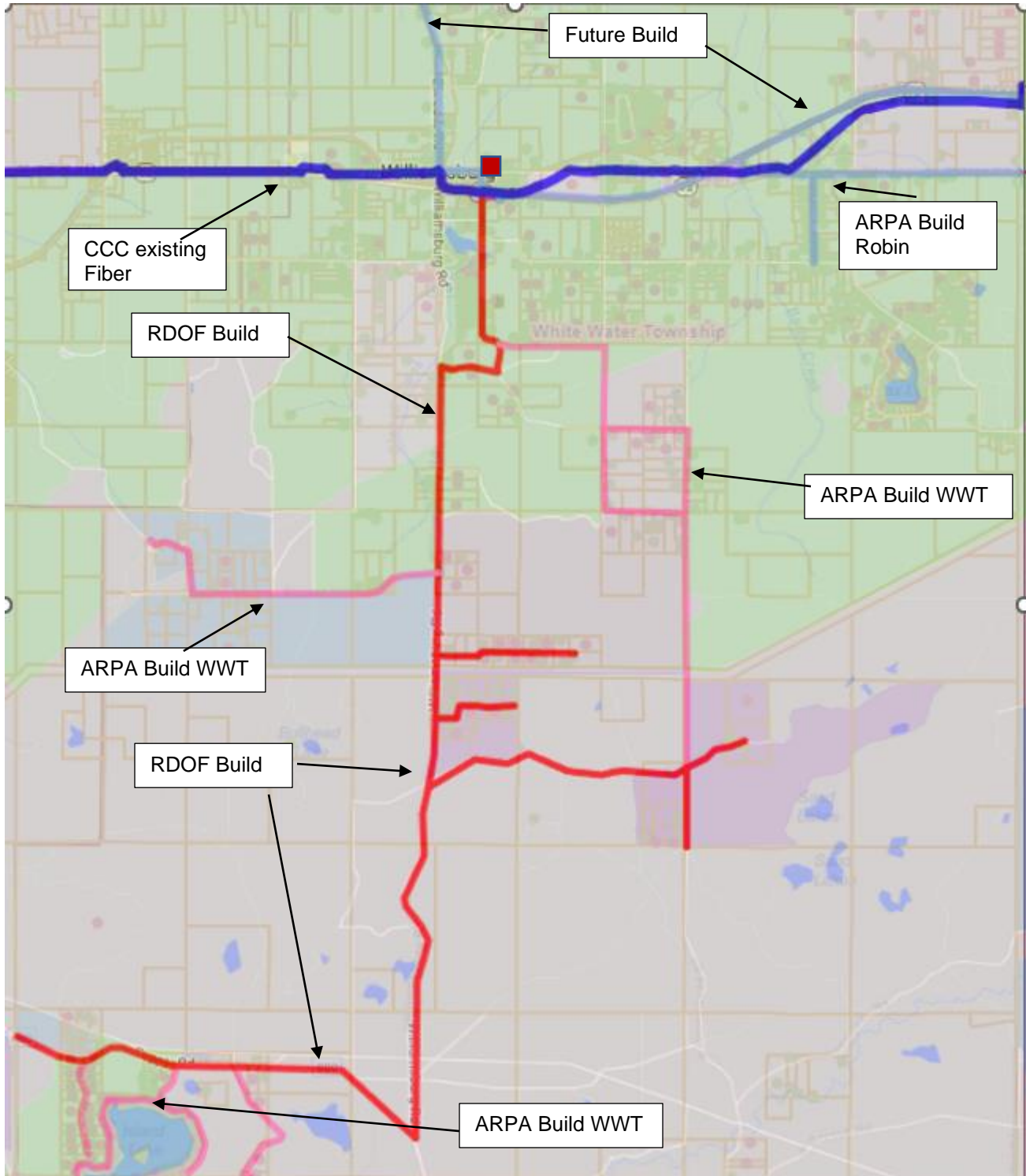
Project Agreements: Range from simple to robust, as one of two responsible for audit reporting on the use of ARPA funds, I appreciate the simple. 186 Agreement is preferred.

If the Township selects the project map as presented in Exhibit E, we have proof that no other state or federal funding program is in place.

11/15

Exhibit A

Proposed Build Overlayed unserved and underserved (by Color)



By the
numbers

Area	Number of Sites	Number of site addresses
A	311	280
B	51	43
C	93	85
D	20	17
Total	475	425

"C" List of Addresses (Households that are along RDOF build route – considered served)

"C" List of addresses

PARCELID	LOWPARCELID	SITEADDRESS	SITECTSTZP
13-004-033-12	13-004-033-12	5279 VINTON RD	WILLIAMSBURG, MI 49690
13-004-032-02	13-004-032-02	8665 BISSEL CREEK LN	WILLIAMSBURG, MI 49690
13-004-032-01	13-004-032-01	8707 BISSEL CREEK LN	WILLIAMSBURG, MI 49690
13-004-028-00	13-004-028-00	5311 VINTON RD	WILLIAMSBURG, MI 49690
13-004-035-01	13-004-035-01	5223 VINTON RD	WILLIAMSBURG, MI 49690
13-004-035-03	13-004-035-03	5211 VINTON RD	WILLIAMSBURG, MI 49690
13-004-029-10	13-004-029-10	5157 VINTON RD	WILLIAMSBURG, MI 49690
13-010-003-00	13-010-003-00	4393 FARRELL RD	WILLIAMSBURG, MI 49690
13-009-014-30	13-009-014-30	WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-004-031-10	13-004-031-10	5187 VINTON RD	WILLIAMSBURG, MI 49690
13-004-029-00	13-004-029-00	5163 VINTON RD	WILLIAMSBURG, MI 49690
13-004-063-00	13-004-063-00	5088 VINTON RD	WILLIAMSBURG, MI 49690
13-004-006-11	13-004-006-11	8804 WHITNEY RD	WILLIAMSBURG, MI 49690
13-009-008-12	13-009-008-12	4677 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-003-30	13-009-003-30	8551 WOODCREST LN	WILLIAMSBURG, MI 49690
13-009-007-00	13-009-007-00	4938 MOORE RD	WILLIAMSBURG, MI 49690
13-009-003-40	13-009-003-40	WOODCREST LN	WILLIAMSBURG, MI 49690
13-010-007-00	13-010-007-00	VINTON RD	WILLIAMSBURG, MI 49690
13-009-005-00	13-009-005-00	4655 VINTON RD	WILLIAMSBURG, MI 49690
13-004-050-00	13-004-050-00	5772 VINTON RD	WILLIAMSBURG, MI 49690
13-870-002-00	13-870-002-00	8840 E M 72	WILLIAMSBURG, MI 49690
13-004-052-00	13-004-052-00	5686 VINTON RD	WILLIAMSBURG, MI 49690
13-004-051-00	13-004-051-00	5654 VINTON RD	WILLIAMSBURG, MI 49690
13-830-013-00	13-830-013-00	8681 CHURCH ST	WILLIAMSBURG, MI 49690
13-830-009-00	13-830-009-00	8684 CHURCH ST	WILLIAMSBURG, MI 49690
13-830-007-00	13-830-007-00	5673 VINTON RD	WILLIAMSBURG, MI 49690
13-003-008-02	13-003-008-02	E M 72	WILLIAMSBURG, MI 49690
13-004-035-02	13-004-035-02	5217 VINTON RD	WILLIAMSBURG, MI 49690
13-004-031-00	13-004-031-00	5165 VINTON RD	WILLIAMSBURG, MI 49690
13-004-029-20	13-004-029-20	5141 VINTON RD	WILLIAMSBURG, MI 49690
13-004-030-00	13-004-030-00	5133 VINTON RD	WILLIAMSBURG, MI 49690
13-004-032-10	13-004-032-10	5115 VINTON RD	WILLIAMSBURG, MI 49690
13-004-029-25	13-004-029-25	5149 VINTON RD	WILLIAMSBURG, MI 49690
13-004-023-10	13-004-023-10	5486 VINTON RD	WILLIAMSBURG, MI 49690
13-611-001-00	13-611-001-00	8627 STREAM VIEW LN	WILLIAMSBURG, MI 49690
13-009-014-20	13-009-014-20	4155 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-004-01	13-009-004-01		WILLIAMSBURG, MI 49690
13-004-033-00	13-004-033-00	5285 VINTON RD	WILLIAMSBURG, MI 49690
13-004-033-11	13-004-033-11	VINTON RD	WILLIAMSBURG, MI 49690
13-004-025-01	13-004-025-01	5536 VINTON RD	WILLIAMSBURG, MI 49690
13-009-008-00	13-009-008-00	4531 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-008-11	13-009-008-11	4587 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-004-042-00	13-004-042-00	5784 VINTON RD	WILLIAMSBURG, MI 49690
13-870-002-10	13-870-002-10	8858 E M 72	WILLIAMSBURG, MI 49690
13-004-001-21	13-004-001-21	8890 E M 72	WILLIAMSBURG, MI 49690
13-004-057-00	13-004-057-00	5756 VINTON RD	WILLIAMSBURG, MI 49690

"C" List of addresses

PARCELID	LOWPARCELID	SITEADDRESS	SITECTSTZP
13-830-019-00	13-830-019-00	8649 CHURCH ST	WILLIAMSBURG, MI 49690
13-830-026-00	13-830-026-00	5777 VINTON RD	WILLIAMSBURG, MI 49690
13-830-008-00	13-830-008-00	CHURCH ST	WILLIAMSBURG, MI 49690
13-830-004-00	13-830-004-00	CHURCH ST	WILLIAMSBURG, MI 49690
13-004-032-00	13-004-032-00	5039 VINTON RD	WILLIAMSBURG, MI 49690
13-004-063-30	13-004-063-30	5140 VINTON RD	WILLIAMSBURG, MI 49690
13-004-006-00	13-004-006-00	5650 WHITNEY RD	WILLIAMSBURG, MI 49690
13-004-034-00	13-004-034-00	5205 VINTON RD	WILLIAMSBURG, MI 49690
13-004-023-20	13-004-023-20	5194 VINTON RD	WILLIAMSBURG, MI 49690
13-004-001-20	13-004-001-20	8976 E M 72	WILLIAMSBURG, MI 49690
13-870-004-00	13-870-004-00	VINTON RD	WILLIAMSBURG, MI 49690
13-009-003-50	13-009-003-50	4834 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-003-20	13-009-003-20	4876 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-007-10	13-009-007-10	4781 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-99	13-99		
13-N/O ROLL	13-N/O ROLL		
13-009-009-00	13-009-009-00	4737 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-830-005-00	13-830-005-00	8696 CHURCH ST	WILLIAMSBURG, MI 49690
13-010-001-00	13-010-001-00		WILLIAMSBURG, MI 49690
13-830-003-00	13-830-003-00	8656 CHURCH ST	WILLIAMSBURG, MI 49690
13-009-003-00	13-009-003-00	4788 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-870-001-00	13-870-001-00	5826 VINTON RD	WILLIAMSBURG, MI 49690
13-830-015-00	13-830-015-00	5757 VINTON RD	WILLIAMSBURG, MI 49690
13-830-016-00	13-830-016-00	5769 VINTON RD	WILLIAMSBURG, MI 49690
13-009-006-00	13-009-006-00	VINTON RD	WILLIAMSBURG, MI 49690
13-009-015-02	13-009-015-02	4148 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-014-40	13-009-014-40	4127 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-014-10	13-009-014-10	4019 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-015-04	13-009-015-04	4058 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-830-025-00	13-830-025-00	VINTON RD	WILLIAMSBURG, MI 49690
13-830-017-00	13-830-017-00	5755 VINTON RD	WILLIAMSBURG, MI 49690
13-830-000-00	13-830-000-00		,
13-830-006-00	13-830-006-00	8732 CHURCH ST	WILLIAMSBURG, MI 49690
13-830-012-00	13-830-012-00	8601 CHURCH ST	WILLIAMSBURG, MI 49690
13-830-024-00	13-830-024-00	VINTON RD	WILLIAMSBURG, MI 49690
13-009-014-00	13-009-014-00	4231 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-015-01	13-009-015-01	4206 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-009-002-00	13-009-002-00		WILLIAMSBURG, MI 49690
13-009-015-03	13-009-015-03	WILLIAMSBURG RD	WILLIAMSBURG, MI 49690
13-830-010-00	13-830-010-00	5653 VINTON RD	WILLIAMSBURG, MI 49690
13-003-010-02	13-003-010-02	9036 E M 72	WILLIAMSBURG, MI 49690
13-009-004-00	13-009-004-00	4702 VINTON RD	WILLIAMSBURG, MI 49690
13-004-063-20	13-004-063-20	5052 VINTON RD	WILLIAMSBURG, MI 49690
13-611-006-00	13-611-006-00	8696 STREAM VIEW LN	WILLIAMSBURG, MI 49690
13-004-063-10	13-004-063-10	5044 VINTON RD	WILLIAMSBURG, MI 49690
13-009-007-20	13-009-007-20	4993 WILLIAMSBURG RD	WILLIAMSBURG, MI 49690

"C" List of addresses

PARCELID	LOWPARCELID	SITEADDRESS	SITECTSTZP
13-611-002-00	13-611-002-00	8675 STREAM VIEW LN	WILLIAMSBURG, MI 49690
13-611-003-00	13-611-003-00	8711 STREAM VIEW LN	WILLIAMSBURG, MI 49690
13-611-000-00	13-611-000-00		,
13-004-024-07	13-004-024-07	8596 CHURCH ST	WILLIAMSBURG, MI 49690
13-009-004-11	13-009-004-11	4687 VINTON RD	WILLIAMSBURG, MI 49690
13-611-005-00	13-611-005-00	8728 STREAM VIEW LN	WILLIAMSBURG, MI 49690
13-009-004-21	13-009-004-21	4701 VINTON RD	WILLIAMSBURG, MI 49690
13-611-004-00	13-611-004-00	8747 STREAM VIEW LN	WILLIAMSBURG, MI 49690
13-99	13-99		

Exhibit 1. Fiber Route for Buildout, Complete Route. This will connect to our Existing Fiber at the end of Skegemog Point Rd.

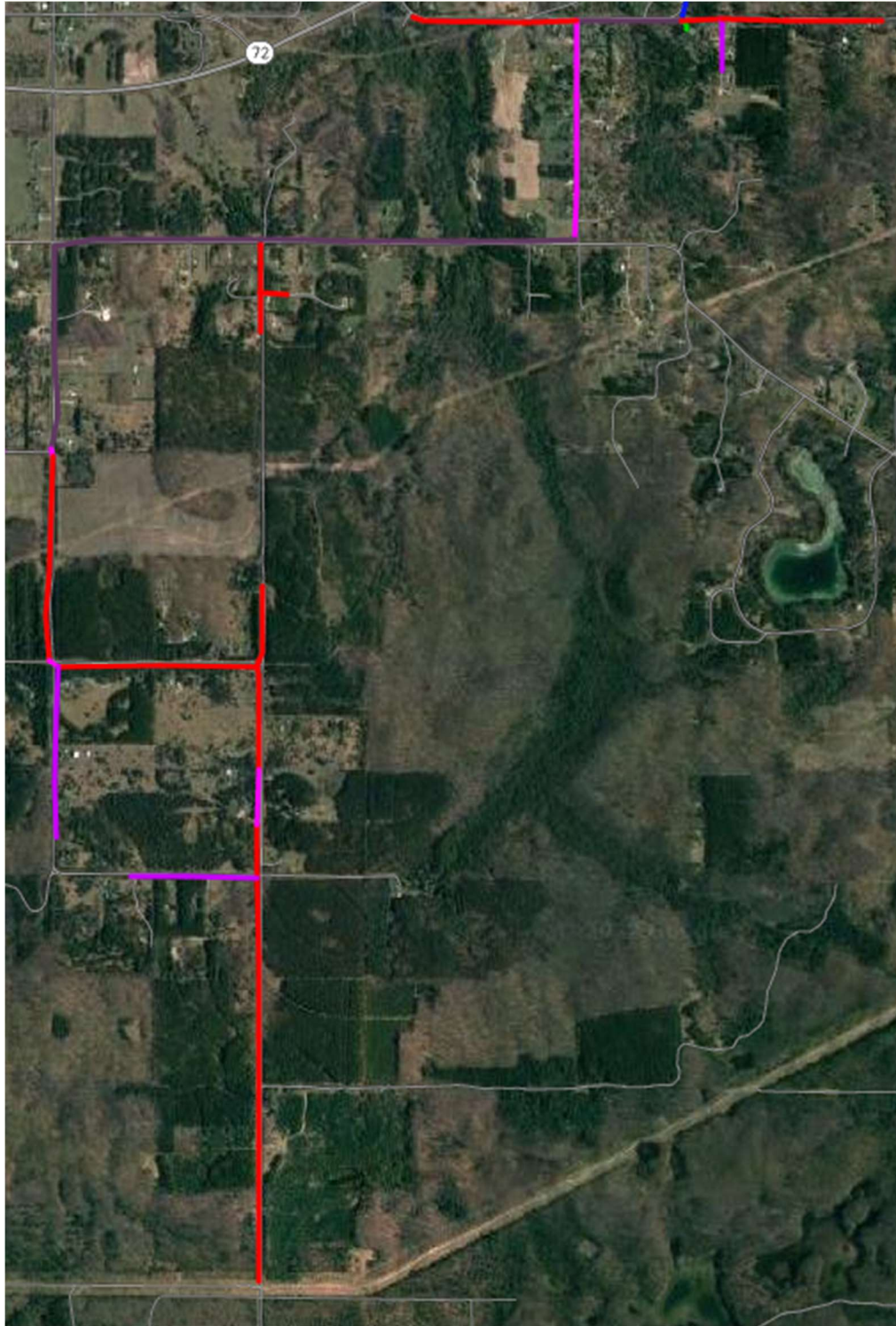


Exhibit 3 – Total Buildout Costs

WhiteWater Township Estimate for Fiber to the following Roads					
Road Name	Houses	Road Ft	Vaults	Current HighSpeed Options	Houses without Options
Watson Rd	12	7236	6	Some Charter	6
Linderleaf Ln	6	670	1	Nothing	6
Mabel Rd	18	2800	4	Charter	0
Deal Rd	31	6700	8	Charter	0
BroomHead	33	15576	17	Charter on North Section	20
Farrell Rd	5	2130	3	Nothing	4
Hursh Rd	5	1590	2	Nothing	6
Samels - Amos Wood Dr	9	1070	7	Nothing	2
Total	119	37772	48		44
Potential Houses	119				
	Fiber Ft	Cost	Total		
Fiber	37772	\$0.30	\$11,331.60	The Cost of Fiber per Ft	
Conduit 1.25"	37772	\$0.80	\$30,217.60	The Major Roads will have Conduit to expansion to other areas of the township	
Direct Buried	4390	\$-00		Fiber costs are above. No Conduit for this portion of the run.	
Vaults	48	\$150.00	\$7,200.00	Vaults House the Conduit End Points and the Splice Cases underground	
Splice Cases	48	\$170.00	\$8,160.00	Splice Case for Connecting the Fiber	
Road Box	1	\$5,000.00	\$5,000.00	Weather Proof Box to house equipment mounted and power supplied (AC and Heater)	
Electronics	1	\$3,000.00	\$3,000.00	Electronics for Fiber Deployment	
Misc		\$2,000.00	\$2,000.00	Miscellaneous Parts unaccounted for in the build.	
	Total		\$66,909.20		
Labor per Foot	37772	\$6.00	\$226,632.00	Labor & Equipment Cost to put the Fiber in. Per Foot.	
		Total Project	\$293,541.20		

Exhibit 4 – APRA Funds portion Buildout Costs

WhiteWater Township Estimate for Fiber to the following Roads				
Road Name	Houses	Road Ft	Vaults	Current HighSpeed Options
BroomHead	20	12924	17	Nothing
Farrell Rd	5	2130	3	Nothing
Hursh Rd	5	1590	2	Nothing
Samels	9	1070	7	Nothing
Total	39	17714	29	
Potential Houses	39			
	Fiber Ft	Cost	Total	
Fiber	17714	\$0.30	\$5,314.20	The Cost of Fiber per Ft
Conduit 1.25"	17714	\$0.80	\$14,171.20	Conduit on Whole Route
Vaults	29	\$150.00	\$4,350.00	Vaults contain the conduit end-points and the Splice Cases underground
Splice Cases	29	\$170.00	\$4,930.00	Splice Case for Connecting the Fiber
Road Box	1	\$5,000.00	\$5,000.00	Weather Proof Box to house equipment mounted and power supplied (AC and Heater)
Electronics	1	\$3,000.00	\$3,000.00	Electronics for Fiber Deployment
Misc		\$2,000.00	\$2,000.00	Miscellaneous Parts unaccounted for in the build.
	Total		\$38,765.40	
Labor per Foot	17714	\$6.00	\$106,284.00	Labor & Equipment Cost to put the Fiber in. Per Foot.
		Total Project E	\$145,049.40	

Exhibit 2. All Areas that the Area Funds will be used.

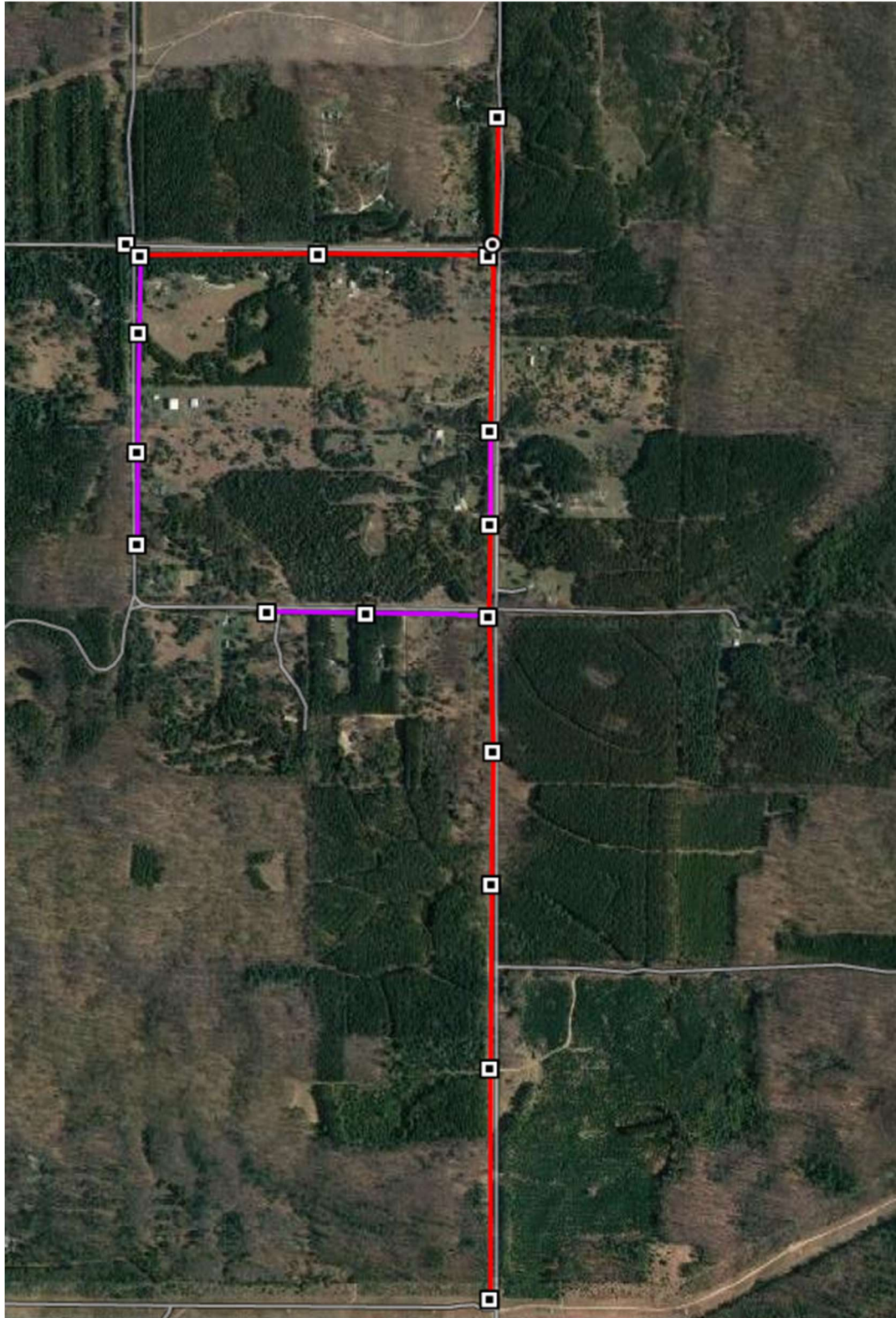


Exhibit 3 – Total Buildout Costs

WhiteWater Township Estimate for Fiber to the following Roads					
Road Name	Houses	Road Ft	Vaults	Current HighSpeed Options	Houses without Options
Watson Rd	12	7236	6	Some Charter	6
Linderleaf Ln	6	670	1	Nothing	6
Mabel Rd	18	2800	4	Charter	0
Deal Rd	31	6700	8	Charter	0
BroomHead	33	15576	17	Charter on North Section	20
Farrell Rd	5	2130	3	Nothing	4
Hursh Rd	5	1590	2	Nothing	6
Samels - Amos Wood Dr	9	1070	7	Nothing	2
Total	119	37772	48		44
Potential Houses	119				
	Fiber Ft	Cost	Total		
Fiber	37772	\$0.30	\$11,331.60	The Cost of Fiber per Ft	
Conduit 1.25"	37772	\$0.80	\$30,217.60	The Major Roads will have Conduit to expansion to other areas of the township	
Direct Buried	4390	\$-00		Fiber costs are above. No Conduit for this portion of the run.	
Vaults	48	\$150.00	\$7,200.00	Vaults House the Conduit End Points and the Splice Cases underground	
Splice Cases	48	\$170.00	\$8,160.00	Splice Case for Connecting the Fiber	
Road Box	1	\$5,000.00	\$5,000.00	Weather Proof Box to house equipment mounted and power supplied (AC and Heater)	
Electronics	1	\$3,000.00	\$3,000.00	Electronics for Fiber Deployment	
Misc		\$2,000.00	\$2,000.00	Miscellaneous Parts unaccounted for in the build.	
	Total		\$66,909.20		
Labor per Foot	37772	\$6.00	\$226,632.00	Labor & Equipment Cost to put the Fiber in. Per Foot.	
		Total Project	\$293,541.20		

Exhibit 4 – APRA Funds portion Buildout Costs

WhiteWater Township Estimate for Fiber to the following Roads				
Road Name	Houses	Road Ft	Vaults	Current HighSpeed Options
BroomHead	20	12924	17	Nothing
Farrell Rd	5	2130	3	Nothing
Hursh Rd	5	1590	2	Nothing
Samels	9	1070	7	Nothing
Total	39	17714	29	
Potential Houses	39			
	Fiber Ft	Cost	Total	
Fiber	17714	\$0.30	\$5,314.20	The Cost of Fiber per Ft
Conduit 1.25"	17714	\$0.80	\$14,171.20	Conduit on Whole Route
Vaults	29	\$150.00	\$4,350.00	Vaults contain the conduit end-points and the Splice Cases underground
Splice Cases	29	\$170.00	\$4,930.00	Splice Case for Connecting the Fiber
Road Box	1	\$5,000.00	\$5,000.00	Weather Proof Box to house equipment mounted and power supplied (AC and Heater)
Electronics	1	\$3,000.00	\$3,000.00	Electronics for Fiber Deployment
Misc		\$2,000.00	\$2,000.00	Miscellaneous Parts unaccounted for in the build.
	Total		\$38,765.40	
Labor per Foot	17714	\$6.00	\$106,284.00	Labor & Equipment Cost to put the Fiber in. Per Foot.
		Total Project E	\$145,049.40	



Cherry Capital Communications

A modern Internet Service Provider (CLEC)

www.cccfiber.com

2022 Service Reservation Form for End-to-End Fiber to the Home

Name:

Phone Number(s)

Email Address(es)

Service Location address:

Billing Address (if different):

Requirements to be considered seasonal: Seasonal terms: <https://www.cherrycapitalcommunications.com/terms>

All service plans offer unlimited data. Home router not included.

A) Fiber to the home installation pricing varies per project. Below is suggested monthly subscription pricing.

Plans	Monthly Pricing **	Download speed	Upload Speed	Data***	Select
2022-1	\$88	100Mbps	100Mbps	Unlimited	
2022-2	\$108	250Mbps	250Mbps	Unlimited	
2022-3	\$128	500Mbps	500Mbps	Unlimited	
2022-4	\$134	1Gbps	500Mbps	Unlimited	
2022-5	\$156	1Gbps	1Gbps	Unlimited	

Verify your FCC ACP eligibility to get \$30 per month financial assistance: <https://www.fcc.gov/acp>

Also available

- ✓ Telephone service starting at \$19.00 per month
- ✓ Saving you money!
- ✓ Active symmetrical ethernet business and government fiber plans available.

231-264-9970 option 1

Installation charges may apply

Billing cycles

____ Monthly / ____ Annual /
____ Seasonal

End to end fiber not available in all markets.

***The FCC has defined unlimited data as 2TB of data per month.

** Price listed requires a 12-month commitment.

Please indicate yes or no if you have special financial needs: ____

Please indicate primary use: ____ Home, ____ Business, ____ Government

*By signing this form

- 1) you are expressing interest in our product,
- 2) you agree to receive e-mail communications from C.C.C. for purposes of marketing and customer surveys,
- 3) you understand that only one discount offered can be applied per account and,
- 4) you understand final determination of pricing is solely the responsibility of CCC.
- 5) you understand that speeds experienced are affected by your inside network. To experience speeds above 100Mbps may require upgrading your inside network equipment at your own expense.

Sign: _____ Date: _____

Your personal experience will be greatly influenced by what router and wireless you use at home

Router selected most by our customer base: <https://eero.com/find-your-system/quiz>

Cherry Capital Connection, LLC

Modern Telephone Company, WISP, FISP, CLEC

www.cccfiber.com



P.O. Box 866, 97 Lake St

Elk Rapids, MI 49629

10-11-2022

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Serving Northern Michigan Since 1996

7280 Rapid City Rd NW
PO Box 100
Rapid City, MI 49676
888-299-0071

Dear Whitewater Township Board,

Attached is our revised Estimate/Proposal for running Highspeed Fiber to non-served homes in Whitewater. The APRA funds available to the township of \$121,000 will allow us to cover this area with Highspeed Fiber Internet Services. We understand that the approximate \$121,000 will only be used for buildout of the non-served area in Exhibit 1. 186networks will self-finance the buildout over existing serviced areas in Exhibit 1 to reach the non-served area in Exhibit 2.

Our Project will include the following roads starting at the current end point of our Fiber network at the south end of Skegemog Point Road.

Included Roads (See Attached Map)

Watson Rd, Linderleaf Ln, Mabel Rd, Deal Rd, Broomhead Rd, Farrell Rd, Hursh Rd, and Samuels Rd.
See Exhibit 2

Backbone Fiber Project Costs (See Attached Estimated costs)

The estimated cost of the buildout in Exhibit 1 will be about \$294,000 including the labor and equipment fees and material. The ARPA money portion in Exhibit 2 will cost about \$145,000. See Exhibits 3 and 4. The costs could change as the availability and costs of parts are always changing due to high demand.

Customer Costs

Each property owner would pay a standard installation fee of \$299 for 300 feet of fiber. This would be the hookup between the customer residence / business and the nearest vault/splice location on the Backbone network. Additional Fiber cable is billed at \$1/ft.

Fiber Internet Service Rates and Fees

We offer the following highspeed Fiber Internet Rates. You should find these very competitive with other providers providing similar services.

- \$59.95 / month for 100mbps download and 100mbps Upload.
- \$69.95 / month for 200mbps download and 200mbps Upload.
- \$79.95 / month for 1gbps download and 1gbps Upload. (1gbps=1024mbps)
- Small Business Fiber Internet Plans start at \$100/month.

Additional Services

- Router Rental \$9.95 / month. (186networks managed Wifi and router)
- Digital Telephone \$30 / month per Line plus tax fees.
- Cloud PBX Phone System available for businesses.
- We do support the Government ACP \$30 / month, rebate for lower income families. This is a requirement for using the ARPA funds. (ACP is Affordable Connectivity Program)

Please let us know if there are any questions that we can answer. We are willing to adjust this proposal within reason to fit the needs of the Township. Thank you for this opportunity to expand our network.

Thank you,
Joe Gaylord
President – 186networks





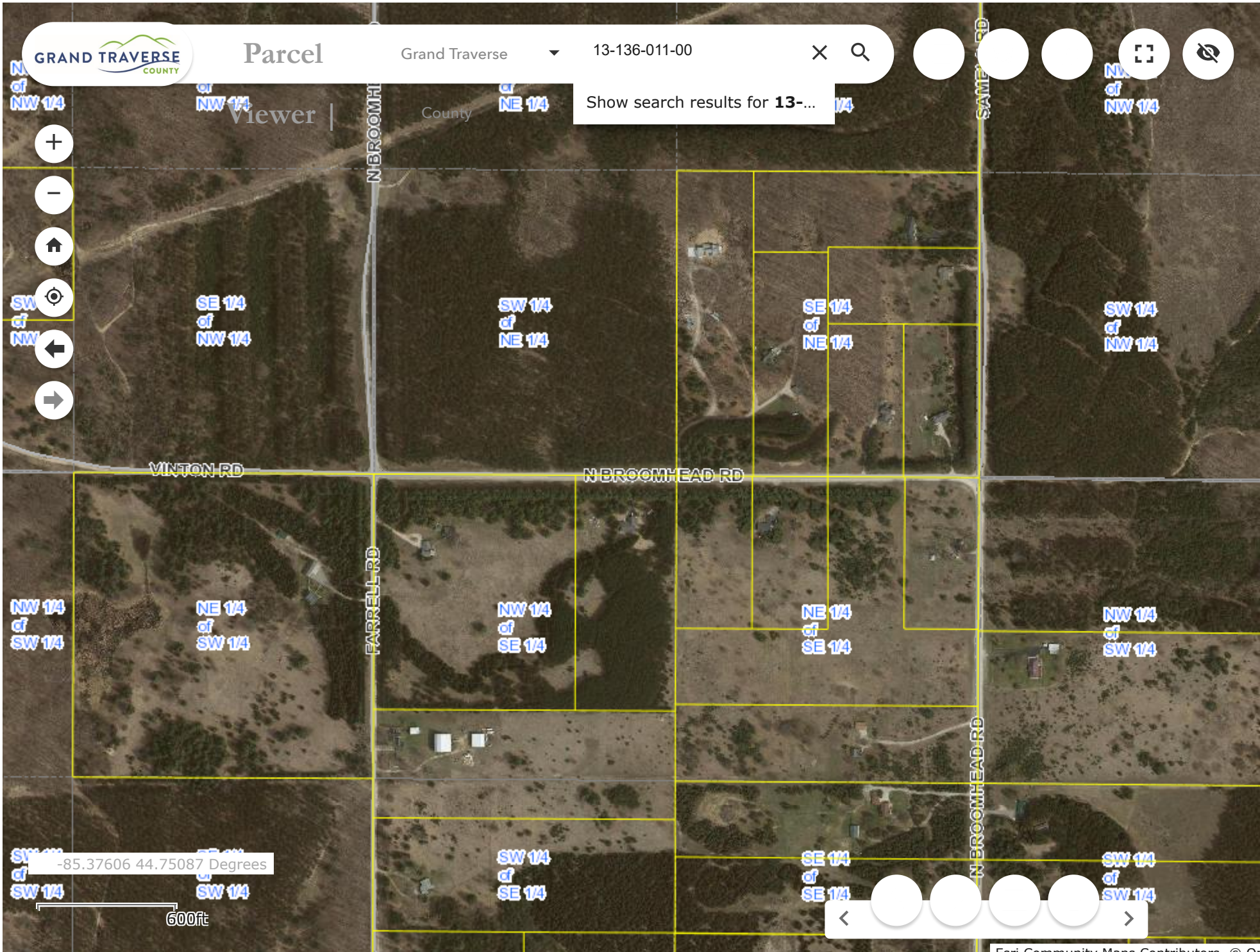
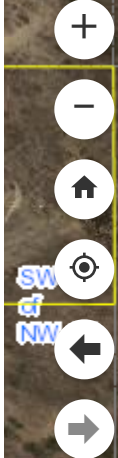
Parcel

Grand Traverse

13-136-011-00



Show search results for 13-...



-85.37606 44.75087 Degrees

600ft





Show search results for 13-...



NE 1/4
of
SW 1/4

NW 1/4
of
SE 1/4

NE 1/4
of
SE 1/4

NW 1/4
of
SW 1/4

SE 1/4
of
SW 1/4

SW 1/4
of
SE 1/4

SE 1/4
of
SE 1/4

SW 1/4
of
SW 1/4

NE 1/4
of
NW 1/4

NW 1/4
of
NE 1/4

NE 1/4
of
NE 1/4

NW 1/4
of
NW 1/4

-85.37506 44.74848 Degrees

600ft

SW 1/4
of

SE 1/4
of

<



>



Parcel

Grand Traverse

13-136-011-00



Show search results for 13-...

Viewer

County

ROOTS LAKE



NE 1/4
of
SW 1/4

NW 1/4
of
SE 1/4

NE 1/4
of
SE 1/4

NW 1/4
of
SW 1/4

NW 1/4
of
SW 1/4

SW 1/4
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SW 1/4

SE 1/4
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SE 1/4

SE 1/4
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SE 1/4

SW 1/4
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SW 1/4

NE 1/4
of
NE 1/4

NW 1/4
of
NE 1/4

NE 1/4
of
NE 1/4

NW 1/4
of
NW 1/4

-85.37795 44.73327 Degrees

600ft



Exhibit F - CCC Installation Costs



Ron Popp <supervisorwhitewater@gmail.com>

RE: Installation Costs

1 message

tim@cherrycapitalconnection.com <tim@cherrycapitalconnection.com>

Tue, Oct 25, 2022 at 5:24 PM

To: Ron Popp <supervisorwhitewater@gmail.com>, clerk@whitewatertownship.org, Ardella Benak <treasurer@whitewatertownship.org>, heidivourtrustee@gmail.com, Don Glenn <dglenn419@gmail.com>

Ron thank you for asking for clarification.

Clarification to page 6 10-11-2022 document: The construction fee of \$700 is waived for all connection based on ARPA contribution.

Activation fee is \$500 with a lesser amount for those special situation. We use ACP as a base line for special activation pricing.

Tim

From: Ron Popp <supervisorwhitewater@gmail.com>

Sent: Tuesday, October 25, 2022 2:48 PM

To: tim@cherrycapitalconnection.com; clerk@whitewatertownship.org; Ardella Benak <treasurer@whitewatertownship.org>; heidivourtrustee@gmail.com; Don Glenn <dglenn419@gmail.com>

Subject: Installation Costs

Hi Tim -

Looking at the "updated Oct follow up" proposal sent 10.20.2022 (with addresses) for broadband extension, I don't see the construction fee and activation fee mentioned on page 6 of 10.12.2022 version. Should we assume the fees are the same?

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

supervisorwhitewater@gmail.com



Ron Popp <supervisorwhitewater@gmail.com>

Re: Labor

1 message

Michael J. Gaylord <president@torchlake.com>
To: Ron Popp <supervisorwhitewater@gmail.com>

Thu, Oct 27, 2022 at 2:26 PM

Hi Ron,

Yes, we will honor the prevailing wage until the township funds are exhausted. Once we start using our own funds to complete the project, then we will pay normal wages at that point.

Thank You,

Michael 'Joe' Gaylord
186networks

On 10/27/2022 11:27 AM, Ron Popp wrote:

Good morning Michael, sorry to bother you.

The Treasury "encourages" recipients to use prevailing wage contractors. I don't believe we are required to prove it simply consider using a contractor that complies. In my construction days it was called the Davis Bacon Act.

They also encourage "local hire" employers.

Any thoughts on these matters?

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

Exhibit H - CCC Prevailing Wage



Ron Popp <supervisorwhitewater@gmail.com>

Re: Davis Bacon

1 message

Ron Popp <supervisorwhitewater@gmail.com>

Thu, Oct 27, 2022 at 1:48 PM

To: tim@cherrycapitalconnection.com

Cc: clerk@whitewatertownship.org, Ardella Benak <treasurer@whitewatertownship.org>, heidivourtrustee@gmail.com, Don Glenn <dglenn419@gmail.com>

Sorry Tim this was meant to be a simple question - The WWT board in "encouraged" to address:

"APPLICABLE STANDARDS & REQUIREMENTS

Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws."

This is likely a piggy back from Michigan guidance requiring prevailing wage for all public projects exceeding 50K. As a portion of the proposed findings of fact for the wwt board to consider is a simple statement from each presenter they do or don't pay prevailing wage and that you do or don't try to hire local. If you do or don't either way is likely not an issue. IT is my understanding WWT ARPA funds are federal dollars so we do not have to comply with Michigan guidance. By asking the question and getting a response, the wwt board has "adhered" to the encouragement provided by Treasury.

I have included what I think is the current list of prevailing wages in Grand Traverse County if you are interested.

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

On Thu, Oct 27, 2022 at 12:14 PM <tim@cherrycapitalconnection.com> wrote:

CCC as a corporation is registered and started as a Whitewater Township / Grand Traverse County business.

With fiber we service 8 counties and we hire locally.

As a market develops we establish local staffing providing a strong support presence

Example on staff for this local area we have 6 employees in the immediate local area of Whitewater and Elk Rapids Townships.

We have multiple staff throughout a large area that includes Lake Ann, Traverse City, Bellaire, Alpena, and Roscommon.

We have neighborhood champions through out our 8 county service area. (volunteers that lend a helping hand)

We hire full time year around positions. If we have short term work we use staff or an occasional contractors.

Our positions require talents and expertise in a wide range of technical, office, and OSP construction disciplines.

What specific hiring policies would be of interest in your analysis. I can have Tom our CFO and HR manager try to answer

We purchase the majority of our inventory from vendors with offices and distribution centers in MI all approved as made in USA.

Tim

From: Ron Popp <supervisorwhitewater@gmail.com>
Sent: Thursday, October 27, 2022 11:32 AM
To: tim@cherrycapitalconnection.com; clerk@whitewatertownship.org; Ardella Benak <treasurer@whitewatertownship.org>; heidivourtrustee@gmail.com; Don Glenn <dglenn419@gmail.com>
Subject: Re: Davis Bacon

I should have asked about any hiring policy and if you look towards the local market as a "local hire" employer.

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

supervisorwhitewater@gmail.com

On Thu, Oct 27, 2022 at 11:18 AM Ron Popp <supervisorwhitewater@gmail.com> wrote:

Tim, sorry to keep bothering you.

Treasury "encourages" recipients to use prevailing wage contractors. I don't believe we are required to prove it simply consider using a contractor that complies. In my construction days it was called the Davis Bacon Act.

Thoughts on the matter?

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

supervisorwhitewater@gmail.com

BROADBAND FIBER NETWORK CONSTRUCTION AGREEMENT

This Broadband Fiber Network Construction Agreement (“Agreement”) is made effective the date this agreement is executed below, by and between **COLI, Inc.**, a Michigan corporation *dba* 186networks, whose address is P.O. Box 100, Rapid City, Michigan 49676, (“186networks”) and **Milton Township**, Michigan (“Township”).

RECITALS

- A. 186networks was selected to construct and operate a fiber backbone for the Township;
- B. The Township wants to procure the services of 186networks to construct the fiber backbone and conduit; and
- C. 186networks has agreed to construct and own the fiber backbone for future broadband service to residents and businesses in the township.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and the terms and conditions set forth herein, it is hereby agreed:

1. **Scope of Services and Responsibilities of the Parties.** 186networks shall install a backbone fiber network within and around certain public road easements within Milton Township, and which is known as the South Milton Project. The work to be performed hereunder shall utilize ARPA monies which the Township has agreed to pay to 186networks in consideration of the work to be performed as further described herein and in ***Exhibits A and B*** hereto. The work performed by 186networks shall be completed to the extent feasible in the following order or priority: Cherry Ave, Ringler Rd, Hoopfer Rd, Rex Terrace Rd, Chippewa Trail, and Miller Rd. The expansion will tie into existing fiber at Crystal Beach Rd in Kalkaska County and travel approximately 2000ft to meet up to the project start location on Cherry Avenue in Antrim County. No portion of the ARPA Account funds shall be used to construct the fiber backbone outside of Milton Township.

2. **Responsibility of Construction.** 186networks shall be solely responsible for all aspects of the fiber backbone construction, utility pole, licensing, permitting, fiber optic cable and infrastructure buildout, testing, quality assurance, and implementation. The township shall have no responsibility to order materials nor to obtain labor to install the backbone.

3. **Backbone Architecture.** The network to be constructed by 186networks will be expandable and will connect to an existing fiber network. The fiber optic strands and conduit for the main backbone beneath Cherry Avenue shall consist of approximately 20 fiber strands. Fiber placed beneath other public roads will be less than 20 fiber strands.. The construction will be based on industry accepted standards for passive optical network technologies.

4. **Project Construction.** The Township will assist 186networks to obtain any applicable permits or licenses required to construct the fiber backbone in a timely manner.

5. **Performance of Work.** 186networks shall diligently work to complete the work described within two years.

6. **Payment for Work to be Performed.** 186networks and the Township will establish an escrow account at a mutually agreeable title company or accounting firm into which all funds from the township shall be deposited and from payments related to the South Milton project shall be made. The purpose of the escrow account is to verify that ARPA funds are used for the Milton South project. The Township may and expects to direct the title company to hold back 10% of the Consideration identified in Exhibit B until approval of the work described herein, which approval shall not be unreasonably withheld. 186networks shall be solely responsible for utilizing the Consideration solely for the Milton South Project and will provide monthly reports to the Township.

7. **186networks Responsibilities.** 186networks will be solely responsible to purchase materials, provide labor and contractors to perform work, and to cause the installation of the fiber backbone pursuant to this agreement and the attached Exhibits.

8. **Service Offerings.** 186networks will provide high-speed fiber backbone access at approximate speeds referenced in Exhibit A. 186networks may also provide subscribers an option for voice over internet protocol telephone service including but not limited to voicemail, caller-ID, three-way calling, and similar services reasonably available for implementation by 186networks.

9. **Waiver of Township Liability and Responsibility.** The Township will not own or control the fiber backbone or network connections from it and shall have no obligation to repair, maintain, or service the backbone, or any residents or businesses within the township which may desire to connect to the backbone. Any service relationships derived following installation of the fiber backbone shall be between 186networks and an individual residential or business customer, and not between 186networks and the Township, except to the extent the Township is a subscriber to 186networks internet service. 186networks shall be fully responsible for the proposed network and will assume all liability and risks associated with construction and continued operation of the fiber backbone.

10. **Insurance Coverage.** Until the work performed hereunder is complete, 186networks shall maintain insurance in full force and effect which includes policy limits described in *Exhibit D*. The insurance shall remain in force before commencement and during the performance of work contemplated hereby. 186networks will furnish the Township with applicable Certificates of Insurance at the commencement of its work hereunder. The insurance policy shall contain a provision, if reasonably available, that in the event of cancellation or material change in the policy affecting the certificate holder, notice will be given to the certificate holder. The Township shall be named as an additional insured under all liability and automobile insurance policies.

11. **Indemnification to the Township.** 186networks shall indemnify and hold the Township harmless for any and all debts, demands, actions, causes of action, suits, accounts, covenants, contracts, agreements, damages and any claim, demand, and liability in law or in equity on account of any injury to any person, or to any property, or loss of life, due to the negligence or willful and wanton conduit of 186networks, or its failure to perform resulting from its conduit or omissions or failure to perform its responsibilities as applicable under this agreement, falsely and knowingly making a materially inaccurate misrepresentation under this Agreement.

12. **Force Majeure.** Neither 186networks nor Township shall be liable for any failure of performance due to any cause or causes beyond a party's reasonable control, including without limitation, acts of God, fire, explosion, vandalism, cable cut, adverse weather conditions, governmental action, labor difficulties and supplier failures. This clause shall not relieve Township of its obligation to pay for services received.

13. **Default and Cure.** A default under this Agreement occurs when a party fails to perform, in any material respect, any of its obligations set forth herein; and (a) the failure is not excused by another provision of this Agreement, and (b) such failure continues without remedy for a period of twenty-eight (28) days following receipt of written notice from the non-breaching party. If the breach cannot be cured within twenty-eight (28) days, and the breaching party within that time has diligently commenced its cure, there shall be no default so long as the party diligently continues such cure to completion. Upon occurrence of a default, the non-breaching party shall have the right, subject to the limitations contained in this Agreement, to terminate the Agreement and to pursue any and all available legal or equitable remedies against the defaulting party. The non-breaching party may pursue such remedies simultaneously or consecutively at its discretion.

14. **Governing Law.** It is the intention of the parties that the laws of the State of Michigan shall govern the validity of this Agreement, the construction of its terms and the interpretation of the rights and duties of the parties.

15. **Successors and Assigns.** This Agreement shall be binding upon the parties, their heirs, legal representatives, successors, and assigns.

16. **Severability.** If any of the terms or conditions in this agreement are found to be invalid or unenforceable by, the remaining terms or conditions of this agreement shall not be affected by the finding and shall continue to apply as necessary to reflect the original intention of the parties.

17. **Entire Agreement.** This Agreement, and any amendments, addendums, and attachments, constitute the entire agreement between the parties with respect to its subject matter and supersede all other representations, understandings or agreements, whether oral, written or otherwise. Except as otherwise set forth in this Agreement, no amendment to this Agreement shall be valid unless made in writing and signed by both parties.

18. **Notices.** All notices, requests, demands or other communications given pursuant to the terms of this Agreement shall be in writing and shall be deemed to have been duly given when (i) personally delivered by hand, (ii) upon receipt of United States mail sent by registered or certified mail, postage prepaid, return receipt requested, or (iii) sent by a nationally recognized overnight express courier.

Notice to 186networks should be sent to the address below or any subsequent address 186networks provides:

186networks
Attn: Joe Gaylord
P.O. Box 100
Rapid City, MI 49676

Any notice to Township should be sent to the address below.

Milton Township Hall
Attn: Lon Bargo, Township Supervisor
7023 Cherry Ave, SW
PO Box 309
Kewadin, MI 49648

The parties shall utilize reasonable efforts to update its applicable notice address.

19. **Counterparts.** This Agreement may be executed in separate counterparts which shall collectively and separately be considered one as one Agreement.

The remainder of this page intentionally left blank. Signature Pages follow.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the day and year first above written.

COLI, Inc. dba 186networks

By: Michael J. Gaylord
Its: President

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 2022, by Michael J. Gaylord, President of Coli, Inc. dba 186networks.

_____, Notary Public
_____ County, Michigan
Acting in _____ County, Michigan
My Commission expires: _____

Milton Township

By:
Its:

STATE OF MICHIGAN)
) ss.
COUNTY OF ANTRIM)

The foregoing instrument was acknowledged before me on _____, 2022, by _____, _____ of Milton Township, Michigan.

_____, Notary Public
_____ County, Michigan
Acting in _____ County, Michigan
My Commission expires: _____

Drafted by:
Steven R. Fox, Esq,
Pezzetti Vermetten & Popovits, PC
600 E. Front Street, Suite 102
Traverse City, MI 49686
(231) 929-3450

Exhibit J - CCC Agreement



Ron Popp <supervisorwhitewater@gmail.com>

RE: Proposed Contract/Agreement

1 message

tim@cherrycapitalconnection.com <tim@cherrycapitalconnection.com>
To: Ron Popp <supervisorwhitewater@gmail.com>

Thu, Oct 27, 2022 at 1:51 PM

We have taken a slightly different approach based on trends:

We would suggest entering into a Public Private Partnership. Sample was provided. State wants to see PPP's
Then we would adopt a project contract for the amount of the contribution.

Thoughts

The treasury has ruled that any ARPA funds under \$10 million will not be audited.

MIHI is encouraging a strong investment in Broadband.

The \$121K for a township is a reasonable contribution to broadband.

(Thank you for the thoughtful plan and please consider \$150K)

The remainder of the unserved and underserved areas of Whitewater Township would rely on other funding that includes CCC private funding.

Our first priority would be the CCC RDOF route and the area defined by Whitewater township associated with the proposed \$121K.

Then CCC through their commitment in achieving the states goal of "Internet for all" will address the remaining areas with end to end fiber.

When do you plan on making the decision?

Tim

From: Ron Popp <supervisorwhitewater@gmail.com>
Sent: Thursday, October 27, 2022 1:17 PM
To: tim@cherrycapitalconnection.com
Subject: Proposed Contract/Agreement

Tim -

The business item being created for the board recommends spending the \$121K in a small area of the township (see Exhibit 5 attached) That we can document has little to no service currently, isn't served by either 186 or CCC, and does not have other state or federal funding sources. We will need to prove these items, and more in our project audit to the Treasury.

Thinking about a possible next step, if the Township were to select your proposal can the agreement you provided late summer be adapted to cover all or some part of Exhibit 5 area depending on how far the 121K goes and require private investment from CCC to complete the proposed route map you provided See Exhibit 1.

Thoughts?

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

supervisorwhitewater@gmail.com

Public / Private Partnership Agreement

Agreement made as of (Day of month) day of (month) in the year (year) (year-long) between:

the Township: **Whitewater Township**
County of Grand Traverse
5777 Vinton Road, P.O. Box 159
Williamsburg, MI 49690

the Internet Service Provider (ISP):
Cherry Capital Connection
DBA: Cherry Capital Communications
97 Lake Street
P.O. Box 866
Elk Rapids, MI 49629

the Services: Provide Fiber Optic Services (Fiber to the X where X is service location (FTTX), Internet Access and other Telecommunications services within Whitewater Township.

The Township and ISP agree as set forth below.

RECITALS

A. Cherry Capital Connection is licensed under by the Michigan Public Service Commission (MPSC) to provide basic local exchange services throughout the state of Michigan as defined by Case no: U-20474 dated May 23, 2019.

B. Whitewater Township desires to have Cherry Capital Connection increase their broadband network trunk line within Whitewater Township, via fiber delivery (FTTX) enabling distribution to residential and business customers that are defined as un-served or under-served.

C. ISP will be responsible for complying with all Prevailing Wage per Davis-Bacon and Related Acts (DBRA) required with funds received.

D. Each defined term shall have the meaning set forth in this Agreement where such term is first used.

E. Cherry Capital Connection (CCC) and Whitewater Township understand with these funds the pace of the CCC efforts can be accelerated and CCC infrastructure expanded bringing the equipment and people to Whitewater Township needed to achieve broadband internet access for identified un-served or under-served at a level not less than 100Mbps by 100Mbps.

Accordingly, in consideration of the mutual promises set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

Scope of Work.

General

This contract term of services as described above and provided by Cherry Capital Connection. In accordance with the terms below Cherry Capital Connection shall:

Provide all the labor, equipment, software, materials, licensing, registration, and transportation services required to install, maintain, and operate a Fiber Optic Broadband fiber transport, to enable Cherry Capital Connection the ability to provide Broadband internet and VOIP service to the end user.

Cherry Capital Connection agrees that the funding within this contract applies only to the portion associate with Broadband Capital Infrastructure to create additional Cherry Capital Connection Fiber Optic Broadband Infrastructure according to the agreed upon path as defined in Exhibit A – Broadband Infrastructure Map.

Contract Sum.

Whitewater Township agrees to pay to Cherry Capital Connection, a fee in the amount of \$98.00.

Distribution of funds based on milestones and construction schedule and limitation of funds are outlined in Exhibit B – Distribution Schedule and Limitations.

Construction

Cherry Capital Connection will procure materials, begin engineering and permitting of the Trunk line path defined in Exhibit A – Broadband Infrastructure Map. Details of the Construction schedule are outlined in Exhibit C – Construction Schedule.

Notices

All notices and other communications required or permitted under this Agreement shall be in writing and shall be given by United States first class mail, postage prepaid, registered, or certified, return receipt requested, or by hand delivery (including by means of a professional messenger service or overnight mail) addressed as follows:

All notices and other communications shall be given to Cherry Capital Connection at:

Cherry Capital Connection
Attn: Timothy G Maylone
97 Lake St
P.O. Box 866
Elk Rapids, MI 49629

All notices and other communications shall be given to Whitewater Township at:

Whitewater Township
Attn: Township Clerk
5777 Vinton Road, P.O. Box 159
Williamsburg, MI 49690

Any such notice or other communication shall be conclusively deemed to be effective when actually received or refused. Either Party may by similar notice be given to change the address to which future notices or other communications shall be sent, but such change shall not be effective until ten (10) days after notice of address change is effective.

Nature of Relationship

Both Parties to this contract agree that **Cherry Capital Connection** is an independent ISP. As an independent ISP, **Cherry Capital Connection** agrees to assume responsibility for all taxes and insurance upon the labor and materials furnished under this contract, as required by the United States Government and the State of Michigan. This responsibility will include, but not be limited to, Sales Tax, FICA, Federal and

State Withholding, and Unemployment Compensation Taxes. Cherry Capital Connection and any future successor or partner will maintain and operate the infrastructure consistent with the MPSC license and terms.

Cherry Capital Connection may hire independent contractors under the exclusive direction of Cherry Capital Connection and may provide wholesale services to other carriers.

Permits and Regulations

Cherry Capital Connection shall obtain and pay for all permits required for the completion of the work and shall obtain and pay for all required inspections and approvals. The work of the ISP or Sub contractors shall comply with all Federal, State, and Local regulations governing the work.

Contract Changes

All changes under this agreement must be in writing and signed by Cherry Capital Connection (ISP) and Whitewater Township (Township). All changes shall be dated. Indicate the nature of the change and the amount to be added to or subtracted from the total contract sum. After the work is performed, no claims for extra allowances will be considered unless supported by a written authorization signed by the ISP and the Township.

This agreement entered as of the day and year first written above.

Township

Whitewater Township
5777 Vinton Road, P.O. Box 159
Williamsburg, MI 49690

by: _____

(Printed Name)

(Title)

ISP

Cherry Capital Connection
97 Lake Street
P.O. Box 866
Elk Rapids, MI. 49629

by: _____

Timothy G Maylone

CEO

(Printed Name)

(Title)

Exhibit A – Broadband Infrastructure Map

(Put your description of your map and then add a picture of the map below.)

Highlight those areas that can be accomplished by the ARPA 2026 deadline with the funds available.

Highlight areas that have support from RDOF

Reference map already provided to Whitewater township when applying under the Metro Act.

Exhibit B – Distribution Schedule and Limitations

Exhibit C – Construction Schedule

Order of construction as determined by final amount allocates.

Activity

- 1. Establish contract with Middle Mile provider**
- 2. Obtain metro act bi-lateral agreement**
- 3. Promote activities within Whitewater township**
- 4. Provide monthly status reports of progress**
- 5. Construct a fiber distribution center**
- 6. Install routers/switches/servers for operational control**
- 7. Obtain county road permits**
- 8. Obtain easement agreements associated with private roads**
- 9. Consider Whitewater township when applying for county, state, and federal funding opportunities.**
- 10. Construct fiber along defined route with a priority on Whitewater township hall**
- 11. Offer Whitewater township hall internet services at a minimum rate of 100Mbps x 100Mbps**
- 12. Offer Whitewater township hall telephone service (dial tone)**
- 13. Construct mainline fiber connecting the Elk Rapids data center with the Whitewater township-based fiber distribution center**
- 14. Start offering high speed internet access services at a minimum rate of 100Mbps by 100Mbps to residence within whitewater township**
- 15. Continue providing high speed internet access beyond the ARPA timeline offering high speed internet access services to those area defined as underserved and unserved.**



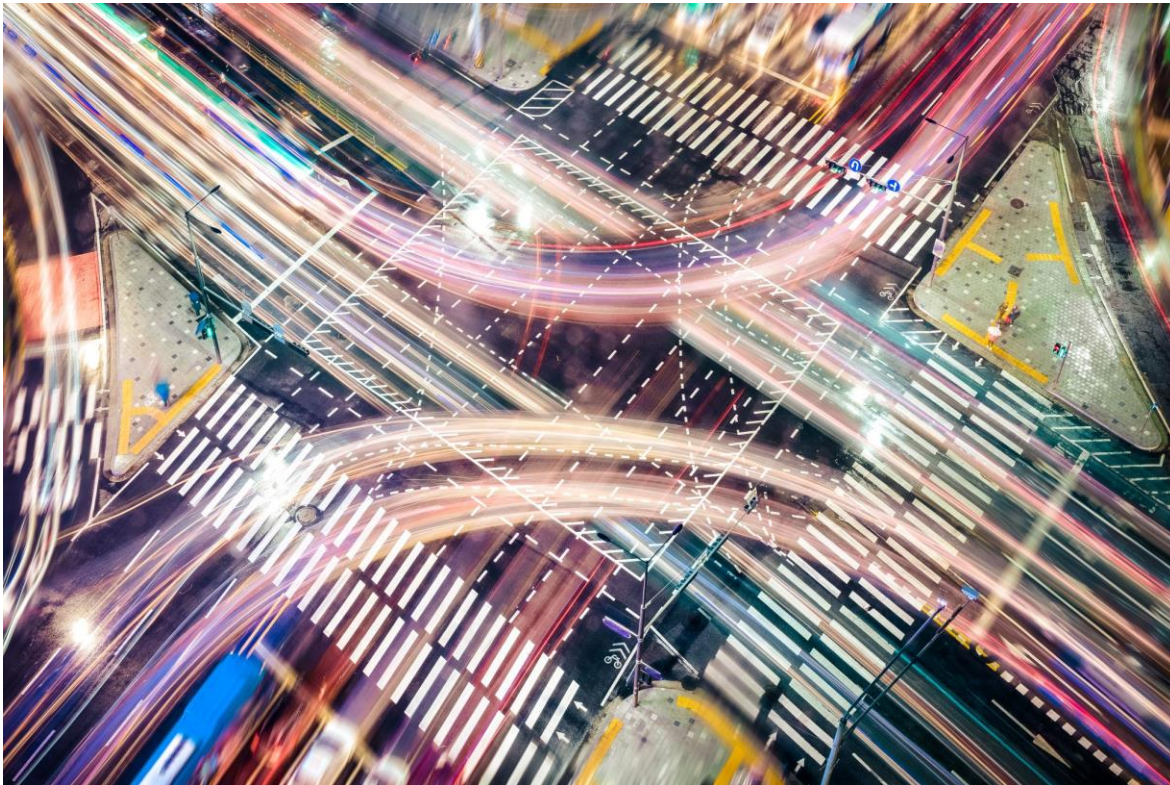
OPEN ACCESS FABRIC

BUILDING A BETTER INFRASTRUCTURE

CHERRY CAPITAL CONNECTION AND PENINSULA FIBER NETWORKS

OPEN ACCESS

- Common Infrastructure
- Multiple Carriers



- **Connecting the World**
- **Connecting Communities**
- **Connecting Consumers**

CONNECTING THE WORLD

- First Mile Layer
- Common Data Center
- Multiple Carriers

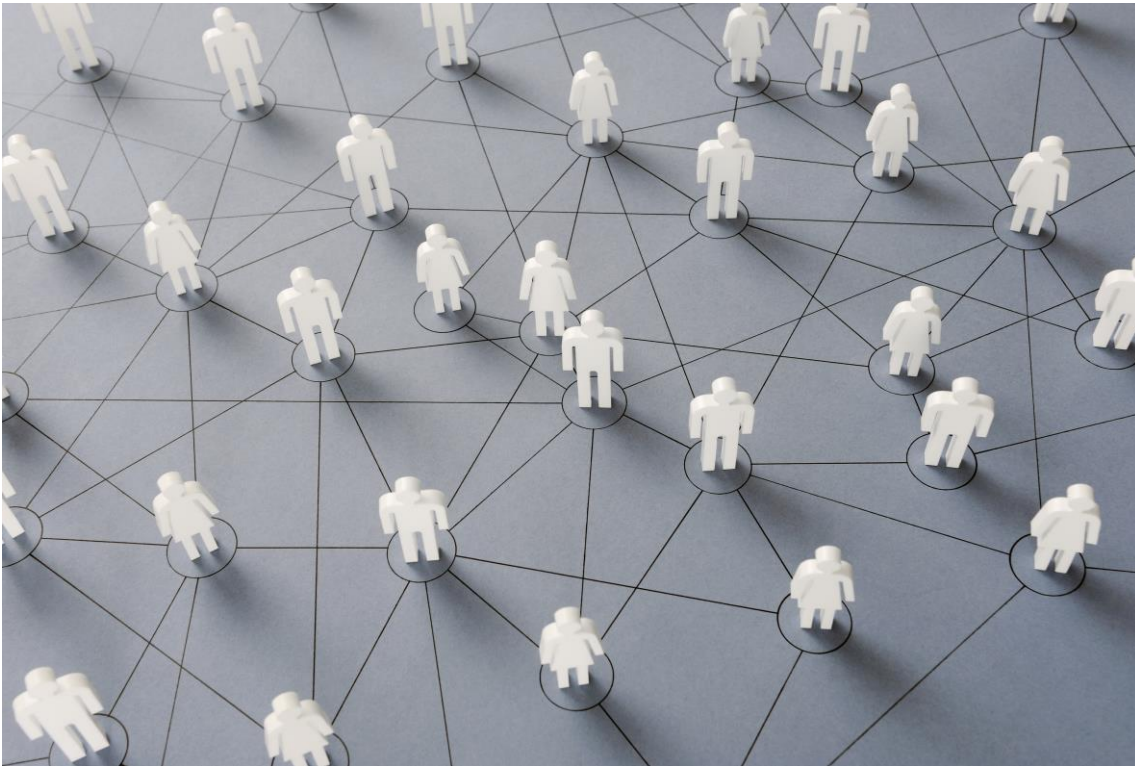


A common data center, also called an exchange, providing access to multiple first mile service providers.

- PFN
- Merit
- Cogent

CONNECTING COMMUNITIES

- Middle Mile Layer
- Common Carrier Transport
- Multiple Carriers



Connecting your community with neighboring communities.

Regional middle mile carriers that use the REACH3MC middle mile transport are:

- PFN
- Merit
- ACD
- I23Net

CONNECTING THE CONSUMER

- Last Mile Layer
- Common Connection
- Multiple Providers



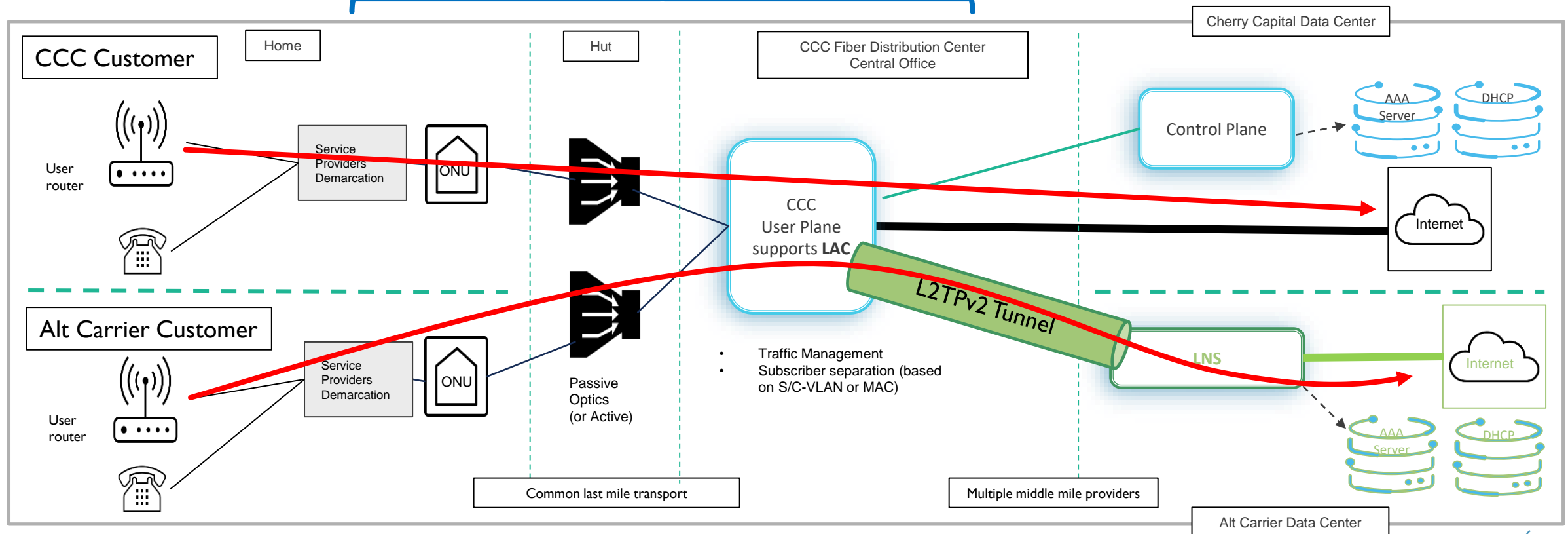
Connecting you and your neighbors. **CCC** extends the **REACH3MC** and **NextGen 911** backbone to every serviceable location. Inviting local providers to participate.

- Peninsula Fiber Network
- Merit
- Cherry Capital Connection
- Eclipse Communications
- Grand Traverse Band
- I83Networks
- Elevate Networks

CCC WHOLESALE MODEL

- All layers integrated
- Common Infrastructure
- Multiple Providers

Cherry Capital Connection “Open Access” Resources





THANK YOU

Tim Maylone tim@cccfiber.com

CHERRY CAPITAL CONNECTION AND PENINSULA FIBER NETWORKS

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 11.03.3033
Re: Roadside Parking Ordinance Approval

Board Members -

Pending public hearing modifications and considering **Internal Control** efforts the following motions are made.

Motion One: Motion to approve proposed General Ordinance number 63 Parking Ordinance as amended.

Motion Two: Motion requesting the Supervisor. To make and distribute hard copies of the General Ordinance No. 63 to Board, PC, and ZBA Members and to provide word document of the same to the Clerk's Office for filing.

Motion Three: Seeks a Board Member to provide the verification segment.

Motion appointing Insert Name to verify Amendment No. 84 has been fully
Processed according to the above.

Respectfully submitted



Supervisor, Whitewater Township

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 11-1-2022
Re: PC Request for Ordinance Update

Whitewater Township Board Members -

The attached email suggests we have more work to do as Board with our **Internal Controls** related to high value document updates. Specifically, who is responsible to make all of changes that need to take place when one of these documents goes through the amendment process? What safeguards are in place to verify completion of the process? We are aware of the pitfalls for not addressing these questions in advance which have resulted in numerous versions of the same document floating about creating significant confusion in the Zoning Ordinance and General Ordinances alike. Historically, the burden of document modification has fallen upon the Clerk's Office which is no longer a reasonable option.

Beyond the attached email is the larger consideration of **Internal Controls** which apply to almost every facet of daily operations from on-boarding employees to securing high value document updates. Developing a sustainable document policy with accountability standards is the goal of this business item. Who is responsible to make changes to documents, create notices, postings, website modifications and distribute updated copies of the materials to Board, PC, ZBA, public copy, planner, zoning administrator and website updates? Who double checks these tasks get done? Who is responsible? The Township Board is, and we have struggled with this for a very long time. As we grow, the need for our policies to evolve becomes apparent.

A possible first step could be for the requesting body to make those required modifications and present them to the Board as an entire package of redline/clean copy draft documents for approval. The Board can then determine if all affected documents have been presented and a member of the Township Board could volunteer to provide the oversight and tracking required to see that the changes are implemented. The process would culminate with the Township Board Member presenting a type of certification the work as outlined to the Board has been completed. Realizing this is a completely new process, the Board could develop consensus to "try on" this redline/clean copy process used by legal when communicating modifications to written documents presented to the Board. Yes, it is only a starting but, one that can be used to further expand into an amendment to our Policy & Procedure Manual. Applying one process to all such policy, and ordinance amendments may help alleviate some of the problems we deal with on a regular basis. Once vetted these basic elements would form a strong policy to be included in the Whitewater Township Policy & Procedure Manual.

A few things are not immediately apparent in the attached email. First, I am not sure a word version of article 25 exists today, which means the entire article, except for the part recently amended needs to be retyped with the amendment language added. In this particular request, it appears the Planning Commission is requesting someone else perform that task but who? The consensus sought would make the Planning Commission provide the complete document. The Board contemplated this very realignment of duties and was one of the motivating factors behind the **Additional Activities Compensation Program** approved earlier this year. The Board recognized certain board or commission members would from time to time undertake occasional additional duties and wanted to provide a vehicle to pay them for such efforts. The rate of pay for 2022/2023 is \$18.00 per hour.

In consideration of this PC request, the Public Notice of Adoption was posted in the Record Eagle which completes the Clerk's duties but the status of entire updated Article 25, printing, distribution and so on are not clear. Board discussion of the business item should result in a better understanding of what needs to be accomplished.

Motion One: Motion requesting Planning Commission to submit a Redline/Clean copy of entire Article 25 as amended for Board Approval and filing in the Clerk's Office.

Motion Two: Motion requesting the Supervisor. To make and distribute hard copies of Article 25 of the Whitewater Township Zoning Ordinance to Board, PC, and ZBA Members and to update the website version of the Zoning Ordinance.

Motion Three: Seeks a Board Member to provide the verification segment.

Motion appointing Insert Name to verify Amendment No. 84 has been fully Processed according to the above.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Re: Word Version of ZOA #84

1 message

Kim Mangus <manguspc@yahoo.com>

Tue, Oct 4, 2022 at 2:12 PM

To: Robert Hall ZA <zoning@whitewatertownship.org>, Ardella Benak <treasurer@whitewatertownship.org>, "Cheryl A. Goss" <clerk@whitewatertownship.org>, Don Glenn Yahoo <dglenn6542@yahoo.com>, Donald Glenn <trustee02@whitewatertownship.org>, Heidi Vollmuth <trustee01@whitewatertownship.org>, Heidi Vollmuth Gmail <heidivyourtrustee@gmail.com>, Ron Popp <supervisor@whitewatertownship.org>, Ron Popp Gmail <supervisorwhitewater@gmail.com>

Cheryl,

This is the Word copy from my files. You will need to certify that it matches what was adopted by the board as posted in the packet.

Kim

Also, please note that this amendment will need to be added to the text of Article 25 for re-publishing on the web, and hard copies for the PC, and both township hall copies.

Kim

On Monday, October 3, 2022 at 09:51:06 AM EDT, Cheryl A. Goss <clerk@whitewatertownship.org> wrote:

All –

Whoever has the Word version of ZOA #84 as presented at the 09/21/2022 township board meeting, please forward it to me ASAP so it can be completed and filed.

Thanks.

Cheryl A. Goss, MiPMC

Whitewater Township Clerk

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

Williamsburg, Michigan 49690

Telephone: 231.267.5141 X 24

Fax: 231.267.9020

clerk@whitewatertownship.org

Office Hours: Mon/Tue/Wed/Thurs 9:00 am to 5:00 pm

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.



2022.06.09 Article 25 - SUP 6.2.22 (2) (Clean).docx
40K

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: Whitewater Township Park & Recreation Advisory Committee
Date: 11-1-2022
Re: PRAC Request to change meeting dates

Whitewater Township Board Members -

Melissa Melton Chair of the Park & Recreation Advisory Committee (PRAC) has made a request to alter meeting dates of the group. The following email string offers a clear transcription of the conversation thus far.

Previously, by consensus the Board has requested only *approved* minutes be placed in the packet for consideration. If through discussion the Board so chooses to consider PRAC's request using draft minutes it is well within its purview to do so.

In a different agenda item, the Board was asked for consensus to "try on" a type of **Internal Control** process for updating high value Township documents. Here a similar request from PRAC is made and the proposal is for PRAC to make the required modifications and present them to the Board as an entire package of redline/clean copy draft documents for approval. As before the Board can then determine if all affected documents have been presented and a member of the Township Board could volunteer to provide the oversight and tracking required to see that the changes are implemented. The process would culminate with the Township Board Member presenting a signed certificate of completion to the full board as an action item when the process has been completed.

As with any new process we should expect a few bumps and we can adapt as we work through this try on period. I am offering to work with PRAC to locate and update the necessary documents and creating a Board packet agenda item. To consider this request, PRAC Bylaws, the Public Notice of Whitewater Township Regular Meeting Dates for the 2022/2023 Fiscal Year, the agenda format, the PRAC webpage, the homepage calendar and maybe a few others will need to be updated to accomplish this request. No small task when looked at from an **Internal Control** perspective.


Motion One: Motion requesting PRAC to submit a Redline/Clean copy the documents detailed above for Board approval and filing in the Clerk's Office.

Motion Two: Motion requesting the Supervisor. To make and distribute hard copies of documents detailed above for distribution to Board, PC, PRAC, and ZBA Members and to update the website homepage and calendar.

Motion Three: Seeks a Board Member to provide the verification segment.

Motion appointing Insert Name to verify PRAC's request for meeting date change has been fully processed according to the above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ron Terry", is written above the typed name.

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

PRAC By Laws - Request for November 15 board meeting agenda item

1 message

Mel Melton <mammelton@gmail.com>

Wed, Oct 19, 2022 at 8:34 PM

To: Ron Popp <supervisorwhitewater@gmail.com>

Cc: Cheryl Goss <clerk@whitewatertownship.org>

Ron- the PRAC would like to revise our By-Laws to be able to be more in-sync with the timeframe of our meeting dates to communicate with the Board. We currently meet the second Monday of the month and the board typically meets the following day, which leaves little to no time to get our report or important communications together. It was also commented by a board member as well that it may make more sense to change our meeting dates to give enough time for communications and documentations to be in the next board's meeting appropriately. Therefore, please see attached mockup as to the changes we are requesting. If approved by the board, we would like to make this change effective at our December meeting going forward.

Thank you,
Melissa Melton
PRAC Chair



Parks and Recreation Advisory Committee Bylaws Rev Request10192022.pdf

118K



Ron Popp <supervisorwhitewater@gmail.com>

Re: PRAC By Laws - Request for November 15 board meeting agenda item

1 message

Ron Popp <supervisorwhitewater@gmail.com>
To: Mel Melton <mammelon@gmail.com>

Thu, Oct 20, 2022 at 10:14 AM

A couple of thoughts Melissa on the topic -

1) The Board may have some changes coming forward with its own agenda to create a better flow. One possible change is eliminating the inperson verbal reports that really are nothing more than a reading of the written report already provided by the body. Why do both? Those may get looked at early 2023 to take effect as the new public notice for all township meetings will be posted. Your group may want to consider a similar timeframe, thus reducing the amount of work needed to change the "regularly scheduled" and already noticed meeting dates.

2) I am not sure about the origin of the recent rush buzz to get things in front of the Board. Typically, the items PRAC deals with are not thought of as emergent and would rarely require immediate Board action. Yes, there will be those times which can be dealt with on an as needed basis. For example: The Board does not want draft minutes included in their packet of any body operating in the Township, only approved minutes which automatically builds in a delay on any decision the Board would make. Example 2: Apparent failure of the Lossie Road and BCNA cleanup. The process the Township uses to accomplish projects (any project) is broken and must be modified. I for one, don't see a speed up as helping to find a resolution.

3) Thinking about your group and changing "their" schedule, you may want to have a discussion with them on the topic. A motion could be made that the entire group votes on then the results of that vote will come to the Board in the approved minutes and in your written request similar to the above. This process provides support for a request the Board can make a decision on.

Let me know what your thoughts are.
Whitewater Township Supervisor
231.267.5141 Ext. 23
supervisorwhitewater@gmail.com



Ron Popp <supervisorwhitewater@gmail.com>

Re: PRAC By Laws - Request for November 15 board meeting agenda item

1 message

Mel Melton <mammelton@gmail.com>

Thu, Oct 20, 2022 at 1:34 PM

To: Ron Popp <supervisorwhitewater@gmail.com>

Cc: Cheryl Goss <clerk@whitewatertownship.org>

Sorry, I should have clarified, the PRAC has discussed the topic in a few meetings now and at the last meeting there was a Motion that passed by all attending PRAC members to request to make this change to the By-Laws.

The changing of this regular meeting day is for various reasons, and as a group was discussed and decided that would be a better day going forward and allow for better flow of information appropriately to the board as well.

I do understand that there may be future changes the board may make in the process and we would be glad to adhere to those procedural guidelines as they are communicated to PRAC.

We don't always have pressing deadlines, but with the board's requirements to receive information for board packets so far in advance, we feel this will give the PRAC the best opportunity to deliver necessary and timely information, updates, and requests to the board. And especially as grants/projects move forward, we would like to communicate the most up to date information as we can. By putting our meeting date the week after the board meets gives us the best opportunity to do that.

Thank you,
Melissa

Therefore, please see attached mockup as to the changes we are requesting. If approved by the board, we would like to make this change effective at our December meeting going forward.

Thank you,
Melissa Melton
PRAC Chair

Whitewater Township Parks and Recreation Advisory Committee

Bylaws

The following rules of procedure are hereby adopted for the Whitewater Township Parks and Recreation Advisory Committee to facilitate the performance of its duties as outlined by the Whitewater Township Board of Trustees and General Ordinance No. 48.

SECTION 1: Membership

- A. Membership Size** The Parks and Recreation Advisory Board shall consist of five (5) members.
- B. Membership Terms of Office** Members are appointed by the Whitewater Township Board of Trustees for staggered three year terms and expire on December 31. Members are expected to serve until their term expires and a successor has been appointed as provided above.
- C. Membership Departure** Members who are unable or unwilling to serve the entire terms for which they were appointed or who do not wish to be considered for reappointment shall provide sixty (60) days advance written notice of that fact to the Whitewater Township Board of Trustees so that a successor may be appointed and approved in a timely manner that does not require the Committee to function with less than the five (5) members provided.
- D. Membership Qualification** All members shall be either qualified electors of the Township of Whitewater or a property owner within the Township.
- E. Liaisons** The Township Parks and Recreation Administrator (including agents or consultants) shall have the ability to participate in discussions of the Committee during their meetings.

Section 2: Officers

- A. Selection and Tenure** At the first regular meeting each January, the Parks and Recreation Advisory Committee shall select a Chairperson and Vice Chairperson. A recording secretary will be provided by the Township Board of Trustees. All officers shall serve a term of one year, and shall be eligible for re-election for consecutive terms for the same office. The newly elected officers shall assume their responsibilities at the next regular meeting. If due to unforeseen circumstances, the Parks and Recreation Advisory Committee is unable to elect officers at the January meeting, those officers whose terms as officers have expired and who remain as active members of the Parks and Recreation Advisory Committee shall continue their services as officers until elections are held.

- B. Chairperson** The chairperson shall prepare the agenda for the meetings with assistance from the Park and Recreation Administrator and shall preside at all meetings and perform such other duties as may be ordered by the Township Board of Trustees.
- C. Vice Chairperson** The Vice Chairperson shall act in the capacity of the chairperson in his/her absence.
- D. Recording Secretary** The Recording Secretary will be appointed by the Township Board to record the discussions, recommendations and actions taken by the Committee. The Park and Recreation Administrator may be appointed to this position by the Township Board of Trustees.

SECTION 3: Meetings

The business of the Parks and Recreation Advisory Committee shall be conducted at a public meeting held in compliance with the Open Meetings Act.

- A. Regular Meetings** Meetings of the Parks and Recreation Advisory Committee shall be held on the ~~second Monday~~ ^{third Tuesday} of each month. All meetings shall take place at Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690 at 7:00 P.M. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Parks and Recreation Advisory Committee shall, if possible select a suitable alternate meeting date in the same month as the originally scheduled meeting. If a meeting is to be held at a location other than the Township Hall, notice shall be posted at the Township Hall and on the Township website.

Notice of regular Parks and Recreation Advisory Committee meetings shall be posted at the Township Hall each year in accordance with the Open Meetings Act and on the Township website.

- B. Special Meetings** Special meetings may be called by the Chairperson or upon written request to the Parks and Recreation Administrator by at least two members of the Parks and Recreation Advisory Committee. Notice of special meetings shall be given to the members of the Parks and Recreation Advisory Committee at least 48 hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted at the Township Hall and on the Township website in accordance with the Open Meetings Act.
- C. Agenda** The chairperson shall be responsible for preparing a tentative agenda, with the assistance of the Park & Recreation Administrator, for Parks and Recreation Advisory Committee meetings. The agenda may be modified by quorum of the Committee. In the instance of a special meeting, the agenda may be modified only with all members present at the meeting and in agreement.
- D. Quorum** Three (3) members of the Parks and Recreation Advisory Committee shall constitute a quorum for transacting business.
- E. Voting** Actions or motions placed before the Parks and Recreation Advisory Committee may be adopted by a majority vote of the members present and voting, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any Committee member or directed by the Chairperson. Except in the case

of conflict of interest, all Parks and Recreation Advisory Committee members, including the Chairperson shall vote on all matters.

- F. Public Records** All meetings, minutes, records, documents, correspondence and other materials of the Parks and Recreation Advisory Committee shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- G. Parliamentary Procedure** Parliamentary procedure in Parks and Recreation Advisory Committee meetings shall be governed by Roberts Rules of Order.

SECTION 4: Duties of the Parks and Recreation Advisory Committee

The Parks and Recreation Advisory Committee shall perform the following duties:

- A.** Prepare, review and update a Recreation Plan as a guide for development of recreation areas within the Township's jurisdiction.
- B.** Prepare an annual report to the Township Board of Trustees of the Parks and Recreation Advisory Committee's operations and the status of planning activities, including recommendations regarding actions by the Township Board related to parks and recreation.
- C.** Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

SECTION 5: Absences and Removals

- A.** To be excused, members of the Committee shall notify the Parks and Recreation Advisory Committee Chairperson or the Parks and Recreation Administrator when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence.
- B.** Members may be removed by the Township Board of Trustees for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing.

SECTION 6: Conflict of Interest

During the Declaration of Conflict of Interest portion of the agenda, Parks and Recreation Advisory Committee member (s) shall disclose the potential conflict of interest to the Committee. Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office.

In the event that a conflict is declared, the member shall remove themselves from the meeting table until the agenda item is concluded.

SECTION 7: Compensation

Parks and Recreation Advisory Committee Members and the Recording Secretary will receive compensation on a per meeting basis as determined by the Township of Whitewater Board of Trustees. Advisory Committee Members may receive reimbursement for travel and expenses with recommendation by the Advisory Committee and approval by the Township Board of Trustees.

SECTION 8: Order of Business

The order of business shall be as follows:

1. Call to Order
2. Roll Call of Advisory Committee Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest
5. Public Comment
6. Approval of Minutes of Previous Meeting (s)
7. Correspondence
8. Reports/Presentations/Announcements/Comments
9. Unfinished Business
10. New Business
11. Public Comment
12. Adjournment

SECTION 10: Amendments

These bylaws may be amended at any time following a recommendation of the majority of the membership of the Parks and Recreation Advisory Committee and subsequent adoption by the Whitewater Township Board of Trustees.

Adopted by the Whitewater Township Board of Trustees at their regular meeting held on February 14, 2012 and amended on March 13, 2012

**Whitewater Township
Parks and Recreation Advisory Committee
Minutes for Regular Meeting
October 10, 2022**

Call to order 7:23 p.m.

Roll Call: Cosgrove, Melton, Voice
Absent: Butler, Hubbell

Set / Approve Agenda:

Declaration of Conflict of Interest: None

Public Comment:

Public comment began at 7:26 p.m.
Connie Hymore
Public comment ended at 7:27 p.m.

Approval of minutes:

MOTION by Cosgrove, second by Melton to approve September 12, 2022, meeting minutes.

Roll call vote: Melton-yes; Cosgrove-yes; Hubbell-n/a; Butler-n/a; Voice-yes. Motion carried.

MOTION by Melton, second by Voice to approve the October 2, 2022, meeting minutes.

Roll call vote: Cosgrove-abstain; Hubbell-n/a; Butler-n/a; Voice-yes; Melton-yes. Motion carried.

Reports/Presentations/Announcements/Comments/Correspondence:

Amber Voice new member.

Hi Pray Park playground recommendations email to the board for their October 11, 2022, meeting.

Whitewater Twp. Park playground inspection.

Unfinished Business:

1. Hi Pray Park dug-outs are complete and final inspection has been completed. Discussion of a possible springtime, community, grand opening, free, fun day.
2. Whitewater Township Park Playground got three nice trees planted at the playground as recommended in the inspection. The last thing to be done on the list of inspection issues are the decals and they have been ordered.
3. Battle Creek Natural Area (BCNA) & Lossie Road Natural Trail (LRNT) – Discussion of October 2, 2022, meeting findings and next action items. At BCNA there are downed trees that were not removed. Not all sections of the trails at BCNA are walkable right now. Gues-timating that there are about another 20 trees that need to be cleared. The Board will need to determine if the project was done per the bid. The trail to the right, toward the water, and the trail around the pond were not completed. Did Parshall Tree Service do any of the inventory or removal work in 2015? Upon looking at the map and tree inventory that was approved by the Board Parshall did not include all of the BCNA trails in the inventory. The Board did not request input from PRAC regarding the inventory map before the project was approved. The trail maps and signage cannot be completed. Look at completing the loop at the time that the trails are completed. Add this to the Board's November agenda.
4. Lossie Trail wetland and improvements. Steve Largent of the Conservation District was not able to make the connection with EGLE for the preconstruction walk through, scheduling/approval. The Lossie Trail tree removal looks very good.

The very rough gues-timate / assessment of \$140,000 for the boardwalk from Largent includes 1600' of wetland work. A board walk would require maintenance.
The crushed concrete and road gravel are significantly lower.
The foot bridge is a separate \$8,000.
Looking at all of this for grant opportunities.

5. Hi Pray Park playground action plan presented for the October 11, 2022, Board meeting. At the September meeting the board did not ask questions of Melissa to get the Hi Pray Park playground action plan completed during the month of September. It is on the meeting agenda for tomorrow.

There are funds left over from the trail clearing.

\$3,770 base bid plus option 1, 2 or 3. Totals as presented: Option 1 = \$4,582, option 2 = \$4,120 or option 3 = \$3,970. If it is approved by the board tomorrow, October 11, it can be completed this fall.

The red tape has all been ripped down at the Hi Pray playground. The large closed sign is still there.

6. Lossie/BCNA trail signage. Can use a temporary, laminated paper sign at the kiosks and include something that says "Portions Closed". Can the entrance sign be updated? Would a school person or boy scout want to do the project? Looking to include the whole trail enhancement as part of a whole grant opportunity.

7. Whitewater Township Park information regarding restriction of the Park generated fund. Clerk did some investigation and inquired of the two previous clerks. There has been a separation of the Park funds for at least 22 years, likely back into the 1970's according to a previous clerk, Sandy Beckwith.
The Trustee Glenn has a motion on the agenda for the October 11 meeting to move all Park funds into the General Fund. There is no explanation in the packet regarding the rationale or purpose of the funds balance move.

8. Board response to top projects to pursue, from the July meeting – no updates, so far.

New Business:

1. Bylaws – meeting dates. The PRAC meetings do not line up well with getting information to the board for business items.

MOTION by Cosgrove; second by Melton, to request a change in the bylaws to change PRAC regular meeting date to the third Tuesday of the month, if approved by the Board it would begin in December.

Roll call: Hubbell-n/a; Voice-yes; Butler-n/a; Cosgrove-yes; Melton-yes. Motion carried.

Melton will get a markup of the bylaws for inclusion in the November Board meeting.

2. Grants – a subcommittee could be created for the grant writing opportunities. This is a regular process that the PRAC has always been doing with the Capital Improvements list in the Rec Plan. There are a lot of funding opportunities happening lately and opportunities coming in the future. The township does not have the staff.

Supervisor Popp mentioned that an idea for a smaller project would be for bleachers at the ball fields.

The wetlands area is a larger project. Lossie Trail options would be \$150,000 for the boardwalk and bridge.

The boat launch could be the large one.

Sue Moody expressed interest in helping to write grants.

Amber and Melissa will help make up the grant writing committee.

BCNA tree removal and complete the loop as the small one for \$42,000.

Lossie Trail as a medium request at \$150,000.

Additional work at the boat launch for bathrooms would be the large request. F&V have grant writers.

There is a continual erosion problem at the park beach and could be something for a different grant / grant cycle.

Next regular meeting: Monday, November 14, 2022, 7 p.m.

Public Comment:

Public comment began at 9:35 p.m.

Connie Hymore

Vicky Emerson

Vicki Beam

Public comment ended at 9:40 p.m.

Adjournment: 9:41 p.m.

Respectfully submitted,

Lois MacLean

Recording Secretary

DRAFT

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 11-1-2022
Re: Short Term Rentals in Whitewater Township

Board Members –

Short-term rentals in Northern Michigan are a hot topic everywhere. Bob Hall, Whitewater Township's Zoning Administrator, has provided numerous monthly reports summarizing phone and email traffic his office has fielded on this topic. Equally important, is the movement within the Legislature to take control of this question away from local jurisdictions essentially making short-term rental a use by right in all zoning districts of the State of Michigan.

Here in Whitewater Township, our Zoning Ordinance is written in the permissive point view and as such if the use (short term rental) is not expressly permitted in a Zoning District, then the use is not allowed. Our Zoning Ordinance is silent on the use in all Zoning Districts. Does the use take place in the Township? Yes. Does the Township actively seek out zoning ordinance violations of any kind? No. Whitewater Township has historically, only followed up on observations or complaints about a parcel which has worked out ok in most cases. Voluntary compliance is preferred over a hardline legal stance. With that said and development pressure what it is, a discussion about ordinance enforcement must be worked into our near future. This would include short term rentals.

In the meantime, Charter Township of Garfield, Grand Traverse County, has placed a statement about short-term rentals under a frequently asked question page of their website. Thank you to them for the motion language. The purpose of this business item is to recommend something similar on our homepage. A simple statement that the use is not currently allowed in Whitewater Township. As always, any resident can petition the Planning Commission for an ordinance change that contemplates the use.

Thinking about **Internal Controls**, the who, how, and when this task requiring homepage password permissions, gets accomplished and verified, the following motion is made:

Motion: Motion to have the Clerk place the following statement on the Whitewater Township Website Homepage. “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.” and to have the Supervisor create a written document to the Board verifying the completion date of this task.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ron Torg". The signature is fluid and cursive, with a large initial "R" and a stylized "T".

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 11-2-2022
Re: PC Packet Information

Whitewater Township Board Members -

Timely posting and public access to board and commission materials has been a concern for a while. The Board has expressed an opinion it needed more than 5 days' time to review packet information by expanding the deadline for packet distribution to 10 days. This business item seeks out any recommendation from the Board to the Planning Commission to do something similar.

The attached email clearly documents the PC packet was not available prior to three (business) days before the meeting. Review of the PC By-laws it appears they have no deadline for packet delivery to members or the public. Considering the monumental task, the PC is discharged with and in consideration of transparency with the public, this could be a concern the Board wishes to address.

Thinking about **Internal Controls** of high value documents if the Board makes a recommendation to the Planning Commission to include a packet distribution deadline in their by-laws, the following documents would be supplied to the PC for their review. If the PC approves the amended By-Laws the business item would return to the Board to complete the Internal Control segment of processing.

Motion One: Motion requesting Planning Commission to consider/adopt a packet distribution deadline of 10 days before the next meeting consistent with the Redline/Clean copy By-Laws attached.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Zoom Link

1 message

Kim Mangus <manguspc@yahoo.com>

Thu, Oct 27, 2022 at 8:41 PM

To: Lois Maclean <loismaclean@sbcglobal.net>, Ardella Benak <treasurer@whitewatertownship.org>

Cc: Ron Popp <supervisorwhitewater@gmail.com>, Heidi Vollmuth <heidivyourtrustee@gmail.com>

Lois,

I should have the PC packet available for distribution tomorrow. I still need to assemble the golf course material that came in today but I just realized that I don't have the Zoom link material.

Could you please get that to me.

Thanks,

Kim

From: Kim Mangus <manguspc@yahoo.com>
Sent: Saturday, October 30, 2021 12:13 AM
To: Ron Popp
Subject: Fw: PC packet 110521
Attachments: X PC Prelim SitePlanReview 110521.pdf

Ron,

It has come to my attention that the public does not have access to the attachment with the site plan document for the proposed development on M72. Lois sent out the PC packet without input again and missed several items. Just wanted to make sure you have a copy but also wanted to let you know that I will be requesting that she send out a corrected copy of the packet on Monday. I would happily do it myself but I still do not have access to the PC email list.

I know we all have bigger things to worry about these days. Just wanted to keep you informed as I'm sure you will hear some commentary on this issue.

Kim

----- Forwarded Message -----

From: Lois Maclean <loismaclean@sbcglobal.net>
To: "mickeydean@att.net" <mickeydean@att.net>; "manguspc@yahoo.com" <manguspc@yahoo.com>; "cwroubel@hotmail.com" <cwroubel@hotmail.com>; "alexjdarrow@icloud.com" <alexjdarrow@icloud.com>
Cc: "zoning@whitewatertownship.org" <zoning@whitewatertownship.org>
Sent: Thursday, October 28, 2021, 02:44:26 PM PDT
Subject: PC packet 110521

[Zoom link to 11/5/2021 PC Meeting:](#)

Whitewater Zoom is inviting you to a scheduled Zoom meeting.

Topic: Planning Commission

Time: FRIDAY, Nov 5, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/89781682159?pwd=OU92K0RzbGdZSWU3czg0aVZMSXBldz09>

Meeting ID: 897 8168 2159

Passcode: 727884

Planning Commission Agenda / Packet on township website:

https://www.whitewatertownship.org/uploads/2/1/9/6/21966412/pc_packetagenda_110521.pdf

From the Zoning Administrator: the Preliminary Site Plan Review drawings are attached for your reference.

Lois MacLean
Recording Secretary
Deputy Treasurer
231.735.3987

Whitewater Township Planning Commission Bylaws - Redline

The following rules of procedure are hereby adopted by the Whitewater Township Planning Commission to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, *et seq.*

SECTION 1: Membership

- A. Membership Size** - The Planning Commission shall consist of seven (7) members.
- B. Membership Terms of Office** – Members are appointed by the Township Supervisor for staggered three year terms with the approval of the Township Board and expire December 31. Members are expected to take the Oath of Office and serve until their term expires and a successor has been appointed as provided above.
- C. Membership Departure** - Members who are unable or unwilling to serve the entire terms for which they were appointed or who do not wish to be considered for reappointment shall provide sixty (60) days advance written notice of that fact to the Township Supervisor so that a successor may be appointed and approved in a timely manner that does not require the Commission to function with less than the seven (7) members provided.
- D. Membership Qualification** - All members shall be qualified electors of the Township of Whitewater, except that one member may be a non-qualified elector.
- E. Membership Representation** - Membership shall be representative of the important segments of the community including:
 - 1. Agriculture
 - 2. Natural Resources/Environmental
 - 3. Recreation
 - 4. Education
 - 5. Public Health
 - 6. Government
 - 7. Transportation
 - 8. Industry
 - 9. Commerce
 - 10. Waterfront Owner
 - 11. Building Trades
 - 12. Resident at Large
- F. Township Board Representation** – One member of the Township Board shall serve as a member of the Planning Commission. His/her term shall coincide with their term of office on the Whitewater Township Board of Trustees. The Township Supervisor is ineligible to serve in this capacity.
- G. Zoning Board of Appeals Representation** – One member of the Planning Commission shall be appointed by the supervisor to serve as a member of the Zoning Board of Appeals. His/her term shall coincide with their appointment to the Planning Commission. The PC chair shall provide the supervisor a recommendation for appointment following consult with the PC.
- H. Liaisons** - The Township Attorney and the Planning Department staff (including their agents and consultants) shall have the ability to participate in discussions of the Commission during their meetings.

SECTION 2: Officers

As Adopted by the Whitewater Township Planning Commission on 03/2/2022

- A. Selection and Tenure** - At the first regular meeting each January, the Planning Commission shall select a Chairperson, Vice Chairperson and Secretary. All officers shall serve a term of one year and shall be eligible for re-election for consecutive terms for the same office. The newly elected officers shall assume their responsibilities at the next regular meeting. If due to unforeseen circumstances, the Planning Commission is unable to elect officers at the January meeting, those officers whose terms as officers have expired and who remain as active members of the Planning Commission shall continue their services as officers until elections are held.
- B. Chairperson** - The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission, including recommending the Zoning Board Representative to the Township Board when a vacancy occurs.
- C. Vice Chairperson** - The Vice Chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term, and the Planning Commission shall select a successor to the office of Vice Chairperson for the unexpired term.
- D. Secretary** - The Secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine. The Secretary may be assisted by a Recording Secretary and/or the Zoning Administrator in the performance of his/her duties.

SECTION 3: Meetings

The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. The Planning Commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

- A. Regular Meetings** – Meetings of the Planning Commission shall be held on the First Wednesday of each month. All meetings shall take place at Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690 at 7:00 P.M. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting.

Notice of regular Planning Commission meetings shall be posted at Township Hall each year in accordance with the Open Meetings Act and on the township website.

- B. Special Meetings** - Special meetings may be called by the Chairperson or upon written request to the secretary by at least two members of the Planning Commission. Notice of special meetings shall be given to the members of the Planning Commission at least 48 hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with the Open Meetings Act.
- C. Notice** - Notice required for specific planning, zoning or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, Land Division Act, or other applicable statute. All Planning Commission agendas and notices will be posted on the Township website, whitewatertownship.org. and in all other Township designated locations.
- D. Public Hearings** - All public hearings held by the Planning Commission must be held as part of a regular or special meeting of the Planning Commission.
 - 1. Public Hearings that will result in the consideration of amending the Zoning Ordinance text or map shall be set by motion of the Planning Commission.
 - 2. Public Hearings that are required for site plan and/or special use consideration may be set in accordance with the Planning Commissions regular schedule by the Zoning Administrator.

- E. Agenda** - The chairperson shall be responsible for preparing a tentative agenda, with the assistance of the Zoning Administrator or Recording Secretary, if requested, for Planning Commission meetings. The agenda may be modified by quorum of the Commission and shall be made available to members and public 10 days before the next meeting. -
- F. Quorum** - Four (4) members of the Planning Commission shall constitute a quorum for transacting business and taking official action for all matters with the exception of Master Plan adoption or amendments (see G below).
- G. Voting** - An affirmative vote of 2/3 of the members of the Planning Commission is required to recommend approval of the master plan or amendments to the plan or to amend these bylaws. Unless otherwise required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the members present and voting, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any Commission member or directed by the chairperson. Except in the case of conflict of interest, all Planning Commission members, including the Chairperson and ex officio member, shall vote on all matters.
- H. Public Records** - All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- I. Parliamentary Procedure** – Parliamentary procedure in Planning Commission meetings shall be governed by Roberts Rules of Order.

SECTION 4: Duties of the Planning Commission

The Planning Commission shall perform the following duties:

- A.** Prepare, review, and update a master plan as a guide for development within the Township's planning jurisdiction.
- B.** Take such action on petitions, staff proposals and Township Board requests for amendments to the Zoning Ordinance as required.
- C.** Take such action on petitions, staff proposals and Township Board requests for amendments to the Master Plan as required.
- D.** Prepare an annual written report to the Township Board of the Planning Commission's operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.
- E.** Take such actions as authorized or required by the Michigan Planning Enabling Act.
- F.** Take such actions as authorized or required by the Michigan Zoning Enabling Act.
- G.** Review subdivision proposals and recommend appropriate actions to the Township Board.
- H.** Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

SECTION 5: Absences and Removals

- A.** To be excused, members of the Planning Commission shall notify the Planning Commission Chairperson, other Planning Commission member or Township Staff when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence.
- B.** Members may be removed by the Township Board for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing.

As Adopted by the Whitewater Township Planning Commission on 03/2/2022

- C. Following three consecutive absences or six within any 12-month period, the Planning Commission shall present to the Township Board a recommendation for dismissal or continued service of a member.

SECTION 6: Conflict of Interest

During the Declaration of Conflict of Interest portion of the agenda, Planning Commission member(s) shall disclose the potential conflict of interest to the Planning Commission. Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office.

Conflict of interest is defined as, and a Planning Commission member shall declare a conflict of interest and abstain from participating in Planning Commission deliberations and voting on a request, when:

1. An immediate family member is involved in any request for which the planning commission is asked to make a decision. "Immediate family member" is defined as a spouse, mother, father, sister, brother, son, or daughter, including an adopted child.
2. The Planning Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association.
3. The Planning Commission member owns or has a financial interest in neighboring property or property within a notification zone.
4. These guidelines shall be superseded when the "rule of necessity" is invoked.

If there is a question whether a conflict of interest exists or not, the question shall be put before the Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Commission.

In the event that a conflict is declared, the member shall remove themselves from the meeting table until the agenda item is concluded.

SECTION 7: Compensation

Planning Commissioners will receive compensation on a per meeting basis as determined by the Township of Whitewater Board of Trustees. Planning Commissioners may receive reimbursement for travel and expenses with recommendation by the Planning Commission and approval by the Township Board.

SECTION 8: Education

Members shall complete one training/educational program each year. Training may be provided when available at regular meetings of the Planning Commission by the Planning/Zoning Administrator (or his/her designee) and will qualify as acceptable training. However additional training is encouraged.

SECTION 9: Order of Business

The order of business shall be as follows:

1. Call to Order/Pledge of Allegiance
2. Roll Call of Commission Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest

As Adopted by the Whitewater Township Planning Commission on 03/2/2022

5. Public Comment – Any person shall be permitted to address a meeting of the Planning Commission. Public comments shall be carried out in accordance with the following rules and procedures:
 - a. Comments shall be directed to the Commission, with questions directed to the Chair.
 - b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address.
 - c. Persons may address the Commission on matters that are relevant to Township planning and zoning issues.
 - d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Commission members' questions.
 - e. Public comment shall be limited to 3 minutes.

6. Public Hearing

- a. Open public hearing/ state time.
- b. Request those attending sign attendance sheet.
- c. State date of public hearing notice publication and newspaper published in.
- d. State purpose of public hearing.
- e. Introduce any presentations to be given.
 - i. Zoning Administrator
 - ii. Petitioner/Agent
- f. Read any written comments received.
- g. Receive public comment.
- h. Close public hearing/state time.

Questions shall be addressed through the Chair during the public hearing. Planning Commission discussion and/or action shall take place following the public hearing.

7. Approval of Minutes of Previous Meeting(s)
8. Correspondence
9. Reports/Presentations/Announcements/Comments
 - a. Zoning Administrator
 - b. Chair
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10. Unfinished Business
11. New Business
12. Next Meeting Agenda
13. Public Comment
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15. Continuing Education
16. Adjournment

SECTION 10: Amendments

These bylaws may be amended at any time following a recommendation of the majority of the membership of the Planning Commission and subsequent notification to the Township Board.

Whitewater Township Planning Commission Bylaws - Clean Copy

The following rules of procedure are hereby adopted by the Whitewater Township Planning Commission to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, *et seq.*

SECTION 1: Membership

- A. Membership Size** - The Planning Commission shall consist of seven (7) members.
- B. Membership Terms of Office** – Members are appointed by the Township Supervisor for staggered three year terms with the approval of the Township Board and expire December 31. Members are expected to take the Oath of Office and serve until their term expires and a successor has been appointed as provided above.
- C. Membership Departure** - Members who are unable or unwilling to serve the entire terms for which they were appointed or who do not wish to be considered for reappointment shall provide sixty (60) days advance written notice of that fact to the Township Supervisor so that a successor may be appointed and approved in a timely manner that does not require the Commission to function with less than the seven (7) members provided.
- D. Membership Qualification** - All members shall be qualified electors of the Township of Whitewater, except that one member may be a non-qualified elector.
- E. Membership Representation** - Membership shall be representative of the important segments of the community including:
 - 1. Agriculture
 - 2. Natural Resources/Environmental
 - 3. Recreation
 - 4. Education
 - 5. Public Health
 - 6. Government
 - 7. Transportation
 - 8. Industry
 - 9. Commerce
 - 10. Waterfront Owner
 - 11. Building Trades
 - 12. Resident at Large
- F. Township Board Representation** – One member of the Township Board shall serve as a member of the Planning Commission. His/her term shall coincide with their term of office on the Whitewater Township Board of Trustees. The Township Supervisor is ineligible to serve in this capacity.
- G. Zoning Board of Appeals Representation** – One member of the Planning Commission shall be appointed by the supervisor to serve as a member of the Zoning Board of Appeals. His/her term shall coincide with their appointment to the Planning Commission. The PC chair shall provide the supervisor a recommendation for appointment following consult with the PC.
- H. Liaisons** - The Township Attorney and the Planning Department staff (including their agents and consultants) shall have the ability to participate in discussions of the Commission during their meetings.

SECTION 2: Officers

As Adopted by the Whitewater Township Planning Commission on 03/2/2022

- A. Selection and Tenure** - At the first regular meeting each January, the Planning Commission shall select a Chairperson, Vice Chairperson and Secretary. All officers shall serve a term of one year and shall be eligible for re-election for consecutive terms for the same office. The newly elected officers shall assume their responsibilities at the next regular meeting. If due to unforeseen circumstances, the Planning Commission is unable to elect officers at the January meeting, those officers whose terms as officers have expired and who remain as active members of the Planning Commission shall continue their services as officers until elections are held.
- B. Chairperson** - The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission, including recommending the Zoning Board Representative to the Township Board when a vacancy occurs.
- C. Vice Chairperson** - The Vice Chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term, and the Planning Commission shall select a successor to the office of Vice Chairperson for the unexpired term.
- D. Secretary** - The Secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine. The Secretary may be assisted by a Recording Secretary and/or the Zoning Administrator in the performance of his/her duties.

SECTION 3: Meetings

The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. The Planning Commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

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