

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

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

Whitewater Zoom is inviting you to a scheduled Zoom meeting.

Topic: Board Meeting

Time: May 9, 2023 09:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/88048453426?pwd=NGNSbXBsM2FESXdtMjNoSDhGZHJHdz09>

Meeting ID: 880 4845 3426 Passcode: 073504

One tap mobile: +13092053325,,88048453426#,,, *073504# US
+13126266799,,88048453426#,,, *073504# US (Chicago)

Dial by your location: +1 312 626 6799 US (Chicago), +1 646 558 8656 US (New York)
+1 301 715 8592 US (Washington DC), +1 346 248 7799 US (Houston)

Find your local number: <https://us06web.zoom.us/j/88048453426?pwd=NGNSbXBsM2FESXdtMjNoSDhGZHJHdz09>

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 – None

G. Reports/Presentations/Announcements/Comments

1. County Board of Commissioners
2. Fire Department Report -
3. Planning Commission Report –
4. Parks & Recreation Advisory Committee Report
5. H&R Property Management & Maintenance – Randy Kitzmiller

H. **Consent Calendar**

Receive and File

1. Supervisor's Report for April 2023
2. Clerk's Report for April 2023 - None Provided
3. Treasurer Report April 2023 - Pending
4. Trustee Vollmuth's April 2023 Report – **Provided 4.27.2023 Missed by Popp**
5. Trustee Glenn's April 2023 Report
6. Zoning Administrator's Report for April 2023
7. Mobile Medical Response's April 2023 Activity Report
8. Fire Department April 2023 Report
9. Planning Commission April 2023 Report - None Provided
10. Historical Society April 2023 Report.
11. Park & Recreation Report April 2023
12. PC Minutes 2023.02.01, 2023.03.01.
13. PC Special Meeting Master Plan Subcommittee Minutes 2023.02.10, 2023.03.17
14. PRAC Approved Minutes 2023.03.21

Correspondence

1. Grand Traverse County Sheriff
2. Grand Traverse County Road Commission Meeting Minutes 2023.03.23
3. Grand Traverse County Road Commission Meeting Minutes 2023.04.15
4. Grand Traverse County Road Commission Memo – Road Kill
5. ###

Minutes for Approval

1. Whitewater Township Special Board Meeting Draft Minutes 2023.04.11

Bills for Approval

1. Approval of Alden State Bank Vouchers # 48963 to 49053

Budget Amendments None.

Revenue & Expenditure Report None

I. Unfinished Business

1. Camping Park Questions
2. Park Improvement Project Final Documents
3. Dot Gov Email Extensions
4. Internal Revenue Service Update
5. ###

J. New Business –

1. Facilitator
2. Planning Commission Request
3. Spectrum Account
4. Personnel Policy Manual Update
5. Review Forms & Agreements
6. Reject County ARPA Funds
7. FOIA Policy
8. Annual Audit
9. Popp Reimbursement
10. Packet Deadline
11. PRAC Funding
12. Insurance Exclusion

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K. Tabled Items

1. None

L. Board Comments/Discussion

M. Announcements

1. Regular Township Board Meeting June 13, 2023

N. Public Comment

O. Adjournment

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

To: Whitewater Township Board

From: Ron Popp, Township Supervisor

Date: 5.9.2023 – Revised 5.5.2023

Re: Consent Calendar May 9, 2023 Whitewater Township Board Meeting

Consent Calendar

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13. PC Special Meeting Master Plan Subcommittee Minutes 2023.02.10, 2023.03.17
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Motion to Approve Consent Calendar.

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Whitewater Township Supervisor's Report

April 2023

1) Citizen observations:

- A. Kelly Wheellock – Concerned about spending money on parks and trails while neglecting the roads. Wonders who set the funding priorities and if they have the residents or the visitors in the forefront.

2) Office duties:

A. Meetings:

- 1) Attended the monthly Supervisor's meeting discusses ordinance enforcement officer (OEO) ordinances, ordinance enforcement policy and implementation. First responder shortage.

3. Other Items of Interest:

- 1) The second round of ARPA reporting was completed and filed before the April 30, 2023 deadline. Thanks to everyone who contributed.
- 2) Significant time was devoted to reviewing the final version of the Contract Manual #842850 Whitewater Township Park Improvements. A list highlighting several areas needing attention and or discussion was created and made part of the May 3, 2023 meeting packet.
- 3) Two Freedom of Information Act (FOIA) request were received this month. One request required legal assistance and is currently under review. The other is awaiting responsive documents.
- 4) Sat in on Park Ranger interviews with Trustee Don Glenn. I think Mr. and Park Manager Andrew Butler are assembling a great team. Thank you both for your hard work.
- 5) Amendment No.1 to the Floodplain Ordinance has been filed and accepted by FEMA. This marks the beginning of the next five-year review.
- 6) Questions continue about work completed at the Hi Pray Park Playground. Thank you to Brandon Hubbell for taking time to share his time at a recent site visit. Post visit, I believe the plan is to conduct a follow safety inspection before opening the venue.

- 7) No time was afforded to the discharge water permit for the proposed boat wash station at the Whitewater Township Boat Ramp.
- 8) The Township currently has openings on the Board of Review, Park & Recreation Advisory Committee, and the Zoning Board of Appeals. If you have any desire to serve the community in this way, please contact the Supervisor's Office at 231.267.5141 ext. 23 for more information.
- 9) 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", with a stylized flourish at the end.

Ron Popp
FOIA Coordinator
Whitewater Township Supervisor.

News From HeidiVyourtrustee ***** . Happy Mothers Day***Welcome Spring*****

This month I traveled for business and took a needed vacation, however it does not mean I wasn't working for the people. This month is Master Plan move forward month! Please folks pay attention, get involved and let your voice be heard. Now is the time to follow the township calendar and attend those planning meetings.

The Planning Commission has been moving forward fixing and planning the bright future of Whitewater is on the horizon to update the Master Plan but your help is needed. There is a subcommittee meeting in the daytime and the Planning Commission has night meetings. Please join us, all is welcome, public comments are included in both agendas.

Free Camping weekend is on and it is refreshing how many volunteers have stepped up to help and assist the new park team. Together anything is possible, let us continue to make Whitewater Township Campground successful and enjoyable to all.

Lossie trail is still an issue about motorized traffic and shooting range??. How will the grant be effected? Moving forward public safety has to be addressed as well as a better solution is needed for a small section of the trail. Michigan is known for trail sharing and this is a very small section, however this solution has not been fully examined and maybe needs to be reassessed and addressed.

HiPrey playground continues to be an issue to many concerned citizens, myself included. Was the said repair work really completed? I will have to ask for the following documentation because the question has been raised what was really done.

This again is somewhat concerning and brings up the question inspect what you expect. I would personally like a copy of what and when each step was done and completed. This will take a few weeks as I will most likely have to FOIA the information. Funny my names on that sign, maybe some names need to be added.

Please get involved and help us help you fix what is broken!

Regards,

HeidiVyourtrustee

May 2023

Whitewater Township Trustee report – Don Glenn

Citizen communications and/or observations

- Multiple citizens have offered their volunteer assistance in both the pre-opening work needed and their assistance in staffing the opening weekend of May 5th through May 7th.

Educational opportunities

1. No meetings attended since the report last month due to Park opening preparations.

Webinars:

- a. No webinar participation since the report last month due to Park opening preparations.
2. **Continuing education:** none worked on since the report last month due to Park opening preparations.

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

231-267-5141

www.whitwatertownship.org

zoning@whitwatertownship.org

APRIL 2023 ZONING REPORT

Baggs Road / Site Condo Development

Upon the advice of the Township Attorney, and until such time that the Township Board has made a final determination regarding the land division complaint, the application process will not move forward for review before the planning commission.

High Point Golf Course

Conversations with their representatives indicate that they are in the 'final' design stages in preparation to appear before the planning commission

A summary of concerns (enforcement / compliance activity) is **still** being organized so that a list of unresolved violations can be forwarded to the Township Board for review

TRAINING: The **Wexford Joint Planning Commission** will be conducting a training session on Monday, May 22nd, 2023 (a week before Memorial Day). While the training will be focusing on the 'big' picture – it will include two parts: Roles and Responsibilities [between the administrative / legislative bodies], and Communication and our broader responsibility within the community at large. The cost will again be a minimal \$20 fee per attendee to help offset costs. This training will NOT be open to the public. As of April 27th, 2023 I have 1 (one) slot open for a Township Board member from Whitewater Township. [*first come – first served*]

Land Use Permit Activity

ZONE	LUP #	TAX ID #	2023 - OWNER NAME and SITE ADDRESS	PROJECT DESCRIPTION	DATE
R2	2023-07	28-13-004-018-20	McCool, Shawn: 5235 Williamsburg Road.	New Dwelling	3/30/2023
RC	2023-08	28-13-017-003-21	Terhune, Mitch: 7455 Bunker Hill Road	Accessory SOLAR	3/30/2023
RC	2023-09	28-13-009-004-21	Voice, Mitch: 4701 Vinton Road	Accessory Building	3/30/2023
A1	2023-10	28-13-135-010-11	Hendrick, Chris: 10012 Cushman Court	New Dwelling	3/30/2023
R1	2023-11	28-13-630-027-00	Schwartz, Peter: 398 Island View Drive	EXT. WALL REPLACE	4/6/2023
RC	2023-13	28-13-031-005-05	Jackson, Brian: 587 Starflower Lane	New Dwelling	4/6/2023
R1	2023-12	28-13-332-005-00	Olsen, Eric: Unit #5 - Mable Meadows - Site Condo	New Dwelling	4/6/2023
RC	2023-14	28-13-012-007-01	Lovell / Sunroom Factory: 4143 Lacky Road	Residential Addition	4/13/2023
A1	LD-2023-02	28-13-136-002-01	Foster, Jacob: 11811 E. M-72	Land Division	4/12/2023
A1	2023-15	28-13-109-003-00	Bigelow, Ryan: 8730 Gay Road	Accessory Building	4/20/2023
R2	2023-16	28-13-004-030-00	Knapp, Marian: 5133 Vinton Road	Accessory Building	4/20/2023
A1	2023-17	28-13-128-003-00	Nowak, Joseph: 7735 Elk Lake Road	AG BUILDING	4/27/2023

The ZA has attended two (2) Planning Commission sub-committee meetings [April 13th and April 27th]. These have been the most productive conversations that I have witnessed in the almost 4 years that I have been involved with Whitewater Township. It is clear that the 'new' membership wants a seamless line of communication between the PC and the Board – a better understanding and path forward as stewards of the future of Whitewater Township.

The ZA attended one day of classes at the MTA educational conference on Tuesday, April 18th. Classes attended included: *[in addition to the opening session]*

Zoning Ordinance Enforcement Policy

... as well as a lunch-time breakout session on **HOT TOPICS**

The ZA will be attending **Breaking the Zoning Code** on May 9th in Gaylord [MTA sponsored training] One of the classes [May 18th / Kalamazoo] will be broadcast live / recorded if you're unable to attend in person.

The live stream of this virtual course will be held on May 18 from 1 to 4:30 p.m. A recorded version will also be provided for on-demand viewing June 1-August 31, 2023.

For your review,

A handwritten signature in blue ink that reads "Robert Hall".

Whitewater Township
Zoning Administrator

White Water April 2023 RT

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	5.00%	5.00%
00:04:00 - 00:04:59	1	2	5.00%	10.00%
00:05:00 - 00:05:59	1	3	5.00%	15.00%
00:06:00 - 00:06:59	3	6	15.00%	30.00%
00:07:00 - 00:07:59	3	9	15.00%	45.00%
00:08:00 - 00:08:59	2	11	10.00%	55.00%
00:10:00 - 00:10:59	2	13	10.00%	65.00%
00:11:00 - 00:11:59	1	14	5.00%	70.00%
00:12:00 - 00:12:59	3	17	15.00%	85.00%
00:14:00 - 00:14:59	2	19	10.00%	95.00%
00:16:00 - 00:16:59	1	20	5.00%	100.00%

Whitewater Twp Responses

April 2023

Nature of Call	WW	Total
17-Falls	8	8
21-Hemorrhage/Lacerations	3	3
23-Overdose / Poisoning (Ingestion)	1	1
25-Psychiatric/ Abnormal Behavior/Suici	2	2
26-Sick Person (Specific Diagnosis)	1	1
28-Stroke (CVA)	2	2
29-Traffic/Transportation/Accidents	4	4
31-Unconscious/Fainting (Near)	1	1
5-Back Pain (Non-traumatic or Non Rece	1	1
Total	23	23

Call Disposition	WW	Total
Transport	11	11
Refusal	9	9
Cancelled	3	3
Total	23	23

Response Priority	WW	Total
P-2 Emergency BLS	18	18
P-3 Non-Emergent	5	5
Total	23	23

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
42,107	04/01/2023	P-3	17-Falls	Whitewater	10 GTA3	Refusal	3:39:21	3:45:30	00:06:09
44,059	04/05/2023	P-2	5-Back Pain (Non-traumatic or N	Whitewater	10 GTA3	Transport	12:14:52	12:27:15	00:12:23
45,031	04/07/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Canceled	12:26:33		
45,487	04/08/2023	P-2	17-Falls	Whitewater	10 GTA3	Transport	10:08:50	10:15:09	00:06:19
46,379	04/10/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	15:07:18	15:10:54	00:03:36
48,232	04/14/2023	P-2	31-Unconscious/Fainting (Near)	Whitewater	10 GTA3	Transport	7:29:57	7:34:28	00:04:31
49,119	04/15/2023	P-2	17-Falls	Whitewater	10 GTA3	Refusal	23:14:54	23:20:11	00:05:17
49,331	04/16/2023	P-2	17-Falls	Whitewater	10 55A1	Refusal	12:18:49	12:27:11	00:08:22
49,856	04/17/2023	P-2	17-Falls	Whitewater	10 GTA3	Refusal	15:22:05	15:29:11	00:07:06
49,902	04/17/2023	P-2	17-Falls	Whitewater	10 GTA3	Transport	16:54:54	17:00:55	00:06:01
50,357	04/18/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	16:30:54	16:41:21	00:10:27
50,361	04/18/2023	P-2	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	16:30:54	16:41:21	00:10:27
50,398	04/18/2023	P-2	23-Overdose / Poisoning (Ingest	Whitewater	10 GTA3	Transport	18:04:55	18:12:58	00:08:03
50,880	04/19/2023	P-2	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	13:15:26	13:27:39	00:12:13
51,640	04/20/2023	P-2	25-Psychiatric/ Abnormal Behavi	Whitewater	10 GTE7	Canceled	21:47:14		
51,642	04/20/2023	P-2	25-Psychiatric/ Abnormal Behavi	Whitewater	10 GTA1	Refusal	21:48:35	22:03:17	00:14:42
52,656	04/23/2023	P-3	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Refusal	10:59:10	11:06:14	00:07:04
52,777	04/23/2023	P-3	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	17:17:06	17:25:05	00:07:59
53,188	04/24/2023	P-2	28-Stroke (CVA)	Whitewater	10 GTA3	Canceled	16:46:12		
53,191	04/24/2023	P-2	28-Stroke (CVA)	Whitewater	10 55A1	Transport	16:49:15	17:04:05	00:14:50
55,559	04/29/2023	P-3	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	10:10:17	10:22:31	00:12:14
55,716	04/29/2023	P-2	17-Falls	Whitewater	10 GTA3	Refusal	16:16:17	16:27:56	00:11:39
56,129	04/30/2023	P-3	17-Falls	Whitewater	10 GTA3	Transport	18:34:36	18:50:42	00:16:06

GT-A3 Activity (April 2023)

Call Disposition	Acme	WW	Elk Rapids	Milton	East Bay	Total
Transport	25	10	1	1	1	38
Refusal	12	7	0	0	0	19
Cancelled	6	2	0	0	0	8
Total	43	19	1	1	1	65

Response Priority	Acme	WW	Elk Rapids	Milton	East Bay	Total
P-1 Emergency ALS	13	0	0	0	0	13
P-2 Emergency BLS	25	14	1	1	1	42
P-3 Non-Emergent	5	5	0	0	0	10
Total	43	19	1	1	1	65

Nature of Call	Acme	WW	Elk Rapids	Milton	East Bay	Total
10-Chest Pain (Non-Traumatic)	3	0	0	0	0	3
12-Convulsions/Seizures	1	0	1	0	0	2
17-Falls	15	7	0	0	0	22
19-Heart Problems / A.I.C.D.	1	0	0	0	0	1
1-Abdominal Pain/Problems	1	0	0	0	0	1
21-Hemorrhage/Lacerations	0	3	0	0	0	3
23-Overdose / Poisoning (Ingestion)	2	1	0	0	0	3
26-Sick Person (Specific Diagnosis)	4	1	0	0	0	5
28-Stroke (CVA)	3	1	0	0	1	5
29-Traffic/Transportation/Accidents	4	4	0	1	0	9
31-Unconscious/Fainting (Near)	2	1	0	0	0	3
32-Unknown Problem (Man Down)	1	0	0	0	0	1
5-Back Pain (Non-traumatic or Non Rece	0	1	0	0	0	1
6-Breathing Problems	3	0	0	0	0	3

	Acme	WW	Elk Rapids	Milton	East Bay	Total
7-Burns (Scalds) /Explosion	2	0	0	0	0	2
9-Cardiac or Respiratory Arrest/Death	1	0	0	0	0	1
Total	43	19	1	1	1	65

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
42,034	04/01/2023	P-1 I	6-Breathing Problems	Acme	10 GTA3	Transport	0:35:41	0:47:03	00:11:22
42,107	04/01/2023	P-3 I	17-Falls	Whitewater	10 GTA3	Refusal	3:39:21	3:45:30	00:06:09
42,577	04/02/2023	P-2 I	17-Falls	Acme	10 GTA3	Refusal	12:40:37	12:48:52	00:08:15
42,674	04/02/2023	P-2 I	17-Falls	Acme	10 GTA3	Refusal	18:21:13	18:23:53	00:02:40
43,120	04/03/2023	P-2 I	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Transport	19:31:08	19:36:53	00:05:45
44,059	04/05/2023	P-2 I	5-Back Pain (Non-traumatic or N	Whitewater	10 GTA3	Transport	12:14:52	12:27:15	00:12:23
44,158	04/05/2023	P-2 I	17-Falls	Acme	10 GTA3	Canceled	16:08:55		
44,462	04/06/2023	P-2 I	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	8:43:33	8:46:28	00:02:55
44,748	04/06/2023	P-1 I	12-Convulsions/Seizures	Acme	10 GTA3	Refusal	20:58:36	21:05:31	00:06:55
45,031	04/07/2023	P-2 I	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Canceled	12:26:33		
45,101	04/07/2023	P-1 I	29-Traffic/Transportation/Accider	Acme	10 GTA3	Refusal	14:35:43	14:39:43	00:04:00
45,219	04/07/2023	P-1 I	28-Stroke (CVA)	Acme	10 GTA3	Transport	19:01:25	19:15:07	00:13:42
45,487	04/08/2023	P-2 I	17-Falls	Whitewater	10 GTA3	Transport	10:08:50	10:15:09	00:06:19
45,548	04/08/2023	P-2 I	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Transport	12:42:16	12:47:55	00:05:39
45,885	04/09/2023	P-2 I	19-Heart Problems / A.I.C.D.	Acme	10 GTA3	Transport	10:01:32	10:09:46	00:08:14
46,038	04/09/2023	P-2 I	17-Falls	Acme	10 GTA3	Transport	17:38:43	17:42:41	00:03:58
46,379	04/10/2023	P-2 I	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Transport	15:07:18	15:10:54	00:03:36
46,453	04/10/2023	P-3 I	1-Abdominal Pain/Problems	Acme	10 GTA3	Transport	18:27:25	18:32:18	00:04:53
47,404	04/12/2023	P-3 I	17-Falls	Acme	10 GTA3	Refusal	14:49:16	14:52:00	00:02:44
47,708	04/13/2023	P-2 I	17-Falls	Acme	10 GTA3	Canceled	7:00:20	7:05:53	00:05:33
47,774	04/13/2023	P-1 I	9-Cardiac or Respiratory Arrest/I	Acme	10 GTA3	Refusal	10:08:10	10:10:59	00:02:49
47,878	04/13/2023	P-2 I	7-Burns (Scalds) /Explosion	Acme	10 GTA3	Canceled	13:00:57	13:11:49	00:10:52
48,174	04/14/2023	P-2 I	17-Falls	Acme	10 GTA3	Transport	1:25:59	1:37:15	00:11:16
48,232	04/14/2023	P-2 I	31-Unconscious/Fainting (Near)	Whitewater	10 GTA3	Transport	7:29:57	7:34:28	00:04:31
48,388	04/14/2023	P-2 I	17-Falls	Acme	10 GTA3	Transport	13:07:56	13:10:28	00:02:32
48,477	04/14/2023	P-2 I	29-Traffic/Transportation/Accider	Acme	10 GTA3	Refusal	15:29:39	15:41:48	00:12:09
48,482	04/14/2023	P-2 I	29-Traffic/Transportation/Accider	Acme	10 GTA3	Refusal	15:29:39	15:41:48	00:12:09
48,520	04/14/2023	P-2 I	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	16:51:20	16:54:32	00:03:12
48,684	04/14/2023	P-1 I	6-Breathing Problems	Acme	10 GTA3	Transport	23:53:17	0:09:54	00:16:37
48,752	04/15/2023	P-1 I	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	6:38:29	6:55:28	00:16:59
48,822	04/15/2023	P-2 I	28-Stroke (CVA)	Acme	10 GTA3	Transport	10:24:52	10:32:43	00:07:51
49,119	04/15/2023	P-2 I	17-Falls	Whitewater	10 GTA3	Refusal	23:14:54	23:20:11	00:05:17

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
49,319	04/16/2023	P-1 I	17-Falls	Acme	10 GTA3	Transport	11:43:28	11:48:42	00:05:14
49,553	04/17/2023	P-3 I	17-Falls	Acme	10 GTA3	Canceled	0:11:04	0:20:50	00:09:46
49,562	04/17/2023	P-3 I	17-Falls	Acme	10 GTA3	Canceled	0:58:22		
49,856	04/17/2023	P-2 I	17-Falls	Whitewater	10 GTA3	Refusal	15:22:05	15:29:11	00:07:06
49,902	04/17/2023	P-2 I	17-Falls	Whitewater	10 GTA3	Transport	16:54:54	17:00:55	00:06:01
49,981	04/17/2023	P-2 I	28-Stroke (CVA)	Acme	10 GTA3	Transport	20:46:39	20:55:20	00:08:41
50,122	04/18/2023	P-2 I	28-Stroke (CVA)	East Bay	10 GTA3	Transport	8:10:33	8:17:54	00:07:21
50,357	04/18/2023	P-2 I	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	16:30:54	16:41:21	00:10:27
50,361	04/18/2023	P-2 I	29-Traffic/Transportation/Accider	Whitewater	10 GTA3	Refusal	16:30:54	16:41:21	00:10:27
50,398	04/18/2023	P-2 I	23-Overdose / Poisoning (Ingest	Whitewater	10 GTA3	Transport	18:04:55	18:12:58	00:08:03
50,787	04/19/2023	P-2 I	17-Falls	Acme	10 GTA3	Transport	9:56:14	9:59:54	00:03:40
50,880	04/19/2023	P-2 I	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	13:15:26	13:27:39	00:12:13
50,948	04/19/2023	P-1 I	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	15:48:45	15:51:59	00:03:14
51,289	04/20/2023	P-2 I	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	8:11:38	8:14:48	00:03:10
51,334	04/20/2023	P-2 I	32-Unknown Problem (Man Dow	Acme	10 GTA3	Refusal	9:57:52	10:03:34	00:05:42
51,633	04/20/2023	P-1 I	23-Overdose / Poisoning (Ingest	Acme	10 GTA3	Refusal	21:33:09	21:38:34	00:05:25
51,762	04/21/2023	P-2 I	12-Convulsions/Seizures	Elk Rapids	10 GTA3	Transport	5:53:50	6:03:54	00:10:04
51,999	04/21/2023	P-3 I	17-Falls	Acme	10 GTA3	Transport	15:53:54	15:59:14	00:05:20
52,069	04/21/2023	P-1 I	7-Burns (Scalds) /Explosion	Acme	10 GTA3	Transport	19:21:10	19:31:04	00:09:54
52,492	04/22/2023	P-2 I	29-Traffic/Transportation/Accider	Milton	10 GTA3	Transport	20:11:39	20:34:15	00:22:36
52,605	04/23/2023	P-1 I	23-Overdose / Poisoning (Ingest	Acme	10 GTA3	Transport	6:54:48	7:02:43	00:07:55
52,656	04/23/2023	P-3 I	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Refusal	10:59:10	11:06:14	00:07:04
52,772	04/23/2023	P-2 I	17-Falls	Acme	10 GTA3	Refusal	17:08:56	17:12:10	00:03:14
52,777	04/23/2023	P-3 I	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	17:17:06	17:25:05	00:07:59
53,188	04/24/2023	P-2 I	28-Stroke (CVA)	Whitewater	10 GTA3	Canceled	16:46:12		
53,433	04/25/2023	P-1 I	6-Breathing Problems	Acme	10 GTA3	Transport	9:32:53	9:40:57	00:08:04
55,198	04/28/2023	P-2 I	17-Falls	Acme	10 GTA3	Canceled	17:18:05		
55,201	04/28/2023	P-2 I	29-Traffic/Transportation/Accider	Acme	10 GTA3	Refusal	17:23:37	17:31:33	00:07:56
55,559	04/29/2023	P-3 I	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	10:10:17	10:22:31	00:12:14
55,716	04/29/2023	P-2 I	17-Falls	Whitewater	10 GTA3	Refusal	16:16:17	16:27:56	00:11:39
55,940	04/30/2023	P-2 I	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	9:00:51	9:04:17	00:03:26
55,979	04/30/2023	P-2 I	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	11:20:25	11:24:07	00:03:42
56,129	04/30/2023	P-3 I	17-Falls	Whitewater	10 GTA3	Transport	18:34:36	18:50:42	00:16:06

A-3 Transports By Month (Billable Calls)

Dispatch Zone	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	Total
Antrim-City of Elk Rapids	0	1	0	1	3	0	1	1	1	1	0	3	1	13
Antrim-Elk Rapids	0	0	0	3	0	0	0	0	1	1	0	0	0	5
Antrim-Milton	0	0	1	0	2	0	0	0	2	0	0	2	1	8
GT-Acme	26	33	41	50	51	24	41	29	34	30	19	30	37	445
GT-East Bay	0	1	2	2	0	0	1	3	2	1	0	0	1	13
GT-Traverse City	0	1	0	1	1	1	0	0	0	1	1	0	0	6
GT-Whitewater	12	16	12	23	14	15	7	12	12	19	13	14	17	186
Kalkaska-Rapid River	0	0	0	0	0	1	0	0	0	0	0	0	0	1
Total	38	52	56	80	71	41	50	45	52	53	33	49	57	677



WHITEWATER TOWNSHIP FIRE DEPARTMENT

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

April 2023 Monthly Report Fire Chief Brandon Flynn

Alarms: The fire department responded to 12 calls in April.

- 3 EMS Assists
- 3 Vehicle Crash
- Welfare Check
- 2 Outdoor Smoke Investigation
- 2 Wildfires (1 Mutual aid to Metro)
- Smoke alarm activation

YTD: 2023 = 36, 2022 = 37

Training: 4 training sessions were held in April.

- Monthly vehicle & SCBA maintenance
- Target Solutions, Wildfire Review
- SCBA, OSHA 2 in-2 out
- GIS, Map reading

Meetings/Other:

- Regional Training Center, April 6
- MABAS, April 6
- Township Board Meeting, April 11
- County Chief's, April 12

General:

Chief Flynn attended 2 wildland firefighting training classes in April. S-110 on April 6 and L-180 on April 25. Chief Flynn also participated in the Work Capacity Test held by the DNR on April 26. These trainings along with previous trainings give Chief Flynn the National Wildfire Coordinating Group (NWCG) Incident Qualification Card, AKA Red Card certification. This certification will assist Whitewater Township Fire Department with mitigating wildfire incidents that require interagency support from the DNR and other state and Federal agencies if needed.



Committed to proudly serving the community with professionalism and integrity.

Chief Flynn investigated a residential fire with a representative from Fire Findings on Friday, April 7 on Odell Road.

Chief Flynn assisted GT Metro Fire Department with their Lieutenant interview board on the morning of April 10. Two firefighters were interviewed.

Chief Flynn conducted 2 inspections in April. Myrtle & Maude's and Turtle Creek Casino Hotel. Two days of inspection were completed at the TCCH campus with representatives from Grand Traverse Band Fire Rescue.

Chief Flynn attended a 4-hour fire investigation report writing class on April 13. This class was held at the Regional Training Center and sponsored by the MSP and Fire Findings.

Assistant Chief Carpenter attended two Fire Operations meetings with the County Fire Chiefs. Chief Flynn was unable to attend these meetings.

Breathing Air Systems completed annual maintenance on the SCBA air compressor on April 17.

Chief Flynn attended a media event at Long Lake Fire Station with Senator Gary Peters in attendance to discuss the regional AFG grant awarded to area fire departments including Whitewater.

West Shore Fire completed semi-annual maintenance on the Holmatro extrication equipment on April 24.

Chief Flynn conducted a CPR/BLS class for new hire Josh Morgan on April 24.

LaFontaine CDJR was contacted in regards to the Ram 5500 brush truck that is on order. It seems that an issue with a certain part has caused a delay in manufacturing with no delivery date given. The vehicle is confirmed ordered and has been approved for assembly line schedule which will then receive a VIN and build date. This, of course, should take place when the assembly line returns to production.

Historical Society Report for April 2023

To: Whitewater Township Board Members

From: Luann Snider, Historical Society Director

Date: April 26, 2023

Meetings: Because of not having a quorum no meeting was held in April 2023.

Public Inquiries: Suzanne Wood has contacted me regarding information on the Vinton family.

Scan/Catalog Documents: A few hours were spent organizing the K files, typing out information and looking some information up.

New Documents/Items Received: No new Documents or Items were received in April.

Williamsburg School Reunion: Nothing new to report regarding the school reunion.

Other News: No other news to report at this time.

Memo

To: Whitewater Township Board
From: Don Glenn, Trustee
Date: April 27, 2023
Subject: Liaison report for PRAC meeting April 18, 2023

Attached to this memo is the agenda and meeting packet for the above subject for your reference. I have listed my summary points that may be of interest for board discussion and / or questions.

1. The PRAC discussed the Board's concerns regarding the workmanship recently completed at the Hi Pray Park playground and PRAC's decision was to have committee member Brandon Hubbell reach out to the contractor and schedule an on-site meeting to review the work completed. Melissa Melton stated she would attend that meeting with them if her schedule permits.
2. PRAC committee members Melton and Voice met and walked the BCNA trail area with a member of EGLE for a pre-application review of the area for a permit that would be needed to perform any work / improvements to the trail. There is likely to be another walk-thru scheduled with an engineering firm representative to better understand the scope of work and potential expense to trail improvement.
3. For those reviewing the PRAC meeting packet, be advised that there are no documents missing from the attached package as no supporting documents were provided in the PRAC meeting packet to prepare for discussions on agenda items #'s "8 (d) BCNA update, 8 (e) LRNT / BCNA signs, 8 (f) Hi Pray walking trail, 8(g) Matching grant funds and #9. New Business: a. Second round of grants."
4. Next PRAC regular meeting: Tuesday, May 16, 2023 @ 7:00 pm.

WHITEWATER TOWNSHIP
PARKS AND RECREATION ADVISORY COMMITTEE
AGENDA FOR REGULAR MEETING
April 18, 2023, 7:00 PM
Whitewater Township Hall
5777 Vinton Road, Williamsburg, MI 49690

Join Zoom Meeting

<https://us06web.zoom.us/j/89909146576?pwd=aXFyci8xT1gyL2hLeWVWTXhxRHIDQT09>

Meeting ID: 899 0914 6576 Passcode: 148033

One tap mobile +13092053325,,89909146576#,,,,*148033# US

Dial by your location +1 309 205 3325 US

1. Roll Call of Committee Members
2. Set/Adjust Meeting Agenda
3. Declaration of Conflict of Interest
4. **Public Comment:** Any person shall be permitted to address a meeting of the committee. Public comments shall be carried out in accordance with the following rules and procedures:
 - a. Comments shall be directed to the Committee, with questions directed to the Chair.
 - b. Any person wishing to address the Committee 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 Parks and recreation issues.
 - d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Committee members' questions.
 - e. Public comment shall be limited to 3 minutes.
5. Approval of minutes of March 21, 2023
6. Correspondence:
7. Reports/Presentations/Announcements/Comments
8. Unfinished Business:
 - a. Hi Pray Park playground edging
 - b. EGLE Preapplication
 - c. Bylaws approval
 - d. BCNA update
 - e. LRNT / BCNA signs
 - f. Hi Pray walking trail
 - g. Matching grant funds
9. New Business:
 - a. Second round of grants
 - b. --
10. Next Meeting May 16, 2023
11. Public Comment
12. Adjournment

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.

**Whitewater Township
Parks and Recreation Advisory Committee
Minutes for Regular Meeting
March 21, 2023**

Call to order 7:00 p.m.

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

Absent: Glenn

Also present: Recording Secretary MacLean

Set / Approve Agenda: Consensus to add Park toddler playground equipment as Unfinished Business e (5) and add 2% Tribal Grant as New Business d (4).

Declaration of Conflict of Interest: None

Public Comment: None

Approval of minutes:

MOTION by Butler, second by Cosgrove to approve February 21, 2023, meeting minutes.

Roll call vote: Butler-yes; Voice-yes; Cosgrove-yes; Melton-yes; Hubbell-yes. Motion carried.

Reports/Presentations/Announcements/Comments/Correspondence:

Hi Pray Park and BCNA will be discussed during those parts of the meeting.

Unfinished Business:

1. BCNA tree removal completion budget quote to be presented to the Board with a memo and a map of the area.
2. Lossie Trail wetland and improvements: EGLE preconstruction walk through scheduled for April 11 at 10 a.m. at the Cook Road trailhead with Steve Largent and Steve Lagerquist, landscape architect Kevin with Gosling Czubak will not be able to attend as initially anticipated.
3. Lossie/BCNA trail signage – will get a map laminated to put up.
4. PRAC bylaws read through and discussion. Consensus for Melton to present the amended bylaws to the Board for approval.
5. Whitewater Township Park toddler playground equipment was not addressed by the board during budget. The committee feels “Ghosted” by the Board regarding the information that was sent for the budget. Melton will resend the emails and package of information that was presented in January for budget including the maintenance items and playground equipment. The board did not approve funds for the playground equipment. They did approve the maintenance items. Need to know what the board does and does not want the PRAC to address.

New Business:

1. SPARKS / Hi Pray walking trail steps that need to be taken to present a grant request. Move forward on the engineer work to get better info for the grant. Board has approved the budget for doing a boundary survey at Hi Pray. Go green (solar) on the lights – might be grant funds available for being a “green” project. Resubmit the first project with some updates that include that GT County ARPA funds were approved. Also, do the walking trail as the second grant request. Second submission date for SPARKS has not been announced.
2. BCNA trail loop land conservancy meeting. Reengage Steve Largent on the project: Steve indicates that the trail would be more sustainable if it were run through the trees instead of the open field.

May need to take the pond out in the future.

May need more easement from the property owner.

Brandon will look at the property easement information, should be available on county records.

3. Discuss communication with board on local ARPA funding direction. PRAC is trying to move forward on the items as brought forth from the public input of the ARPA and PRAC surveys and the Rec Plan capital improvement list but PRAC does not know what the Board has in mind regarding what they would be in favor of moving forward.

Melton will put a memo to the board for preliminary or conceptual drawings.

4. 2% Tribal Grant opportunity or Donation fund at Turtle Creek – connection is Barbara on the donation board. Large chunks of money would go through the 2% grant process. Amber will get the information to and from Barb for a donation and the note that we have a matching donation offer.

Next regular meeting: Tuesday, April 18, 2023, 7 p.m.

Public Comment: None

Adjournment: 9:08 p.m.

Respectfully submitted,
Lois MacLean
Recording Secretary

**Whitewater Township
Trustee**

Memo

To: Parks & Recreation Advisory Committee
From: Don Glenn
cc:
Date: April 12, 2023
Re: Hi Pray Park playground border repairs

Attached is information regarding the subject matter of recently completed playground border repairs that the board views as unsatisfactory. This matter was discussed in the Board meeting on April 4th and was an agenda item: "J. New Business item #13 - Follow up Hi Pray Park Playground".

There were two (2) concerns noted by the board that are being requested to be fixed by the PRAC no later than May 20, 2023, and they are as follows:

1. As shown in the attached photo, the small piece of border wood on the corner is loosely fitted and is regarded to be a trip hazard. This piece needs to be properly seated against the adjacent pieces of wood and secured via corner braces or flat metal bars that can be fastened to keep the piece from coming loose.
2. The second matter also concerns the remaining 3-corners of the border and to insure the long-term integrity of the wood border holding its rectangular shape, the board is requesting that these 3-corners also be secured via corner braces or flat metal bars.
NOTE: all materials used to accomplish this task should be rated for outdoor use.

The board is suggesting that the original contractor, "Original Roots Outdoor LLC" be contacted by a member of the PRAC to conduct these repairs at no cost to the township.

However, if the PRAC is unsuccessful in having Original Roots Outdoor fix this deficiency then the board expectations are that the PRAC will recruit volunteer assistance to correct the matter themselves.

Your attention to this matter is appreciated.

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: Whitewater Township Park & Recreation Advisory Committee
Date: 4.3.2023
Re: Follow up Hi Pray Park Playground

Whitewater Township Board Members -

Recently an image was provided to all Board Members calling into question the recent repairs that were to be completed at the Hi Pray Park Playground. Several things in the image created questions. I looked at the PRAC business item submitted for the 3.14.2023 Whitewater Township Board packet that attested to the completeness of the repairs at the park. The Action Plan dated 8.28.2022 and the bid for repairs dated 9.26.2022 were next. These documents appear to call out metal or plastic edging materials and that the fall zone area was to be increased in size 3 feet in all directions. Minutes of what the Board approved will be reviewed and a business item will be created for the Board to review.

No motion made at this time pending further project review.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Original Roots Outdoor LLC
231-360-9878

5325 Broomhead Rd.
Williamsburg, Michigan
49690
United States



Prepared For
White Water Township

Estimate Date
09/09/2022

Estimate Number
0000068

United States

Description	Rate	Qty	Line Total
Labor 2022	\$45.00	36	\$1,620.00
Location: Hi Pray Park (play ground area and front perennial bed.) 2 People for 2 days. Excavate 1' in depth and 3' outward from the perimeter of existing border. Fill with 12" Sand. Install aluminum edging as new border, and weed both the playground and front garden.			
Option 1: Black Finish Aluminum Edging (16ft)	\$58.00	14	\$812.00
Expensive- However a word of warning- plastic edging does not hold up, and it does not stay in the ground well, due to lack of anchoring. Metal edging lasts a long time, is easier to work with, and comes with stakes to anchor and secure it in the ground. (this is helpful for areas that are frequently mowed, and in the long run, avoids tripping hazards.)			
Sand /ton	\$35.00	30	\$1,050.00
Debris Disposal /yard	\$25.00	4	\$100.00
Equipment Rental Dump Trailer for 2 Days	\$150.00	2	\$300.00
Equipment Rental Skid Steer for 2 days	\$350.00	2	\$700.00
Option 2: Poly Plastic Edging Includes connectors. no anchors	\$35.00	10	\$350.00

Option 3: Adding onto current wooden Edge 6"x6" cut to length, inclues screws, and other hardware needed.	\$200.00	1	\$200.00
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Subtotal	5,132.00
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Tax	0.00
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Estimate Total (USD)	\$5,132.00
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Notes

All rentals are coming from McLean's in Kalkaska. Equipment is expensive, however, it'll save on labor, disposal, and delivery costs. Screened Sand from TWS.

Obviously the subtotal is not correct. The subtotal will need to be adjusted according to what edging option is chosen. I raised the labor amount to cover for all option possibilites.

Any time/material savings will be given back to the township.

Playground perimeter expansion

Legend

Existing Wood Border

New Border
Expansion 3 ft in
each direction

3'-1" 3'-0"



30 ft



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
CADILLAC DISTRICT OFFICE



DANIEL EICHINGER
ACTING DIRECTOR

April 12, 2023

VIA E-MAIL

Cheryl Goss
5777 Vinton Road
Williamsburg, MI 49690

Dear Cheryl Goss:

SUBJECT: Preapplication Meeting
Site Name: 28-7392 Cook Road-Williamsburg
Submission Number: HPR-Z5GV-H6XSS
Whitewater Township, Grand Traverse County

This letter is a follow up to our April 11, 2023, preapplication meeting regarding the proposed project in Williamsburg, Grand Traverse County. The purpose of a preapplication meeting is to provide you with information that will clarify the permit process, answer preliminary questions about your specific project in order to avoid delays at a later date, and to determine, if possible, the need for wetland or inland lakes and streams permits.

During this meeting, we reviewed the need to obtain a permit under Part 301, Inland Lakes and Streams; and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The review was based on discussion of the proposed project and/or draft permit application, the proposed site, and potential modifications to the project discussed during our meeting.

During the review of the project site, the Michigan Department of Environment, Great Lakes, and Energy's (EGLE), Water Resources Division (WRD), made the following findings regarding the need for a permit under Part 301 and Part 303 of the NREPA:

- ☒ **A permit is required for the project as proposed.**
- ☐ A permit is not required for the project as proposed.
- ☐ It cannot be determined whether a permit is required given the information presented at this time.

This determination is based on the attached project plan to construct a trail, along with other information provided at the time of this meeting only. Provided that the proposed project and location are not altered, this determination is binding on EGLE for a period of two years from the date of this meeting.

During the review of the proposed project, the WRD noted activities that, as currently designed, would require authorization under:

Floodplain Regulatory Authority in Part 31, Water Resources Protection, of the NREPA.

During the meeting, we also discussed a number of issues related to the project, including the following:

- Information on completing an application form. Please submit the Joint Permit Application (JPA) using the same site as was used for this preapplication meeting request.
- Possible alternative design options to minimize project effects on aquatic resources; specifically, utilizing boardwalk over wetland areas to the greatest extent possible along with utilizing a clear span bridge over the stream.
- Potential floodplain effects. We recommend that you discuss this issue further with the WRD District Floodplain Engineer, Susan Conradson who can be reached at ConradsonS2@michigan.gov or 231-429-2658.

Please note that this is not a permit. The WRD cannot indicate during a preapplication meeting whether or not a permit will be issued. The WRD cannot make a decision regarding a permit until it has considered all of the information provided in the final permit application, and, in some instances, has also considered comments received in response to a public notice of the project. Therefore, the WRD cannot legally tell you whether the project will be permitted in advance of a permit application being submitted and reviewed.

The EGLE submission number assigned to this project is HPR-Z5GV-H6XSS. Please keep a record of this submission number and use it when submitting a final application or otherwise corresponding with our office on this project.

We appreciate the opportunity to meet with you or your representative to address these concerns. We have established a submission for this project, and the information submitted to date will be used to facilitate processing of the final application. If you should have follow-up questions before then, please contact me at 231-577-8112; CraneJ3@michigan.gov; or EGLE, WRD, Cadillac District Office, 120 West Chapin Street, Cadillac, Michigan 49601-2158.

Sincerely,

Joshua Crane
Cadillac District Office
Water Resources Division

jc/sh

Attachment

cc: Grand Traverse County Clerk
Grand Traverse CEA
White Water Township Clerk
Susan Conradson, EGLE

Lossie Road/BCNA

Legend

BCNA loop back to trail head ~ approx 1500 ft

Connector between Lossie and BCNA approx 2200ft

LOWWET AREAS

Replacement of Foot Bridge over Battle Creek

1,446'-3"
611'-11"

2,240'-0"
699'-4"

2,136'-8"
1,149'-5"

651'-7"



3000 ft

Please include in meeting packet

Thank you!
Melissa Melton

Begin forwarded message:

From: "Cheryl A. Goss" <clerk@whitewatertownship.org>
Date: April 12, 2023 at 11:40:52 AM EDT
To: Melissa Melton <mammelon@gmail.com>
Subject: PRAC ByLaws No Longer Need Board Approval

Melissa –

Per board action at yesterday's meeting, the township board no longer approves the Parks & Recreation Advisory Committee's bylaws. At your request, you have been provided with revised bylaws with some changes that PRAC wishes to make. All the committee needs to do is to adopt the revised bylaws at your next meeting and provide the revised bylaws to the board.

Interestingly, this whole issue of the township board approving the bylaws of the Parks & Recreation Advisory Committee is not authorized by the ordinance which created the committee. Here is the excerpt of Ordinance No. 48.

Section IX
Meeting Records

The Committee shall adopt Bylaws for the transaction of business and shall keep a record of its motions, transactions and findings, which records shall be a public record.

In any event, please let me know when the revised bylaws have been adopted and I will finalize the Word copy and provide all PRAC members with a hard copy for their notebooks.

FYI –

bcc Parks & Recreation Advisory Committee and Don Glenn

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.

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 and may have two (2) alternate 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~~ **Board Representative** (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, Vice Chairperson, and Secretary. 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. **Secretary** The Secretary shall be responsible for secretarial duties, including signing official committee documents.
- E. **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 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 ~~written request to the clerk, 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, input of the board representative,~~ 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~~ the Township Board or ~~Commission~~ **the board liaison to the Parks & Recreation Advisory Committee.**

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

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SECTION 8: Order of Business

The order of business shall be as follows:

1. Call to Order
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7. Correspondence
8. Reports/Presentations/Announcements/Comments
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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 January 10, 2023.

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 and may have two (2) alternate members.
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Adopted by the Whitewater Township Board of Trustees at their regular meeting held on January 10, 2023.

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
February 1, 2023

Call to Order at 6:00 p.m.

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

Absent: Steelman, DeYoung

Also in attendance: Planner Randy Mielnik and Recording Secretary MacLean

Zoom attendance: 5 at start, up to 9 throughout meeting

Set / Adjust Agenda: switch Private roads item and Article 25 item

Declaration of Conflict of Interest: None

Public Comment:

Public comment began at 6:05 p.m.

Connie Hymore

Vicki Beam

Public comment ended at 6:09 p.m.

Public Hearing:

Open Public hearing at 6:10 p.m. on Zoning Ordinance Amendment #86, regarding Article 3, Definitions and Article 28, Condominium Development Regulations.

The public hearing notice was posted in the township hall and on the website. The notice appeared in the Record Eagle January 15, 2023.

Correspondence: None received

Public comment:

Beam is not in support of this amendment. There is no private road ordinance. Does site condos match the township's Master Plan? Not ready for this ordinance. No guidance on site condo vs. planned unit developments (PUD).

Hymore is not in support of this amendment. Does not feel we are ready for a site condominium. Do your due diligence.

Kim Mangus supports the approval of this amendment at this time. It is in conformity with state law. Legal by state law vs what we want.

Close public hearing at 6:19 p.m.

Commission discussion: Consensus to send to the attorney for formatting to bring it back for a vote to send to the Board.

Approval of Minutes:

MOTION by Vollmuth, second by Rebant to approve the minutes of January 4, 2023.

Roll call: Wroubel-yes; Jacobson-yes; Keaton-yes; Rebant-yes; DeYoung-n/a; Steelman-n/a; Vollmuth-yes.

Motion carried.

Correspondence: None

Reports:

Zoning Administrator Report, Hall: None.

Chair's Report, Steelman: included in packet.

Township Board Rep, Vollmuth: Have included the agenda in the report to the board. The Zoning Administrator is available on Thursdays.

ZBA Representative, Wroubel: No cases in December, annual housekeeping completed, election of officers, meeting schedule, etc. The ZBA motioned to recommend the Planning Commission review Article IV of the Whitewater Township Zoning Ordinance as has been brought to the attention of the ZBA and the PC by the Zoning Administrator. Article IV offers flexibility. Consensus that the PC needs further guidance from the Zoning Administrator as to what should be addressed. The Zoning Administrator is who brought the question to light.

Discussion: The PC has a lot on their plate and maybe this should be on the back burner. The PC needs guidance from the zoning administrator. "What is wrong with Article IV?" What is the priority of this? How urgent is this?

Committee Reports: Part of the packet for discussion.

Planner, Mielnik: Part of the packet for discussion.

Unfinished Business:

1. Master Plan

Citizen interest: Rebant, noted that we have two township resident volunteers that have come forward, Vicki Beam and Tom McElwee. Consensus to support the additional committee members. The committee will come up with strategies.

PSA Information: DeYoung, information in packet.

General progress: Mielnik and Rebant, new survey and community engagement in the summer. Basic information is being put together behind the scenes including county aerial photography and information with Luanne Snider, the Historical Society Chair.

2. Zoning Ordinance “revamp” including status of Zoning Ordinance Amendments to 1, 12 and 14. Mark ups have come back from the Board. Not a lot of clarity from them. There is some duplication throughout the ordinance. Must be consistent and make sure each area is addressed as things are cross referenced.

Wroubel brings up the example of the campgrounds, where they are allowed and how many sites, noting that the master plan and ordinances need to work together.

Vollmuth recommended creating a subcommittee. Mielnik’s historical experience is that the planner/consultant will address zoning ordinance updates and changes and bring forth to the PC. Mielnik indicates we need one book in MS Word, searchable, format. Jacobson noted that this is exactly the direction we need.

What is the first / next step?

Rebant noted that we need to form the subcommittee and let the subcommittee present a scope to the Board.

Subcommittee would be Vollmuth, Jacobson and Keaton to look at the zoning ordinances.

Mielnik recommends no major changes until the Master Plan review is complete.

MOTION by Keaton second by Rebant to create a subcommittee consisting of Jacobson, Vollmuth and Keaton to go over the zoning ordinances.

Roll call vote: Vollmuth-yes; Jacobson-yes; Keaton-yes; DeYoung-n/a; Steelman-n/a; Rebant-yes; Wroubel-yes. Motion carried.

PC Budget is forth coming.

3. Bylaws review and update: Postpone until next meeting. Consensus to send the bylaws with suggested amendments to the attorney.

Leave the time set at 7 p.m.

Officers have no term limit. Chair, vice chair and secretary are nominated and voted on each year. Each member is brought on by the board for three year terms and can be reapproved.

Discussion of verbiage change.

4. Standard Operating Procedure (SOP), Vollmuth and DeYoung, postpone to March when DeYoung can be present.

5. Discussion regarding a joint meeting with the Board, Rebant and Steelman addressing workflow and communications both directions. PC report is delivered via the PC Board Representative.

Possibly bring an outside person / facilitator in to develop workflows and processes. Make it a training opportunity for the Board and the PC.

Adversarial communication and attitudes are not helpful. PC to set the example of workflows and processes.

Vollmuth is presenting to the Board monthly and will include subcommittee reports.

The Board has to fix their end but we cannot make them.

Standard Operating Procedures = Procedures / Policies / Guidelines / Check list / Step by Step / Work flow

Mielnik notes that there are some procedures that are already in place and have been shared, example Zoning Ordinance Amendments procedure.

6. PC priorities, programs and timelines, Rebant, following suit on the communication. A project timeline documents the work flows, processes and action plans. Rebant will load the projects into the spreadsheet as

provided by Mangus for 2022.

7. Private Road Ordinance, Vollmuth has found multiple private road ordinances. None have been approved. The one that was on the books was taken away. We need to know “why” when the board and attorney want changes. Mielnik explained what a private road ordinance is and is not for and follow up expectations. The county has a private road ordinance, mostly from an engineering standards point. The site condominiums and subdivisions and PUDs would reference the standards of the county. It would address standards, definition of driveways and private roads and state who is going to verify the road being in compliance. What is the priority? Does the board want it addressed? It is a General Ordinance/Police Power Ordinance and not under the purview of the PC without Board direction. Need to know why something is rejected. Do we have one that we would recommend? Do we know why General Ordinance #32 was repealed? Submit a question to the Board – why and what regarding the repealed ordinance and the rejected suggests. Vollmuth recommends that the PC resubmit one. Mielnik notes that the township needs to get something on the books. Possibly request a special meeting with the board to address the private road ordinance. Vollmuth will request it being an agenda item. Mielnik will write up the reasons why the township needs the ordinance. The disconnect between the Board and the PC is a problem. Kim Mangus was requested to share some background on the repeal of the private road ordinance. Mielnik and Vollmuth will put something together for the board and explain the possible fix.

8. Article 25, Special Use Permit (SUP) Commercial Campground recommendations, Mielnik – postpone to March

New Business:

1. PC Priorities Discussion, as part of Unfinished Business #6
2. MTA Authorities and Responsibilities of Michigan townships: Carl, Al, Mike, Planning & Zoning (green) Mike Jacobson
Heidi will follow up with emails regarding orders for specific books for the PC members.

Next Regular Meeting March, 1, 2023, 7 p.m.

Agenda: Discussion of Amendment #86, Master plan, SOP, SUP, Article 25, commercial campgrounds, resident outreach committee, bylaws, standard operating procedure/policies and procedure, joint meeting.

Public Comment:

Public comment began at 8:52 p.m.

Lois MacLean

Vicki Beam

Connie Hymore

Public comment ended at 9:02 p.m.

Commission Discussion/Comments:

Continuing Education: MAP training, Mielnik. Training opportunities in the packet, some are virtual. This is an excellent opportunity.

Lakes 101 online course update from Wroubel.

Vollmuth will follow up with information on a podcast.

Adjournment: 9:06 p.m.

Tabled items: Article 5 Districts

Respectfully Submitted

Lois MacLean,

Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
March 1, 2023

Call to Order at 7:00 p.m.

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

Absent: DeYoung, Rebant,

Also in attendance: Planner Randy Mielnik and Recording Secretary MacLean

Zoom attendance: 2 at start

Set / Adjust Agenda: Address New Business #1, Annual Report after Unfinished Business #4, Project Flow Chart

Declaration of Conflict of Interest: None

Public Comment:

Public comment began at 7:04 p.m.

Heidi Vollmuth

Denise Peltonen

Public comment ended at 7:10 p.m.

Public Hearing: None

Approval of Minutes:

MOTION by Vollmuth, second by Jacobson to approve the minutes of February 1, 2023, as amended.

Roll call: Wroubel-yes; Jacobson-yes; Vollmuth-yes; Keaton-yes; Rebant-n/a; DeYoung-n/a; Steelman-yes.

Motion carried.

Correspondence: Acme Township Master Plan Notification

Reports:

Zoning Administrator Report, Hall: Not available.

Chair's Report, Steelman: Status of general ordinance and municode, binder updates for zoning ordinance and a general ordinances. Two township zoning books have been ordered for those that need them.

Township Board Rep, Vollmuth: Binders are still being put together. Vollmuth asks who wants the Authorities book (the red book). We need the tools. Vollmuth spoke with the ZA. Suggests everyone read the article that was handed out regarding non-conformities.

ZBA Representative, Wroubel: No meeting in February

Committee Reports: None

Planner, Mielnik: Part of the packet for discussion.

Unfinished Business:

1. Amendment #86, Article 28, Condominium Development Regulations and Article 3 Definitions discussion:
It has been before the PC, the Planner, the attorney and it has been through Public Hearing. Clarifications, not major zoning changes.
Consensus to forward to the board as amended.
Findings of fact: (1) to clarify text with varied interpretations; (2) to adjust organizational structure to improve navigation within the article; (3) to provide definitions that were not previously defined; (4) to improve clarity which were not as concise as the PC wanted; (5) to increase transparency, clarity and to conform with exparte' rules we added the planner and reduced the number of planning commissioners to one or two in a preliminary site plan review.
MOTION by Jacobson second by Keaton to forward Amendment #86 as amended to the Board with a recommendation to adopt based on the stated findings of fact: (1) to clarify text with varied interpretations; (2) to adjust organizational structure to improve navigation within the article; (3) to provide definitions that were not previously defined; (4) to improve clarity which were not as concise as the PC wanted; (5) to increase transparency, clarity and to conform with exparte' rules we added the planner and reduced the number of planning commissioners to one or two in a preliminary site plan review.
Roll call: Steelman-yes; Jacobson-yes; Vollmuth-Board member not voting; Keaton-yes; Rebant-n/a; Wroubel-

yes; DeYoung-n/a.

Correct and scan the printed version and present to the Board for inclusion in the packet for March 14 meeting.

2. Bylaws review and discussion and changes made.

MOTION by Keaton second by Wroubel to adopt the bylaws as amended.

Roll call vote: Vollmuth-yes; Jacobson-yes; Keaton-yes; DeYoung-n/a; Steelman-yes; Rebant-n/a; Wroubel-yes.
Motion carried.

3. Zoning Ordinance update and proposed action, Mielnik and Steelman: Zoning Ordinance update discussion.
Consensus on the proposed action plan.

MOTION by Steelman second by Jacobson to present this proposed action plan to the Board.

Roll Call: Jacobson-yes; Keaton-yes; DeYoung-n/a; Wroubel-yes; Steelman-yes; Vollmuth-yes; Rebant-n/a.
Motion carried.

4. Master Plan Power point presentation

- a. Community engagement
- b. Review 2009 survey
- c. Potential value of a new survey and public participation
- d. Develop recommendations

5. Project Flow Chart – Rebant: Postpone

6. Standard Operating Procedures (SOP). Postpone

7. Private Roads, Vollmuth: discussion: How important is the private road ordinance? Not important to the Master Plan. In Whitewater Township the Private Road is a General Ordinance. Is this something the PC needs to address at this time? Are we going to do it as a zoning ordinance? Does the PC have the authority to work on this? The ordinance was repealed, not repealed and replaced, just left with nothing.
Steelman recommends sending private road ordinances as individuals instead of as the PC. It would be for new private road construction only.
Steelman asked if this is a priority of the Planning Commission right now? It is a General Ordinance.
Everyone come back with a private ordinance that can be discussed next time.
Consensus that this is an agenda item for April.

New Business:

1. Annual Report discussion with a consensus to present the Annual Report to the Board.

Next Regular Meeting April 5, 2023, 7 p.m.

Special Meeting, Master Plan Resident Outreach Subcommittee, March 10 9 – 11 a.m.

Training, March 15 for video training? 6:30 – 9:30

Agenda: Master Plan, Private Roads, Project Flow Chart, Standard Operating Procedures.

Public Comment:

Public comment began at 9:48 p.m.

Lois MacLean

Heidi Vollmuth

Karin Boyd

Public comment ended at 9:54 p.m.

Commission Discussion/Comments: Al proposes at the end of the meeting is a quick synopsis of the meeting and recap for the annual report.

Accomplished tonight:

Amendment 86 to the Board, bylaws, formal request for zo updates, scheduled extra meetings, Master Plan discussion.

Continuing Education:

Zoning Administrator Hall shared “MSU Extension – Administrative decisions require careful application to ordinance

standards, Part 1 and 2” in preparation of site plan reviews.

Trustee, Vollmuth shared MSU Extension – Organization and Codification of a Zoning Ordinance.

Adjournment: 9:58 p.m.

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

Respectfully Submitted
Lois MacLean,
Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION
MASTER PLAN SUBCOMMITTEE
SPECIAL MEETING MINUTES
March 10, 2023

Call to Order at 9:00 a.m.

Roll Call: Peltonen, Steelman, Rebant Mielnik, Beam

Absent: McElwee

Also in attendance: Planner Randy Mielnik and Recording Secretary MacLean

Zoom attendance: 2 at start

Set / Adjust Agenda:

Declaration of Conflict of Interest: None

Public Comment: None

Stelman turned the meeting over to Mielnik

Special Meeting Business:

1. Review 2009 Survey discussion: Mielnik shared the power point that was presented at the PC and a very brief synopsis of the key take-a-ways of the 2009 Community Survey.
2. New survey discussion: We cannot overly rely on a written survey only as there is no “random contact survey” and brings the validity of it into question. Consensus that a new survey is relevant; community engagement is important.
3. New survey draft presented and discussed: need to know what the distribution would be, mail, phone, internet, etc.; public engagement; percentage of respondents - is there a “magic number” – 2009 was about 20% and the survey company indicated it was considered a valid percentage.
Discussion of the provided/suggested questions, explanations, edits and additions.

Some of the questions will lead to more group discussions, possibly community outreach group meetings.

Is there a budget to have an outside firm do the survey? Time is valuable also. Survey Monkey is an inexpensive online option.

Peltonen, Mielnik, Beam and Rebant will investigate options and bring them back to the committee.
Mielnik will update the draft survey and get it out to everyone.

4. Potential recommendations to the PC - none
5. Any other related topic the committee wishes to discuss. - none

Next Regular Meeting April 5, 2023, 7 p.m.

Training, March 15, 6:30 – 9:30 p.m.

Next subcommittee meeting, March 17, 9 - 11 a.m.

Public Comment:

Public comment began at 10:46 a.m

Lois MacLean

Tom McElwee

Vern Gutknecht

Connie Hymore

Public comment ended at 10:55 a.m.

Committee discussion: Peltonen, thank you to everyone who is participating.

Adjournment: 10:56 a.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION
MASTER PLAN SUBCOMMITTEE
SPECIAL MEETING MINUTES
March 17, 2023

Call to Order at 9:00 a.m.

Roll Call: Steelman, Rebant, Mielnik, Peltonen

Absent: McElwee, Beam

Also in attendance: Recording Secretary MacLean

Zoom attendance: 2 at start

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None

Public Comment: None

Special Meeting Business:

1. Review and discuss second draft of the survey:
Read through, discuss and edit the questions.
Demographic census data is important.
Planning to engage via workshops for more in depth information gathering on specific topics.
2. Discussion of survey mechanisms and timeline:
Use the newsletter to advertise that the survey is coming.
Plan for survey to be back mid June.
Networks Northwest can compile the data for approximately \$2000.
Possibly share basic results in the July newsletter with a link to the results.
Do outreach workshops in July and August.
3. Potential recommendations to the PC. None at this time.
4. Any other related topic the committee wishes to discuss. - none

Next Regular Meeting April 5, 2023, 7 p.m.

Next subcommittee meeting, March 24, 9 - 11 a.m.

Public Comment: None

Committee discussion: None

Adjournment: 10:07 a.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

**Whitewater Township
Parks and Recreation Advisory Committee
Minutes for Regular Meeting
March 21, 2023**

Call to order 7:00 p.m.

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

Absent: Glenn

Also present: Recording Secretary MacLean

Set / Approve Agenda: Consensus to add Park toddler playground equipment as Unfinished Business e (5) and add 2% Tribal Grant as New Business d (4).

Declaration of Conflict of Interest: None

Public Comment: None

Approval of minutes:

MOTION by Butler, second by Cosgrove to approve February 21, 2023, meeting minutes.

Roll call vote: Butler-yes; Voice-yes; Cosgrove-yes; Melton-yes; Hubbell-yes. Motion carried.

Reports/Presentations/Announcements/Comments/Correspondence:

Hi Pray Park and BCNA will be discussed during those parts of the meeting.

Unfinished Business:

1. BCNA tree removal completion budget quote to be presented to the Board with a memo and a map of the area.
2. Lossie Trail wetland and improvements: EGLE preconstruction walk through scheduled for April 11 at 10 a.m. at the Cook Road trailhead with Steve Largent and Steve Lagerquist, landscape architect Kevin with Gosling Czubak will not be able to attend as initially anticipated.
3. Lossie/BCNA trail signage – will get a map laminated to put up.
4. PRAC bylaws read through and discussion. Consensus for Melton to present the amended bylaws to the Board for approval.
5. Whitewater Township Park toddler playground equipment was not addressed by the board during budget. The committee feels “Ghosted” by the Board regarding the information that was sent for the budget. Melton will resend the emails and package of information that was presented in January for budget including the maintenance items and playground equipment. The board did not approve funds for the playground equipment. They did approve the maintenance items.
Need to know what the board does and does not want the PRAC to address.

New Business:

1. SPARKS / Hi Pray walking trail steps that need to be taken to present a grant request. Move forward on the engineer work to get better info for the grant. Board has approved the budget for doing a boundary survey at Hi Pray. Go green (solar) on the lights – might be grant funds available for being a “green” project. Resubmit the first project with some updates that include that GT County ARPA funds were approved. Also, do the walking trail as the second grant request. Second submission date for SPARKS has not been announced.
2. BCNA trail loop land conservancy meeting. Reengage Steve Largent on the project: Steve indicates that the trail would be more sustainable if it were run through the trees instead of the open field.

May need to take the pond out in the future.

May need more easement from the property owner.

Brandon will look at the property easement information, should be available on county records.

3. Discuss communication with board on local ARPA funding direction. PRAC is trying to move forward on the items as brought forth from the public input of the ARPA and PRAC surveys and the Rec Plan capital improvement list but PRAC does not know what the Board has in mind regarding what they would be in favor of moving forward.

Melton will put a memo to the board for preliminary or conceptual drawings.

4. 2% Tribal Grant opportunity or Donation fund at Turtle Creek – connection is Barbara on the donation board. Large chunks of money would go through the 2% grant process. Amber will get the information to and from Barb for a donation and the note that we have a matching donation offer.

Next regular meeting: Tuesday, April 18, 2023, 7 p.m.

Public Comment: None

Adjournment: 9:08 p.m.

Respectfully submitted,
Lois MacLean
Recording Secretary

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

April 2023

Location	Citations	Traffic Crashes			Arrests		Traffic Crash Totals
		Fatal	PIA	PDA	OWI	Criminal	
01 Acme	9	1	0	1	0	8	2
02 Blair	19	1	0	7	4	10	8
03 East Bay	26	0	1	5	2	5	6
04 Fife Lake	2	0	1	1	0	2	2
05 Garfield	65	0	3	16	8	55	19
06 Grant	0	0	0	1	0	0	1
07 Green Lake	4	0	0	2	4	5	2
08 Long Lake	2	0	1	3	2	5	4
09 Mayfield	1	0	0	3	0	2	3
10 Peninsula	2	0	0	2	0	1	2
11 Paradise	8	0	0	5	0	4	5
12 Union	1	0	0	0	0	0	0
13 Whitewater	2	0	1	3	0	1	4
29 Fife Lake Vlg	0	0	0	0	0	0	0
30 Kingsley Vlg	5	0	0	0	0	8	0
66 Traverse City	1	0	0	0	1	44	0
84 Out of County	0	0	0	0	0	17	0
Totals	147	2	7	49	21	167	58

Ticket stats are based on what District Court has entered as of 5/01/23.

Arrest stats are as of 5/01/23.

MINUTES
FOR THE BOARD OF COUNTY ROAD COMMISSIONERS OF
GRAND TRAVERSE COUNTY
REGULAR BOARD MEETING OF
THURSDAY, MARCH 23, 2023 – 6:00 P.M.
1881 LAFRANIER ROAD, TRAVERSE CITY MI 49696

1. PLEDGE OF ALLEGIANCE

Commissioner Underwood led in the Pledge of Allegiance.

2. ROLL CALL

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

3. APPROVAL OF AGENDA

Motion by Leman, seconded by Korn, to approve the agenda with additional Item 5. Bluff Road Letter of Support, and Action Items R. Letter of Commitment – Boardman River Crossing and S. Cost Participation Agreement – Three Mile Road.

CARRIED Unanimously

4. CONFLICT OF INTEREST

No conflict of interest was offered at this time.

5. BLUFF ROAD LETTER OF SUPPORT

Leman stated that the two commissioners on the Bluff Road Committee agreed to create a letter of support.

The letter did not make it into the board packet.

Korn stated that in anticipation of ACT 51 and possible decertification of Bluff Road, a letter of support was created. She has been working with Peninsula Township's Supervisor. She stated that there are some changes to be made to the letter. She read the letter with some changes to it. It was agreed that if decertification takes place, the changes would be made and that the Chair would sign the letter on behalf of the Commissioners.

Motion by Gillman, seconded by Korn, that if Bluff Road becomes decertified, the commission will commit to the Letter of Support.

CARRIED Unanimously

6. PUBLIC COMMENT

Josh Francis with Scharmen Road stated he was looking for follow up on the project as he hadn't heard back from anyone. He is wanting to get a plan to East Bay and Paradise Townships.

Kluczynski stated that he would follow up with Schoonover.

Dan Olson, Mallard Drive, played two recordings from two summers ago regarding Bluff Road. He then asked that the GTCRC do ditch work in that area.

TJ Andrews, County Commissioner, stated she feels there is a disconnect between the Road Commission and residents of Peninsula Township. She does not feel that the GTCRC message is clear. She added she appreciates that the working group is meeting again. She also asked if the GTCRC could put the Bluff Road Letter of Support into a resolution also.

Jim Raphael, Mission Hills HOA, stated that this has been going on for three years and that he understands the legality portion of it. He is hoping with the new commissioners on board, that they can find a solution. He added that the township and the road commission need to come up with a plan.

Mike Skurski, Mallard Drive, stated that he feels there is a lack of local input on how the Road Commission spends funds. He stated that the budget shows \$12.5 Million going to Primary Roads and \$3.6 Million going to Local Roads. The Winter Budget is \$1.4 Million going to Primary Roads and \$1.3 Million to Local Road. Instead of 3% going to the townships, increase it to 30%. If this was the case, the road would have been fixed back when it failed.

Isaiah Wunsch, Peninsula Township Supervisor, stated that he appreciates that the commissioners listen to them this evening. It is very important for residents to find a solution. He feels the committee meeting was very productive. He requested that the Road Commission give the township an amount of their financial commitment.

Rick Venner, Cherry Capital Cycling Club, thanked the board for working to keep Bluff Road open to non-vehicular traffic.

7. ACTION ITEMS

A. Appointments

6:05 PM – Bill Zipp, OHM, stated that on the east end of the bridge, the straight route has been eliminated. Resource agencies requested they look into improving South Airport again. He added that the 12-month clock (Environmental Assessment) hasn't started but it is nearing.

B. Consent Calendar

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

1. Minutes

The Board approves the minutes of Regular Meeting of February 23, 2023 and Work Session Meeting of February 24, 2023.

2. Payroll

The Board approves Payroll #23-04 and #23-05 for \$175,856.18 and \$184,755.08, respectively.

3. Accounts Payable

The Board approves Accounts Payable in the amounts of \$362,957.09 and \$607,059.76.

4. Financial Reports

There are no new reports currently for approval.

5. Communications

The Board directs staff to receive, file and respond to communications, as necessary.

ROLL CALL VOTE:

YEAS: Korn, Leman, Gillman, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

C. Items Removed From The Consent Calendar

No items were removed from the Consent Calendar.

D. Reports

Kluczynski stated that 7 staff members, himself and Underwood attended the CRA Road Show and it was very informative and made some contacts with Federal Highway and MDOT.

E. MPO Presentation/Discussion

Rob Carson, Networks Northwest, spoke on a presentation he had for the Board. He started with a timeline of the different name changes, Grand Traverse Area Transportation Task Force, TC-TALUS and now TTCI. In December 2022, the population exceeded the threshold to be considered an MPO. He then explained what an MPO is. (Metropolitan Planning Organization – a forum for cooperative transportation decision making for the Metropolitan Planning Area). He added that there are currently 13 MPO's in the state of Michigan, we would be number 14. The typical MPO structure has a Policy Board, Executive Committee, Technical Committee, Citizens Advisory Committee, other Special Standing and Ad Hoc Committees, and Professional Staff. He ran through a timeline, in October of 2023, it is expected that the MPO will be recognized.

F. Strategic Plan Presentation/Discussion

John Sych presented to the board a draft strategic plan. He had broken down what seemed to be the priorities of the goals and objectives. He is looking for feedback, adjustments and changes. He would like to know what items should be worked on first.

Kluczynski stated that staff had gotten together and went over what they felt were priorities.

Underwood suggested a special meeting for the board to discuss their input. It was agreed that a Saturday morning meeting would work best. The date will be determined later.

Sych stated that this is a very fluid document and should be addressed yearly.

G. Bluff Road Update

Gillman stated he doesn't recall moving the road, but not relocating the road.

Kluczynski stated relocating it could mean moving it 20 additional feet in from the shoreline.

Gillman stated that he recalls stating that they would not relocate it up through Mallard Dr.

Kluczynski stated that is why some of the grants would not work for us as they would have to be along the pathway of Mallard Dr.

Korn added that the residents were not aware of funds that have been spent in Peninsula Township. She stated that communication needs to be worked on. Communicate what has been done and what is coming up. She is happy to see that the Road Commission has applied for a grant.

Kluczynski stated that these grants are 80/20. Twenty percent (20%) would need to come from local funds.

Leman added on this topic, there were some action items that were supposed to be addressed. He wants to see the new fence/barricades completed.

H. ACT 51 Resolution 2023-03-01

Kluczynski stated with the decertification of Bluff Road, the previous mileage was 1021.46 miles, the correct amount is 1021.19 miles, a difference of 0.27 miles. The 2022 Act 51 Mileage Report will reflect a total of 1021.19 miles. This is a reduction of 1421 feet.

Underwood added that we must certify to the State of Michigan what roads we maintain for vehicular traffic. No maintenance will take place in this location. It is not abandoned.

Gillman added that decertification will not affect options for grant funding.

Motion by Leman, seconded by Gillman to decertify the small/closed portion of Bluff Road and submit the Act 51 Resolution for a total mileage of 1021.19.

ROLL CALL VOTE:

YEAS: Korn, Leman, Gillman, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

Motion by Gillman, seconded by Korn to commit to the Letter of Support of Bluff Road.

ROLL CALL VOTE:

YEAS: Leman, Gillman, Korn, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

I. Resolution 2023-03-02 of Support for FY 2026 Local Bridge Program Application

Weichlein stated that this resolution has been submitted in the past. We are submitting it again.

Motion by Gillman, seconded by Leman to approve the FY2026 Local Bridge Program Application and Resolution 2023-03-02, with a 20 percent funding from the GTCRC.

ROLL CALL VOTE:

YEAS: Gillman, Korn, Leman, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

J. Bridge Design Services – Diamond Park, Green Lake Township

Weichlein stated that this is a two-lane road and will be the same. They just reduced the weight limits to the bridge. This bridge and Beitner Road bridge are the only 2 bridges that are currently needing work.

Motion by Korn, seconded by Gillman to approve the design cost proposal from OHM Advisors in the amount not to exceed \$180,000.

ROLL CALL VOTE:

YEAS: Korn, Leman, Gillman, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

K. Portable Signal System Purchase

Kluczynski stated that this was discussed as part of the budget. This will help in situations where the light fails or while we are working on the signals.

Motion by Leman, seconded by Korn to approve the purchase of four Addco PTS-2000 Portable Signals in the amount of \$201,942.00, more or less.

ROLL CALL VOTE:

YEAS: Korn, Leman, Gillman, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

L. Upgrade GTCRC Mobile Radio System

Kluczynski stated that the radios need to be updated. We had submitted it for the ARPA fund but was denied.

Gillman asked if this went out to bid.

Kluczynski stated that it was done through MiDeal.

Gillman stated that he feels MiDeal is not fair to new companies that are starting out.

Motion by Leman, seconded by Korn to approve the Mobile Radio System upgrade with Grand Traverse Mobile Communications in the amount of \$398,246.00, more or less.

ROLL CALL VOTE:

YEAS: Leman, Gillman, Korn, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

M. Mowing Services

Kluczynski stated that the mowing bids were received, and we are requesting the lowest bidder be awarded.

Motion by Gillman, seconded by Korn to award the mowing services for Grand Traverse County Properties to Chandler Outdoors.

ROLL CALL VOTE:

YEAS: Gillman, Korn, Leman, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

N. Janitorial Services

Kluczynski stated that janitorial services bids were received, and we are requesting the lowest bidder be awarded.

Motion by Gillman, seconded by Leman to approve janitorial services for the Traverse City and Kingsley Locations to D.C. Cleaning.

ROLL CALL VOTE:

YEAS: Korn, Leman, Gillman, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

O. Design/Build Parts Room and Tool Crib Addition

Kluczynski stated we are running out of space and allow us to separate parts for the shop and parts that are for the crew to use. This will create a cage/room using space we already have.

Motion by Gillman, seconded by Korn to award the Design/Build Parts Room and Tool Crib to Lambert Construction Services in the amount of \$30,000, more or less.

ROLL CALL VOTE:

YEAS: Korn, Leman, Gillman, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

P. Fleet Tracking with Advantage Asset Trucking for Automated Vehicle Location System (AVL)

LaCross stated this is a project that we have been working on for the last year. Trying to get information from our trucks, plow up/plow down, etc. We would be able to get information from the trucks on material being used and how much. We will be able to see when they are completed with a road.

Kluczynski stated that this will be on our mowers, graders, etc.

Motion by Gillman, seconded by Leman to purchase GeoTab to equip our fleet in the amount of \$33,639.96, more or less.

ROLL CALL VOTE:

YEAS: Leman, Gillman, Korn, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

Q. GTCRC Engagement Survey Results

Cade stated the engagement survey results from staff. She stated that a couple of people did not do the survey.

She recapped the results of the questions. There are still areas to be worked on.

One question asked was if they would be happy to spend the rest of their career at the Road Commission and 88% stated that they would.

R. Letter of Commitment – Boardman River Crossing

Kluczynski stated the State of Michigan wants a Letter of Commitment that we will pursue and fund the local share of moving through the next phase of this project.

Motion by Gillman, seconded by Korn to move forward with the Letter of Commitment and instruct staff to prepare a Letter of Intent to move forward with the Boardman River Crossing for the Managing Director and Chair to sign.

CARRIED Unanimously

S. Resolution 2023-03-03 Cost Participation Agreement (MDOT) – Three Mile Road, Hammond to S. Airport (23-5106)

Weichlein stated this is for the crush and shape project on Three Mile. \$375,000 is the max that we can get, and the rest will need to be paid with our funds.

Gillman asked what the expected return is.

Weichlein stated around 10 - 15 years.

Motion by Gillman, seconded by Korn to approve the Cost Participation Agreement and Resolution 2023-03-03 for Three Mile Road and authorize the County Highway Engineer and the Clerk to sign the agreement, with our portion being in the amount of \$667,352.00, more or less.

ROLL CALL VOTE:

YEAS: Gillman, Korn, Leman, Underwood

NAYS: None

ABSENT: Kazim

CARRIED Unanimously

7. INFORMATIONAL ITEMS

A. Manager's Comments

Kluczynski stated he had no further comments.

B. Commissioners' Comments, Questions and Future Agenda Items

Leman stated he had no further comments.

Gillman stated that North Long Lake Road has quite a lot of development projects. He would like to have engineers speak with Lone Tree development, just West of Zimmerman regarding a better approach to the road for that development. He thinks they would be willing to work with us.

Korn stated she will work on finalizing the Bluff Road Letter. She also stated that she would like to solidify the agenda process. She would like to review the board rules and work to get a Policy Committee meeting to discuss. She added that Green Lake Township is concerned about the trees at Gonder Road and Riley Road.

Underwood stated that he got back this afternoon from the CRA Road Show. He appreciated what he heard about our staff while attending this event.


8. PUBLIC COMMENT

No public comment was offered at this time.

9. ADJOURNMENT

Upon a motion made by Leman and seconded by Gillman, the Board adjourned at 9:15 PM.


Kylie Hendges, Clerk


Joe Underwood, Chair

MINUTES
FOR THE BOARD OF COUNTY ROAD COMMISSIONERS OF
GRAND TRAVERSE COUNTY
SPECIAL MEETING OF SATURDAY, APRIL 15, 2023 – 8:00 A.M.
1881 LAFRANIER ROAD, TRAVERSE CITY MI 49696

1. PLEDGE OF ALLEGIANCE

Chair Underwood lead in the Pledge of Allegiance.

2. ROLL CALL

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

3. APPROVAL OF AGENDA

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

4. CONFLICT OF INTEREST

No conflicts of interest were stated.

5. PUBLIC COMMENT

Gary Buczkowski of Williamsburg stated he had some concerns regarding road conditions in the Williamsburg area. He was advised to go to Whitewater Township and Whitewater Township told him to address the GTCRC. He passed out a handout to the commissioners. He had questions in the handout and is hoping for some answers. He went over part of the handout that discussed the conditions of Angell Road and Bates Road.

6. ACTION ITEMS

A. Strategic Planning Discussion

John Sych stated he updated the document from requests from the last meeting. He added that roles, responsibilities and relationships need to be determined and that this document is meant to be flexible.

Commissioners went through the draft plan on each item and determined if it was the responsibility of the board, the staff or both.

Commissioners shared their concerns on items and changes are expected to be made for approval at the April 27th Board Meeting.

7. PUBLIC COMMENT

No public comment was offered at this time.

8. MANAGER'S COMMENTS

Kluczynski had no further comments.


8. COMMISSIONERS' COMMENTS, QUESTIONS & FUTURE AGENDA ITEMS

Commissioners had no further comments.

9. ADJOURNMENT

Upon a motion made by Leman and seconded by Kazim, the Board adjourned at 10:24 A.M.


Kylie Carpenter, Clerk


Joe Underwood, Chair

Memorandum



TO: Grand Traverse County Commissioners
Grand Traverse County Township Supervisors
Grand Traverse County Road Commission Board Members
FROM: Jason Saksewski – GTCRC Superintended
DATE: 4/18/2023
SUBJECT: Roadkill

Picking up roadkill has always been a necessary service that GTCRC 'had just always done' for our community. The process wasn't particularly complex. GTCRC would receive a notification and then collect the carcass using our personnel and equipment. Once collected, the personnel would travel to a remote area (typically a heavily wooded gravel or seasonal road) and place the carcass in the road right-of-way to decompose naturally. Occasionally, local farmers would grant GTCRC permission to use their fields for this public service as well.

In late 2022, the Michigan DNR engaged the GTCRC that they object to this practice near state land and alluded repercussions for GTCRC and its staff for dumping/littering should it continue.

Soon after hearing this concern from the DNR, GTCRC hosted a meeting with the DNR to discuss a path forward not just for areas near state land but countywide. In this 12/15/22 meeting, the DNR advised that GTCRC should only move large carcasses out of the roadway if they pose a hazard to vehicular traffic and then leave carcasses nearby to decompose naturally. When GTCRC staff raised concerns about decomposing carcasses in proximity to residential / commercial areas and the likely influx of related complaints, the DNR remained steadfast. The DNR commented that their office would instruct callers to do nothing and allow carcasses to decompose, to bury carcasses on their property, or to place carcasses in their waste receptacles.

At the conclusion of the meeting, all were in agreement that this matter should be escalated so that all stakeholders (EGLE, DNR, MDARD, CRA, et al.) could align on an acceptable handling of large carcasses and ensure any necessary legislative changes occur. To date, this meeting has not occurred.

The GTCRC has also requested that the DNR provide a formal commitment to not pursue actions against the road commission or its staff for conducting this public service. To date, this has not been granted.

Unfortunately, this leaves GTCRC with a very limited course of action as it relates to roadkill.

The meeting was recorded with permission and is available for viewing here:

<https://onedrive.live.com/?authkey=%21AIXtb%5FG8PPXOYec&id=E9D244334F973A37%21361&cid=E9D244334F973A37>

**Whitewater Township Board
Minutes of Regular Meeting held April 11, 2023**

Call to Order/Pledge of Allegiance

Supervisor Popp called the meeting to order at 9:00 a.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance.

Roll Call of Board Members

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

Board Members absent: Treasurer Benak, Trustee Vollmuth

Others present in person: Fire Chief Brandon Flynn, Zoom Facilitator Lois MacLean, and 3 others

Others present via Zoom: 2

Set/Adjust Meeting Agenda

Per Popp, the Kitzmiller presentation will be rescheduled.

Regarding holding closed sessions during this meeting on the Oosterhouse and Hymore complaints, there was agreement to let Attorney Chris Patterson know those sessions will not be held today.

Cleanup Day added as New Business #17.

Hold Harmless Agreement added as New Business #18.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:09 a.m.

Vicki Beam

Derek Vansolkema

Connie Hymore

Linda Slopsema

Public comment ended at 9:22 a.m.

Public Hearing

None

Reports/Presentations/Announcements/Comments

County Commissioner Report

Darryl Nelson is not present.

Fire Department Report

Brandon Flynn gave the following report:

- March was an average month
- Regarding the brush truck, they temporarily halted production due to a part issue, but he hopes to receive it sometime this summer.

Planning Commission Report

Heidi Vollmuth is not present.

Planning commission member Rod Rebant provided a written report entitled Planning Committee (sic) Meeting Summary April 5, 2023 and commented on planning commission business.

Parks & Recreation Advisory Committee Report

Don Glenn noted he did not attend the last meeting but has included the PRAC 03/21/2023 meeting documents in today's packet.

H&R Property Management & Maintenance – Randy Kitzmiller

Per Popp, this presentation will be rescheduled.

Consent Calendar

Receive and File

1. Supervisor's Report for March 2023
2. Clerk's Report for March 2023 (none)
3. Treasurer's Report February 2023
4. Trustee Vollmuth's March 2023 Report
5. Trustee Glenn's March 2023 Report
6. Zoning Administrator's March 2023 Report
7. Mobile Medical Response March 2023 Activity Reports
8. Fire Department March 2023 Report
9. Planning Commission March 2023 Report
10. Historical Society February/March 2023 Report
11. Approved Planning Commission Minutes (none)
12. Approved 02/21/2023 Parks & Recreation Advisory Committee Minutes

Correspondence

1. Vicki Beam – Hi Pray Park
2. Grand Traverse County Sheriff Statistics
3. Hymore - Public Comments Not Read

Minutes for Approval

Recommend approval of 03/08/2023 special meeting minutes, 03/14/2023 regular meeting minutes, 03/21/2023 special meeting minutes, 03/22/2023 special meeting minutes, and 03/30/2023 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank voucher #s 48876 through 48962

Budget Amendments (none)**Revenue & Expenditure Report (none)**

Motion by Glenn to approve Consent Calendar items as presented; second by Goss.

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

Unfinished Business**CAMPING PARK QUESTION AND ANSWER**

No motion provided. Questions/answers provided.

Popp noted Andrew Butler has received an employee packet and will start on May 1.

New Business**FIRE DEPARTMENT NEW MEMBER**

Josh Morgan is not present.

Motion by Goss to approve Josh Morgan as a new member of the fire department; second by Popp.

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

FIRE DEPARTMENT OVERHEAD DOORS

Motion by Goss to allow Chief Flynn to contract with Northern Garage Door to replace four overhead door operators at a cost not to exceed \$6,500; second by Glenn.

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

APPROVE MICROSOFT E-MAIL HOSTING

Motion by Glenn to approve the creation, execution, and submission of the authorization letter to .gov Domain Registration c/o Verisign, Inc., 12061 Bluemont Way, Reston, Virginia 20190, dated 03/22/2023 as written on behalf of the Whitewater Township Board of Trustees; second by Popp.

Goss commented that she does not have access to anyone's e-mail, contrary to Popp's assertions. Also commented that clerk@whitewatertownship.org will need to be removed as the security contact on the .gov letter.

The security contact paragraph will be removed from this document but was submitted with the verification letter.

The motion and second were rescinded.

Motion by Popp to put this on the May agenda; second by Glenn.

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

After discussion, Goss notified board members present that she will give Popp the Spectrum login and password today and will not be responsible for setting up any further e-mail accounts.

CONSIDER APPROVING BYLAWS

Motion by Popp requesting the Whitewater Township Board of Trustees to annually review, return for amendment or approve and file bylaws from the Zoning Board of Appeals, Planning Commission, and the Parks and Recreation Advisory Committee along with any future entity created at the discretion of the Whitewater Township Board of Trustees that uses bylaws; second by Glenn.

It was noted the planning commission's annual report is not in the packet.

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

There was further discussion, including comments from planning commission members Rod Rebant and Rachel Steelman.

The above motion and vote were rescinded.

Motion by Popp requesting the Whitewater Township Board of Trustees to annually review and file bylaws from the Zoning Board of Appeals, Planning Commission, and the Parks and Recreation Advisory Committee, along with any future entity created at the direction of the Whitewater Township Board of Trustees that uses bylaws; second by Glenn.

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

REQUEST TO APPROVE PLANNING COMMISSION BYLAWS

Popp will place the new bylaws in next month's Receive and File.

ORDINANCE ENFORCEMENT

Motion by Goss to request two additional days per month of Certified Zoning Services' time in the 2023/2024 agreement to begin an ordinance enforcement program; second by Popp.

Goss withdrew the motion due to Popp's indication that Hall does not have available time.

Motion by Popp to approve Ordinance Enforcement Officer Job Description as amended; second by Glenn.

After discussion, there was consensus that Popp will request the township attorney's office to provide an ordinance enforcement officer ordinance.

At 12:01 p.m., the meeting recessed.

At 12:18 p.m., the meeting reconvened.

OOSTERHOUSE COMPLAINT – SCHEDULE CLOSED SESSION

Motion by Popp to schedule a closed session with township legal to discuss options regarding protection of all park land from similar claims of easement; second by Glenn.

There was no vote on the motion.

After discussion, there was consensus to have Attorney Chris Patterson set up an appointment with Mr. Oosterhouse's attorney to address alternative solutions and to address continued motorized usage of the Lossie Road Nature Trail as a violation of the Battle Creek Natural Area Management Plan, which the Lossie Road Nature Trail is considered to be a part of.

Popp will send the consensus to Patterson.

APPROVE 2023 ROAD BRINE AGREEMENT

Motion by Popp to authorize the clerk and supervisor to execute the annual County Road Improvement Agreement (brine agreement) between Whitewater Township and the Grand Traverse County Road Commission for the 2023/2024 fiscal year capped at two (2) applications or \$37,116 total expenditure; second by Goss.

Add to the motion: Roads to be brined are 18.98 miles of county-maintained road, 1.65 miles of non-county road, and 0.5 miles for the two road sections shown as Undefined on the Grand Traverse County Road Commission Township Brining list. This list contemplates removal of 0.52 miles of road for the Vinton section from Farrell Road to the seasonal road sign.

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

HYMORE COMPLAINT – SCHEDULE CLOSED SESSION

There was consensus that a closed session meeting will be set for 05/03/2023 at 9:00 a.m. if Attorney Kuschel is available.

PETOBEGO HAYFIELD MOWING AGREEMENT NEEDED

Motion by Popp requesting the Clerk provide an executed copy of the Petobego Natural Area Mowing Agreement to the board; second by Glenn.

Goss will forward the 07/01/2014 e-mail.

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

REVIEW INCOMPATIBLE OFFICE INFORMATION – APPROVE PAYMENT TO DON GLENN

Motion by Popp to approve Don Glenn's request for payment under the Additional Activities Compensation Program beginning 01/01/2023 through 04/30/2023, not to exceed \$2,500; second by Glenn.

Discussion followed.

Add to the motion: For park and recreation related activities.

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

REVIEW VENDING MACHINE LOCATION – COVID TESTING SUPPLIES

Motion by Glenn for the supervisor to work collaboratively with the fire chief to finalize a location at the fire station located at 8380 Old M-72 for the COVID testing supplies vending machine and develop an associated startup cost estimate; second by Popp.

Popp noted this will be a township board expense.

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

REVIEW HI PRAY PARK PLAYGROUND REPAIR WORK

No motion was provided.

Goss will send 10/22/2022 Hi Pray Park playground pictures to the board.

Popp detailed specifications for additional repairs, to be completed no later than 05/20/2023.

APPROVE TRUGREEN AGREEMENT

Motion by Popp to accept and execute the TruGreen 2023 service contract as proposed in the amount of \$798.75 for Hi Pray Park; second by Goss.

Popp amended his motion to say: Motion by Popp to have the supervisor accept and execute the TruGreen 2023 service contract as proposed in the amount of \$798.75 for Hi Pray Park; second by Goss.

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

UPDATE ON ANNUAL AUDIT RFQ

Per 03/08/2023 township board minutes, Benak is to supply an RFP form for auditing services. This item will be brought back in May.

MODIFY CONSENT CALENDAR

Motion by Glenn to amend the Whitewater Township Board of Trustee's Consent Calendar to include Parks & Recreation Advisory Committee's Report under the Receive and File section as H.11; second by Popp.

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

CLEANUP DAY (added)

Motion by Goss to select Bay Area Disposal as the vendor for the 2023 Cleanup Day; second by Popp.

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

Popp will contact Bay Area Disposal to let them know they have been selected.

HOLD HARMLESS AGREEMENT (added)

Motion by Popp to authorize the supervisor to sign the Whitewater Township Park Voluntary Services Indemnification and Hold Harmless Agreement for Free Camping Weekend; second by Glenn.

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

Tabled Items

None

Board Comments/Discussion

None

Announcements

Next regular meeting 05/09/2023.

Public Comment

Public comment began at 3:22 p.m.

Vicky Emerson

Public comment ended at 3:25 p.m.

Adjournment

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

Meeting adjourned at 3:25 p.m.

Cheryl A. Goss
Whitewater Township Clerk

Bills for Approval
May 9, 2023

ALDEN STATE BANK	48963 - 49053	
PAYROLL 4/7	48963 - 48988	Gross Payroll \$12,068.23
ACCTS PAYABLE 4/12	48989 - 49018	Grand Total \$25,099.09
PAYROLL 4/21	49019 - 49041	Gross Payroll \$11,757.06
ACCTS PAYABLE 4/25	49042 - 49053	Grand Total 19,523.39

ALDEN STATE BANK - MONEY MARKET

FIRST COMMUNITY BANK - FEDERAL FUND	1001	
ACCTS PAYABLE 4/25	1001	Grand Total \$60,574.14

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BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
ALDEN STATE BANK Checks								
48989	04/12/23	Printed			365 OUTD	365 OUTDOOR	03/06-03/26/2023	515.00
48990	04/12/23	Printed			AD ASSESS	AD ASSESSING INC	APRIL 2023	2,525.00
48991	04/12/23	Printed			AFLAC	AFLAC	MARCH 2023	211.80
48992	04/12/23	Printed			BRANDON F	BRANDON FLYNN	APRIL 2023	50.00
48993	04/12/23	Printed			BRICK HOUS	BRICK HOUSE INTERACTIVE	03/2023-03/2024-WEB HOST RENEW SSL CERT/DOMAIN RENEWAL	435.00
48994	04/12/23	Printed			CARLYLE W	CARLYLE WROUBEL	ZBA ONLINE CERTIFICATE COURSE	75.00
48995	04/12/23	Printed			CHARTER	CHARTER COMMUNICATIONS	03/30-04/29/2023	369.95
48996	04/12/23	Printed			CHERRY C	CHERRY CAPITAL COMMUNICATIONS	04/01/2023-04/01/2024 INTERNET SERVICE	624.00
48997	04/12/23	Printed			CHERRYLANI	CHERRYLAND ELECTRIC COOP	M72 & MOORE RD	63.60
48998	04/12/23	Printed			CONSUMERS	CONSUMERS ENERGY	03/01-03/31/2023	126.67
48999	04/12/23	Printed			DTE ENERGY	DTE ENERGY	02/21-03/22/2023	221.58
49000	04/12/23	Printed			EFTPS	EFTPS	3/24/2023 PAYROLL	4,569.40
49001	04/12/23	Printed			ER NEWS	ELK RAPIDS NEWS LLC	NTC PUB HRG/AD PARK MGR/ PARK RANGERS	270.00
49002	04/12/23	Printed			FAHEY	FAHEY SCHULTZ BURZYCH RHODES	OOSTERHOUSE	6,317.50
49003	04/12/23	Printed			FUELMAN	FUELMAN	MARCH 2023	328.44
49004	04/12/23	Printed			GFL ENVIR	GFL ENVIRONMENTAL	APRIL 2023	46.04
49005	04/12/23	Printed			GINOP	GINOP SALES INC	ANNUAL MAINT KUBOTA	230.29
49006	04/12/23	Printed			GT BAND	GT BAND OTTAWA & CHIPPEWA	01/01-03/31/2023	226.54
49007	04/12/23	Printed			CULLIGAN	MCCARDEL CULLIGAN	APRIL COOLER RENTAL PLUS 2	29.50
49008	04/12/23	Printed			MUNSON OH	MUNSON OCCUPATIONAL HEALTH	BOTTLES WATER PHYSICAL J MORGAN	342.04
49009	04/12/23	Printed			OCCUPA	OCCUPATIONAL HEALTH CENTERS	PHYSICAL Z. STRINE	280.00
49010	04/12/23	Printed			ROBERT HA	ROBERT A. HALL-CZS	MARCH 2023	1,648.97
49011	04/12/23	Printed			POPP	RON POPP	04/07-12/14/2022	323.45
49012	04/12/23	Printed			PAYR/SALES	STATE OF MICHIGAN - TREASURY	3/10/2023 & 3/24/2023 PAYROLLS	756.97
49013	04/12/23	Printed			TARGET SOL	TARGET SOLUTIONS LLC	ANNUAL MAINT OF VECTOR LMS 11 TRAINING MGMT	1,573.98
49014	04/12/23	Printed			TC RECORD	TC RECORD-EAGLE, INC.	NTC OF ADOPTION ZOA #86	1,261.80
49015	04/12/23	Printed			VERIZON	VERIZON WIRELESS	02/24-03/23/2023	40.01
49016	04/12/23	Printed			VISA	VISA	TREAS/REC/FIRE/PARK/TWP HALL/ TWP BRD	1,402.96
49017	04/12/23	Printed			VOYA INSTI	VOYA INSTITUTIONAL TRUST CO	JAN/FEB/MAR 2023	150.00
49018	04/12/23	Printed			WELLS F	WELLS FARGO FINANCIAL	03/29-04/28/2023	83.60
49042	04/25/23	Printed			AED SUP	AED SUPERSTORE	BATTERY	175.00
49043	04/25/23	Printed			BS&A	BS&A SOFTWARE	05/01/2023-05/01/2024 Annual Service Pers Prop/Special Asmt	642.00
49044	04/25/23	Printed			CONSUMERS	CONSUMERS ENERGY	03/13-04/11/2023	1,385.61
49045	04/25/23	Printed			EFTPS	EFTPS	4/21/2023 PAYROLL	2,506.79
49046	04/25/23	Printed			JOHN HANCC	JOHN HANCOCK LIFE INS CO	JAN-MAR. 2023	2,305.11
49047	04/25/23	Printed			MICHIGAN T	MICHIGAN TOWNSHIPS ASSOCIATION	VOLLMUTH/BENAK/FLYNN	342.00
49048	04/25/23	Printed			NETLINK	NETLINK BUSINESS SOLUTIONS	6 AUTHORITIES/RESPONSIBILITIES BOOKS	780.00
49049	04/25/23	Printed			NORTH PL	NORTH PLACE PLANNING LLC	MOVE DOMAIN REGISTER & DNS HOSTING TO NEW PROVIDER	900.00
49050	04/25/23	Printed			STATEWIDE	STATEWIDE COMMUNICATIONS INC	03/01-03/31/2023	179.40
49051	04/25/23	Printed			STROBES	STROBES N MORE	04/14-05/13/2023	8,542.76
49052	04/25/23	Printed			SUB AQ	SUB-AQUATICS, INC	EQUIP FOR NEW BRUSH TRUCK	1,083.72
49053	04/25/23	Printed			WEST SHORE	WEST SHORE FIRE, INC	ANNUAL MAINT ON BREATHING AIR COMPRESSOR	681.00
							PPE INTERCEPTOR PKG	

Total Checks: 42

Checks Total (excluding void checks):

44,622.48

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BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
Total Payments: 42							Bank Total (excluding void checks):	44,622.48

Check Register Report

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BANK: FIRST COMMUNITY BANK FEDERAL

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
FIRST COMMUNITY BANK FEDERAL Checks								
1001	04/25/23	Printed				CHERRY CAP CHERRY CAPITAL CONNECTION	INVENTORY PURCHASES ARPA BROADBAND	60,574.14
Total Checks: 1							Checks Total (excluding void checks):	60,574.14
Total Payments: 1							Bank Total (excluding void checks):	60,574.14
Total Payments: 43							Grand Total (excluding void checks):	105,196.62

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Fund: 101 GENERAL FUND							
Dept: 101 Township Board							
101-101-727	Office Supplies & Exp VISA		TREAS/REC/FIRE/PARK/TWP B	49016	03/28/2023	04/12/2023	15.99
							15.99
101-101-830	Pension Plan JOHN HANCOCK LIFE INS CO		JAN-MAR. 2023	49046	03/31/2023	04/25/2023	866.58
							866.58
101-101-901	Publishing ELK RAPIDS NEWS LLC		NTC PUB HRG/AD PARK MGR/	49001	03/31/2023	04/12/2023	132.00
	TC RECORD-EAGLE, INC.	03232055	BUDGET PUBLIC HRG NTC	49014	03/31/2023	04/12/2023	125.40
	TC RECORD-EAGLE, INC.	03232055	NTC OF ADOPTION AMD 1	49014	03/31/2023	04/12/2023	109.05
							366.45
101-101-940	Equipment Rental WELLS FARGO FINANCIAL	5024554842	03/29-04/28/2023	49018	04/04/2023	04/12/2023	83.60
							83.60
Total Dept. Township Board:							1,332.62
Dept: 171 Supervisor							
101-171-860	Mileage Reimbursemen RON POPP		01/12-02/10/2023	49011	04/05/2023	04/12/2023	44.54
	RON POPP		04/07-12/14/2022	49011	04/05/2023	04/12/2023	219.96
							264.50
Total Dept. Supervisor:							264.50
Dept: 209 Assessor							
101-209-807	Assessing Services AD ASSESSING INC		APRIL 2023	48990	04/01/2023	04/12/2023	2,525.00
							2,525.00
101-209-847	Software Support BS&A SOFTWARE	147480	05/01/2023-05/01/2024 Annual	49043	04/25/2023	04/25/2023	352.00
							352.00
Total Dept. Assessor:							2,877.00
Dept: 210 Attorney							
101-210-801	Legal Services FAHEY SCHULTZ BURZYCH	10267	INCOMPATIBLE OFFICES	49002	04/03/2023	04/12/2023	45.00
	FAHEY SCHULTZ BURZYCH	10267	LAND DIVISION ACT GENERAL	49002	04/03/2023	04/12/2023	2,510.00
	FAHEY SCHULTZ BURZYCH	10267	HYMORE COMPLAINT	49002	04/03/2023	04/12/2023	932.50
	FAHEY SCHULTZ BURZYCH	10267	ZONING ORDINANCE	49002	04/03/2023	04/12/2023	22.50
	FAHEY SCHULTZ BURZYCH	10268	BAGGS RD CONDOS	49002	04/03/2023	04/12/2023	2,412.50
	FAHEY SCHULTZ BURZYCH	10269	INCOMPATIBLE OFFICES	49002	04/03/2023	04/12/2023	22.50
	FAHEY SCHULTZ BURZYCH	10269	ZONING ORDINANCE	49002	04/03/2023	04/12/2023	260.00
	FAHEY SCHULTZ BURZYCH	10270	OOSTERHOUSE	49002	04/03/2023	04/12/2023	112.50
							6,317.50
Total Dept. Attorney:							6,317.50
Dept: 215 Clerk							
101-215-901	Publishing TC RECORD-EAGLE, INC.	03232055	2/14/2023 MTG SYNOPSIS	49014	03/31/2023	04/12/2023	118.15
	TC RECORD-EAGLE, INC.	03232055	02/16/23 MTG SYNOPSIS	49014	03/31/2023	04/12/2023	91.60
	TC RECORD-EAGLE, INC.	03232055	02/21/2023 MTG SYNOPSIS	49014	03/31/2023	04/12/2023	105.30
	TC RECORD-EAGLE, INC.	03232055	02/22/2023 MTG SYNOPSIS	49014	03/31/2023	04/12/2023	105.30
	TC RECORD-EAGLE, INC.	03232055	03/08/2023 MTG SYNOPSIS	49014	03/31/2023	04/12/2023	105.30
							525.65

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Total Dept. Clerk:							525.65
Dept: 247 Board of Review							
101-247-860	Mileage Reimbursemen						
	RON POPP		01/12-02/10/2023	49011	04/05/2023	04/12/2023	58.95
							58.95
Total Dept. Board of Review:							58.95
Dept: 253 Treasurer							
101-253-847	Software Support						
	BS&A SOFTWARE	147480	05/01/2023-05/01/2024 Annual	49043	04/25/2023	04/25/2023	290.00
	VISA		TREAS/REC/FIRE/PARK/TWP	49016	03/28/2023	04/12/2023	1,155.00
							1,445.00
Total Dept. Treasurer:							1,445.00
Dept: 265 Township Hall & Groun							
101-265-740	Operating Expense &						
	MCCARDEL CULLIGAN WATI		APRIL COOLER RENTAL PLUS	49007	04/01/2023	04/12/2023	29.50
							29.50
101-265-811	Waste Removal Servi						
	GFL ENVIRONMENTAL	0060412399	APRIL 2023	49004	03/31/2023	04/12/2023	23.02
							23.02
101-265-845	Snowplowing Service						
	365 OUTDOOR	108356	03/06-03/26/2023	48989	04/05/2023	04/12/2023	295.00
							295.00
101-265-851	Internet/Website						
	CHARTER COMMUNICATION	0018737033023	03/30-04/29/2023	48995	03/30/2023	04/12/2023	129.99
	NETLINK BUSINESS SOLUTI	146334	MOVE DOMAIN REGISTER & C	49048	04/17/2023	04/25/2023	780.00
	VISA		TREAS/REC/FIRE/PARK/TWP	49016	03/28/2023	04/12/2023	54.51
							964.50
101-265-922	Electricity						
	CONSUMERS ENERGY	204389552165	03/11-04/11/2023	49044	04/11/2023	04/25/2023	116.63
							116.63
101-265-923	Electric Heat						
	CONSUMERS ENERGY	204389552166	03/13-04/11/2023	49044	04/11/2023	04/25/2023	483.40
							483.40
101-265-924	Telephone						
	CHARTER COMMUNICATION	0018737033023	03/30-04/29/2023	48995	03/30/2023	04/12/2023	49.99
	STATEWIDE COMMUNICATC	2841109	04/14-05/13/2023	49050	04/14/2023	04/25/2023	149.50
							199.49
Total Dept. Township Hall & Grounds:							2,111.54
Dept: 276 Cemetery							
101-276-922	Electricity						
	CONSUMERS ENERGY	205279399974	03/13-04/11/2023	49044	04/11/2023	04/25/2023	28.81
							28.81
Total Dept. Cemetery:							28.81
Dept: 400 Planning Commission							
101-400-728	Postage						
	MICHIGAN TOWNSHIPS ASS	188431	6 AUTHORITIES/RESPONSIBIL	49047	04/13/2023	04/25/2023	342.00
							342.00
101-400-804	Professional Services						
	NORTH PLACE PLANNING LI		03/01-03/31/2023	49049	04/11/2023	04/25/2023	900.00

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							900.00
101-400-880	Education & Training CARLYLE WROUBEL		ZBA ONLINE CERTIFICATE	48994	03/30/2023	04/12/2023	75.00
							75.00
101-400-901	Publishing TC RECORD-EAGLE, INC.	03232055	NTC OF ADOPTION ZOA #86	49014	03/31/2023	04/12/2023	135.70
							135.70
Total Dept. Planning Commission:							1,452.70
Dept: 405 Zoning Administrator/F							
101-405-804	Professional Services ROBERT A. HALL-CZS	MAR 2023	MARCH 2023	49010	03/30/2023	04/12/2023	1,617.33
							1,617.33
101-405-860	Mileage Reimbursemen ROBERT A. HALL-CZS	MAR 2023	MARCH 2023	49010	03/30/2023	04/12/2023	31.64
							31.64
Dept. Zoning Administrator/Planning:							1,648.97
total Fund GENERAL FUND:							18,063.24
Fund: 203 ROAD FUND							
Dept: 446 Road Right of Way							
203-446-921	Street Lights						
	CHERRYLAND ELECTRIC CO		M72 & COOK RD	48997	03/31/2023	04/12/2023	15.48
	CHERRYLAND ELECTRIC CO		M72 & SKEGEMOG PT RD	48997	03/31/2023	04/12/2023	24.06
	CHERRYLAND ELECTRIC CO		M72 & MOORE RD	48997	03/31/2023	04/12/2023	24.06
	CONSUMERS ENERGY	206436004435	03/01-03/31/2023	48998	03/31/2023	04/12/2023	65.26
							128.86
Total Dept. Road Right of Way:							128.86
Total Fund ROAD FUND:							128.86
Fund: 206 FIRE FUND							
Dept: 336 Fire Dept							
206-336-713	Other Benefits AFLAC	265552	MARCH 2023	48991	03/29/2023	04/12/2023	211.80
							211.80
206-336-739	Fuel & Oil FUELMAN	64144620995401	MARCH 2023	49003	04/03/2023	04/12/2023	328.44
							328.44
206-336-745	Turnout Gear WEST SHORE FIRE, INC	29881	PPE INTERCEPTOR PKG	49053	04/19/2023	04/25/2023	681.00
							681.00
206-336-803	Medical Professional MUNSON OCCUPATIONAL H	00207662-00	PHYSICAL J MORGAN	49008	03/31/2023	04/12/2023	342.04
	OCCUPATIONAL HEALTH CE	714759553	PHYSICAL Z. STRINE	49009	03/13/2023	04/12/2023	280.00
							622.04
206-336-804	Professional Services VERIZON WIRELESS	9930896165	02/24-03/23/2023	49015	03/23/2023	04/12/2023	40.01
							40.01
206-336-811	Waste Removal Servi GFL ENVIRONMENTAL	0060411592	APRIL 2023	49004	03/31/2023	04/12/2023	11.51

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							11.51
206-336-830	Pension Plan JOHN HANCOCK LIFE INS CO		JAN-MAR. 2023	49046	03/31/2023	04/25/2023	1,438.53
							1,438.53
206-336-845	Snowplowing Service 365 OUTDOOR	108356	03/06-03/26/2023	48989	04/05/2023	04/12/2023	110.00
							110.00
206-336-851	Internet/Website CHARTER COMMUNICATION	0010619040123	04/01-04/30/2023	48995	04/01/2023	04/12/2023	89.99
							89.99
206-336-880	Education & Training TARGET SOLUTIONS LLC	69448	ANNUAL MAINT OF VECTOR LI	49013	04/12/2023	04/12/2023	1,573.98
							1,573.98
206-336-920	Natural Gas DTE ENERGY		02/21-03/22/2023	48999	03/23/2023	04/12/2023	110.79
							110.79
206-336-922	Electricity CONSUMERS ENERGY	205279399973	03/13-04/11/2023	49044	04/11/2023	04/25/2023	313.07
							313.07
206-336-924	Telephone CHARTER COMMUNICATION	0010619040123	04/01-04/30/2023	48995	04/01/2023	04/12/2023	99.98
							99.98
206-336-925	Cellular Phone BRANDON FLYNN		APRIL 2023	48992	04/01/2023	04/12/2023	50.00
							50.00
206-336-928	Water GT BAND OTTAWA & CHIPPE		01/01-03/31/2023	49006	03/31/2023	04/12/2023	113.27
							113.27
206-336-932	Equipment Repair & M SUB-AQUATICS, INC	INV-OH78-302	ANNUAL MAINT ON BREATHIN	49052	04/18/2023	04/25/2023	1,083.72
							1,083.72
206-336-933	Vehicle Repair & Mair AED SUPERSTORE GINOP SALES INC VISA	INV3173415 WW19136	BATTERY ANNUAL MAINT KUBOTA TREAS/REC/FIRE/PARK/TWP	49042 49005 49016	04/24/2023 03/08/2023 03/28/2023	04/25/2023 04/12/2023 04/12/2023	175.00 230.29 61.46
							466.75
						Total Dept. Fire Dept:	7,344.88
						Total Fund FIRE FUND:	7,344.88
Fund: 208 PARK FUND							
Dept: 756 Township Park							
208-756-851	Internet/Website BRICK HOUSE INTERACTIVE CHERRY CAPITAL COMMUN	040523WWT 115288	03/2023-03/2024-WEB HOST RI 04/01/2023-04/01/2024	48993 48996	04/05/2023 04/01/2023	04/12/2023 04/12/2023	435.00 624.00
							1,059.00
208-756-901	Publishing ELK RAPIDS NEWS LLC TC RECORD-EAGLE, INC.		NTC PUB HRG/AD PARK MGR/ PARK RANGER HELP WANTEC	49001 49014	03/31/2023 03/31/2023	04/12/2023 04/12/2023	138.00 366.00
							504.00
208-756-922	Electricity						

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 05/09/2023

Date: 04/26/2023

Time: 11:10 am

Page: 5

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
	CONSUMERS ENERGY	204389554321	03/14-04/12/2023	49044	04/12/2023	04/25/2023	73.01
	CONSUMERS ENERGY	204389554320	03/14-04/12/2023	49044	04/12/2023	04/25/2023	28.81
							101.82
208-756-924	Telephone						
	STATEWIDE COMMUNICATIO	2841109	04/14-05/13/2023	49050	04/14/2023	04/25/2023	29.90
	VISA		TREAS/REC/FIRE/PARK/TWP	49016	03/28/2023	04/12/2023	14.00
							43.90
							Total Dept. Township Park: 1,708.72
							Total Fund PARK FUND: 1,708.72
Fund: 209 RECREATION FUND							
Dept: 757 Recreation							
209-757-729	Licenses & Fees						
	VISA		TREAS/REC/FIRE/PARK/TWP	49016	03/28/2023	04/12/2023	102.00
							102.00
209-757-922	Electricity						
	CONSUMERS ENERGY	205190420627	02/23-03/23/2023	48998	03/23/2023	04/12/2023	61.41
	CONSUMERS ENERGY	204389552164	03/13-04/11/2023	49044	04/11/2023	04/25/2023	28.81
							90.22
							Total Dept. Recreation: 192.22
							Fund RECREATION FUND: 192.22
Fund: 210 AMBULANCE FUND							
Dept: 651 Ambulance							
210-651-811	Waste Removal Servi						
	GFL ENVIRONMENTAL	0060411592	APRIL 2023	49004	03/31/2023	04/12/2023	11.51
							11.51
210-651-845	Snowplowing Service						
	365 OUTDOOR	108356	03/06-03/26/2023	48989	04/05/2023	04/12/2023	110.00
							110.00
210-651-920	Natural Gas						
	DTE ENERGY		02/21-03/22/2023	48999	03/23/2023	04/12/2023	110.79
							110.79
210-651-922	Electricity						
	CONSUMERS ENERGY	205279399973	03/13-04/11/2023	49044	04/11/2023	04/25/2023	313.07
							313.07
210-651-928	Water						
	GT BAND OTTAWA & CHIPPE		01/01-03/31/2023	49006	03/31/2023	04/12/2023	113.27
							113.27
							Total Dept. Ambulance: 658.64
							Fund AMBULANCE FUND: 658.64
Fund: 285 FEDERAL FUND							
Dept: 000							
285-000-970	Capital Expenditure						
	CHERRY CAPITAL CONNECT	21	INVENTORY PURCHASES	1001	04/11/2023	04/25/2023	60,574.14
							60,574.14
							Total Dept. 000: 60,574.14

Bills for Approval 05/09/2023

Page: 6

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
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Grand Total: 105,196.62

Memo

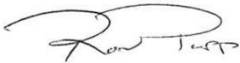
To: Whitewater Township Board of Trustees
CC: None
Date: 4.28.2023
Re: Campground Needs

Board Members –

This business item is presented to allow Trustee Don Glenn a forum to the Board to discuss any matter regarding the camping park he sees relevant, needs more information on, or wants help with.

No motion pending further Board input.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 4.26.2023
Re: Boat Ramp Expansion Final Documents

Board Members –

Attached are final construction documents to get the boat ramp expansion project underway. They include:

- 1) 842850 Contract Manual as highlighted by RMP ([click here](#))
- 2) Agreement SP005200 as highlighted by RMP
- 3) 842850 Change Order No.1 as highlighted by RMP.
- 4) Legal review of 842850 Contract Manual by Patterson
- 5) Email string between Stout and Patterson.

I have highlighted and commented many sections in the various documents. Some highlights are questions that need some attention, some need signatures, and others may require the township to provide certain items, like water. The contract manual forbids water withdrawal from the lake. You will also note some text appears in boxes. These boxes are internal document hyperlinks that will take the reader to a specific reference in the document. Before clicking on the box please note the document page you are currently on, making returning to this page easier once the hyperlink information has been viewed.

Of special note is the dollar amount of the contract. It appears to be off by \$207.00 when compared to the Molon letter dated 2.13.2023 and the F&V letter dated 2.14.2023. I believe the math is correct on the construction documents and that error was created when the Board used the letters to create the motion to approve the project. The Board could decide to simply reconsider or redo the original motion allowing for the proper contract value to be recorded in the minutes.

On page 25 of the Contract Manual the township will have to name a designated representative for the project. The Board may see value in making this a 3rd party as not to further overload administration. I believe about 30K was budgeted for this duty.

Because time is short for everyone to review this information, the following is a summary of Contract Manual highlights the Board maybe interested in.

On page 55 of the Contract Manual, it appears the township needs to supply the contractor with insurance certificates. Also on this page is a schedule of items that need to take place within a certain number of days of the contract execution.

Contract Manual page 94 appears to indicate all change orders must be accepted by the owner leaving the township exposed with no limits.

Contract manual page 102 needs some additional explanation regarding what costs are not covered by the contract.

Contract manual page 108 also needs additional explanation regarding the engineer's approval for payment. The 3rd party could be useful to protect the township.

Contract manual page 126 should be reviewed by the Board. This provision is hole in our policy with Metro Act Permit holders. We need to set annual reviews of those contractors who supply us with insurance certificates. As attorney Patterson pointed out we need actual polices not just certificates.

Contract Manual Page 127 is a new requirement for the contractor to supply the owner with protective liability insurance coverage.

Contract Manual page 133 it is unclear if the insurance limits are met and if the umbrella or pollution coverage have been provided. F&V could help explain?

Contract Manual page 156 the township needs to supply temporary water service. This maybe an issue as later in the contract irrigation is required to establish turf surfaces. As for the sanitary services required on this page, does the Board agree construction workers can use the porta johns already in place at the park?

Contract Manual page 157 looks at construction worker parking. The Board may want to think about a location. Also on this page is debris removal. During the tree removal process, I believe the wood and stumps will be burned on site. We should ask the Fire Department for advice on this matter. On page 170 the burning is prohibited. I do believe they will be burned.

Beginning on Contract page 159 and continuing in at least two additional provisions the amount rain that causes site damage is defined. There are at least three different values for this number. I recommend a single number should established.

Contract page 160 reference fines established by the City of Portage.

Contract page 184 talks about grubbing out tree roots. What level will be used in the parking area?

Contract page 186 gives to the contractor any spoils removed. The Township has lots of use for this material and it should be stock piled on site.

Contract page 213 talks about fertilizers and herbicides to be used in turf areas. The parking area will a turf area. The Township should approve the products before use.

Contract page 214 talks about 4" of topsoil under all turf areas. I am not sure if this provision applies to this project. I do not recall topsoil on the bid and it may not provide a suitable parking surface.

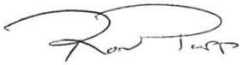
Contract page 217 talks about turf establishment. This are should be reviewed for several items of concern.

Contract page 229 calls out for 24 precast planks. The bid quantity was 22? Will this result in a second change order before the project begins?

%%%

If anyone has difficulty viewing the comments or highlights in the files please let me know and we will get you the technical help required.

Respectfully submitted,

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

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

SECTION 00 52 00

AGREEMENT

- 1.1 This Agreement is by and between **Whitewater Township, 5777 Vinton Road, P.O. Box 159 Williamsburg, MI 49690** ("Owner") and **Molon Excavating, Inc. 125 Buckshot Dr, Traverse City, MI 49685** ("Contractor").

Terms used in this Agreement have the meanings stated in the General Conditions and the Supplementary Conditions.

Owner and Contractor hereby agree as follows:

ARTICLE 1 - WORK

- 1.2 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows: Whitewater Township Park Improvements
F&V Project No. 842850

ARTICLE 2 - THE PROJECT

- 2.1 Project, of which the Work under the Contract Documents is a part, is generally described as follows:
Whitewater Township Park Improvements
F&V Project No. 842850

ARTICLE 3 - ENGINEER

- 3.1 The Owner has retained Fleis & VandenBrink Engineering, Inc. ("Engineer") to act as Owner's representative, assume all duties and responsibilities of Engineer, and have the rights and authority assigned to Engineer in the Contract.
- 3.2 The part of the Project that pertains to the Work has been designed by Engineer.

ARTICLE 4 - CONTRACT TIMES

- 4.1 *Time of the Essence*

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

- 4.2 Contract Times: Dates

A. The Work will be substantially complete as set forth in section 4.03 Milestones, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before **November 15, 2023**

- 4.3 *Milestones*

- A. Parts of the Work shall be substantially completed on or before the following Milestone(s):
1. All work on boat trailer parking area and drives must be completed must be substantially completed by **July 28, 2023**.
 2. All work on boat launch area shall not commence prior to **September 11, 2023** and must be substantially completed by **November 1, 2023**.

4.4 Liquidated Damages

- A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the Contract Times, as duly modified. The parties also recognize the delays, expense, and difficulties involved in proving, in a legal or arbitration proceeding, the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):
1. *Substantial Completion*: Contractor shall pay Owner \$900 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified above for Substantial Completion, until the Work is substantially complete.
 2. *Completion of Remaining Work*: After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$900 for each day that expires after such time until the Work is completed and ready for final payment.
 3. *Milestone 1*: Contractor shall pay Owner \$900 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified above for achievement of Milestone 1, until Milestone 1 is achieved, or until the time specified for Substantial Completion is reached, at which time the rate indicated in Paragraph 4.05.A.1 will apply, rather than the Milestone rate.
 4. *Milestone 2*: Contractor shall pay Owner \$900 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified above for achievement of Milestone 2, until Milestone 2 is achieved, or until the time specified for Substantial Completion is reached, at which time the rate indicated in Paragraph 4.05.A.1 will apply, rather than the Milestone rate.
 5. Liquidated damages for failing to timely attain Milestones, Substantial Completion, and final completion are not additive, and will not be imposed concurrently.
- B. If Owner recovers liquidated damages for a delay in completion by Contractor, then such liquidated damages are Owner's sole and exclusive remedy for such delay, and Owner is precluded from recovering any other damages, whether actual, direct, excess, or consequential, for such delay, except for special damages (if any) specified in this Agreement.

ARTICLE 5 - CONTRACT PRICE

- 5.1 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents, the amounts that follow, subject to adjustment under the Contract.
- A. For all Unit Price Work, an amount equal to the sum of the extended prices (established for each separately identified item of Unit Price Work by multiplying the unit price times the actual quantity of that item).

Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Amount
1	General Conditions, Bonds, Insurance, and Mobilization (5% max)	Lsum	1	\$23,900	\$23,900.00
2	Soil Erosion Control	Lsum	1	\$9,166	\$9,166.00
3	Tree Removal	Lsum	1	\$30,492	\$30,492.00

4	Miscellaneous Removals	Lsum	1	\$14,988	\$14,988.00
5	Site Preparation & Grading	Lsum	1	\$50,250	\$50,250.00
Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Amount
6	8" Aggregate Base	Syd	5,322	\$15.23	\$81,054.06
7	HMA, 13A	Ton	130	\$110	\$14,300.00
8	HMA, 36A	Ton	130	\$120	\$15,600.00
9	Geotextile Fabric	Syd	375	\$5.44	\$2,040.00
10	Turbidity Curtain	Lsum	1	\$5,442	\$5,442.00
11	A.R.E.A. #4 Crushed Stone	Cyd	275	\$61.49	\$16,909.75
12	Conc. Pav't., 8 inch	Sft	2,115	\$13.86	\$29,313.90
13	4'x18'x8" Precast Concrete Planks - New	Ea	22	\$4,009	\$88,198.00
14	Precast Concrete Planks - Salvaged	Ea	11	\$654	\$7,194.00
15	Rubber Belt	Lsum	1	\$1,763	\$1,763.00
16	Skid Pier	Ea	2	\$22,098	\$44,196.00
17	3 Inch Dia. SCH 40 Conduit	Ft	360	\$18	\$6,480.00
18	Slope Restoration	Lsum	1	\$27,700	\$27,700.00
19	Turf Establishment, Performance	Lsum	1	\$15,948	\$15,948.00
Total of All Unit Price Bid Items					\$484,934.17

The extended prices for Unit Price Work set forth as of the Effective Date of the Contract are based on estimated quantities. As provided in Paragraph 13.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer.

ARTICLE 6 - PAYMENT PROCEDURES

1.1 Submittal and Processing of Payments

- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.1 Progress Payments; Retainage

- A. Owner shall make progress payments on the basis of Contractor's Applications for Payment each month during performance of the Work as provided in Paragraph 6.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.
 1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract.
 - a. 90 percent of the value of the Work completed (with the balance being retainage).
 - 1) If 50 percent or more of the Work has been completed, as determined by Engineer, and if the character and progress of the Work have been satisfactory to Owner and Engineer, then as long as the character and progress of the Work

- remain satisfactory to Owner and Engineer, there will be no additional retainage; and
- B. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to 100 percent of the Work completed, less such amounts set off by Owner pursuant to Paragraph 15.01.E of the General Conditions, and less 200 percent of Engineer's estimate of the value of Work to be completed or corrected as shown on the punch list of items to be completed or corrected prior to final payment.

6.2 Final Payment

- A. Upon final completion and acceptance of the Work, Owner shall pay the remainder of the Contract Price in accordance with Paragraph 15.06 of the General Conditions.
- B. Final payment will not be recommended by ENGINEER until MDNR Waterways Division has completed their audit of the required documentation and has accepted the Project.

6.3 Consent of Surety

- A. Owner will not make final payment or return or release retainage at Substantial Completion or any other time, unless Contractor submits written consent of the surety to such payment, return, or release.
- B.

6.4 Interest

- A. All amounts not paid when due will bear interest at the percent per annum rate 2.0% higher than the Prime Rate on the date of bid opening.

ARTICLE 7 - CONTRACT DOCUMENTS

1.2 Contents

- A. The Contract Documents consist of all of the following:
1. This Agreement.
 2. Bonds
 - a. Performance bond (together with power of attorney).
 - b. Payment bond (together with power of attorney).
 3. General Conditions.
 4. Supplementary Conditions.
 5. Specifications as listed in the table of contents of the project manual.
 6. Drawings (not attached but incorporated by reference) consisting of 9 sheets with each sheet bearing the following general title: Whitewater Township Park Improvements
 7. Addenda (numbers 1 to 2, inclusive).
 8. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid.
 - b. Documentation submitted by Contractor prior to Notice of Award.
 9. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Notice to Proceed.
 - b. Work Change Directives.
 - c. Change Orders.
- B. The Contract Documents listed in Paragraph 7.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 7.

- D. The Contract Documents may only be amended, modified, or supplemented as provided in the Contract.

ARTICLE 8 - REPRESENTATIONS, CERTIFICATIONS, AND STIPULATIONS

8.1 Contractor's Representations

- A. In order to induce Owner to enter into this Contract, Contractor makes the following representations:
1. Contractor has examined and carefully studied the Contract Documents, including Addenda.
 2. Contractor has visited the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 3. Contractor is familiar with all Laws and Regulations that may affect cost, progress, and performance of the Work.
 4. Contractor has carefully studied the reports of explorations and tests of subsurface conditions at or adjacent to the Site and the drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, if any, with respect to the Technical Data in such reports and drawings.
 5. Contractor has carefully studied the reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, with respect to Technical Data in such reports and drawings.
 6. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Technical Data identified in the Supplementary Conditions or by definition, with respect to the effect of such information, observations, and Technical Data on (a) the cost, progress, and performance of the Work; (b) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (c) Contractor's safety precautions and programs.
 7. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
 8. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
 9. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and of discrepancies between Site conditions and the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
 10. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
 11. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

8.2 Contractor's Certifications

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 8.02:
1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process or in the Contract execution.
 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition.
 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

8.3 *Standard General Conditions*

- A. Owner stipulates that if the General Conditions that are made a part of this Contract are EJCDC® C 700, Standard General Conditions for the Construction Contract (2018), published by the Engineers Joint Contract Documents Committee, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor, through a process such as highlighting or "track changes" (redline/strikeout), or in the Supplementary Conditions.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on March 10, 2023 (which is the Effective Date of the Contract).

Owner: Whitewater Township

Contractor: Molon Excavating, Inc.

(typed or printed name of organization)

Molon Excavating, Inc.
(typed or printed name of organization)

By: _____

(individual's signature)

By: _____

(individual's signature)

Date: _____

(date signed)

Date: _____

3-1-2023
(date signed)

Name: _____

(typed or printed)

Name: _____

Scott Porter
(typed or printed)

Title: _____

(typed or printed)

Title: _____

President
(typed or printed)

(If Contractor is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest: _____

(individual's signature)

Attest: _____

(individual's signature)

Title: _____

(typed or printed)

Title: _____

Controller
(typed or printed)

Address for giving notices:

Address for giving notices:

125 Buckshot Dr.
Traverse City, MI 49685

Designated Representative:

Designated Representative:

Name: _____

(typed or printed)

Name: _____

~~Mike Walton~~ Mike Walton
(typed or printed)

Title: _____

(typed or printed)

Title: _____

Project Manager/Vice President
(typed or printed)

Address:

Address:

125 Buckshot Dr.
Traverse City, MI 49685

Phone: _____

Phone: _____

231-218-9357

Email: _____

Email: _____

mwalton@molonexcavating.net

License No.: _____

(where applicable)

State: _____

Michigan

END OF SECTION

CHANGE ORDER NO.: 01


Owner: Whitewater Township Owner's Project No.: N/A
 Engineer: Fleis & VandenBrink Engineering Engineer's Project No.: 842850
 Contractor: Molon Excavating, Inc. Contractor's Project No.: N/A
 Contract Name: Whitewater Township Park Improvements
 Date Issued: 04/10/23

The Contract is modified as follows upon execution of this Change Order:

Description: Addition of Bid Alternate Items A, B, D & E per bid form dated 01/30/23 submitted by Molon Excavating outlined as follows:

Item No.	Description	Unit	Est. Qty	Unit Price	Bid Amount
A	Site Preparation & Grading – Boat Wash Area	Lsum	1	\$3,780.00	\$3,780.00
B	8" Aggregate Base– Boat Wash Area	Syd	1,000	\$15.23/Syd	\$15,230.00
D	4'x18'x5" Precast Concrete Planks - New	Ea	11	\$1,452.00/Ea	\$15,972.00
E	Conc. Pav't., 8 inch	Sft	324	\$13.86/Sft	\$4,490.64

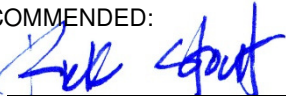
Change in Contract Price**Change in Contract Times**

Original Contract Price: \$ <u>484,934.71</u> 	Original Contract Times: Substantial Completion: 11/01/23 Ready for final payment: 11/15/23
Change from previously approved Change Orders No. 0 to No. 1 \$ 0.00	Times change from previously approved Change Orders No.0 to No. 1 Substantial Completion: N/A Ready for final payment: N/A
Contract Price prior to this Change Order: \$ 484,934.71	Contract Times prior to this Change Order: Substantial Completion: 11/01/23 Ready for final payment: 11/15/23
Increase this Change Order: \$ 39,562.64	Contract Times this Change Order: Substantial Completion: 11/01/23 Ready for final payment: 11/15/23
Contract Price incorporating this Change Order: \$ 524,497.35	Contract Times with all approved Change Orders: Substantial Completion: 11/01/23 Ready for final payment: 11/15/23

RECOMMENDED:

APPROVED:

ACCEPTED:

By: 
 ENGINEER (Authorized Signature)

By: _____
 OWNER (Authorized Signature)

By: _____
 CONTRACTOR (Authorized Signature)

Date: 4/10/23

Date: _____

Date: _____



Ron Popp <supervisorwhitewater@gmail.com>

RE: Contract Book - Whitewater Township Park

1 message

Christopher Patterson <cpatterson@fsbrlaw.com>

Sun, Apr 9, 2023 at 9:59 PM

To: Ron Popp <supervisorwhitewater@gmail.com>

Cc: Jamy Staffeld <jstaffeld@fsbrlaw.com>

Ron:

I reviewed the contract agreement, contract change order, and the contract document PDF that contained the bid terms and general conditions. In reviewing the general conditions, I found all of the relevant facets of covering a potential contract, dispute, and engineer's authority to be included based on the time available to review. The contract agreement itself also covers the bonding, insurance, retainage, performance milestones, and payment schedule based on the same. Thus, I have no changes to the contracts. I have a few comments that may require no action, but are based on my limited involvement and the time frame provided to review. I didn't want to not send you my thoughts prior to Tuesday's meeting. I am happy to talk to F&V or you directly on any of the following:

1. The bid submission within the contract documents reflects a list of sub-contractors. Not all are Molon Excavating. Molon Excavating is then referenced in part as a subcontractor, but otherwise through the remainder of the general conditions, contract, second and third bonds in the packet, and insurance, as the contractor. I don't know if other agreements will be issued for the subcontractors or if Molon Excavating is handling all of the work. The contract documents appear correct, but the bid submission table left me confused (and for instance, the material lists appear to reference the pre-cast planks that are noted from one of the subcontractors). It is also maybe that not all items bid are being done.
2. The performance bond and payment bond are rather extensive. It seems that given the immediate change order increasing the amount in excess of the full bid because of a selection of alternates that you may want to consider adjusting the bonds immediately.
3. The certificate of insurance has appropriate additional insured information and subrogation, also identified F&V as the certificate holder. However, under Michigan law, you have to verify that the insurance policy has that information to actually know that the coverage regarding additional insured, etc, is being provided. Thus, if F&V doesn't want to request copies of the policy verifying the sections that indicate the coverage on the certificate, you need to at least require an additional statement from Molon Excavating that all of the information set forth in the certificate is being provided to the Township and it is understanding that the Township is relying on the same in executing the contract. I will note that many individuals never seek information beyond the certificate of insurance, which you will hear anytime you request the policies. But Michigan cases indicate that the Township may have limited recourse if the certificate is not accurate or doesn't reflect the actual coverage. It is something you have to decide how best to balance the review and work of obtaining the insurance policy with the potential inaccuracies or lack of coverage as reflected on the certificate (which only become relevant if an incident/occurrence arises under the policy).
4. F&V's change order for 4/10/23 has no contractor or owner signature. See also my comment above regarding the bonds, which are shown for the original contract price in the contract documents package.

Let me know if you have any questions or concerns regarding the same.

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

From: Ron Popp <supervisorwhitewater@gmail.com>
Sent: Thursday, April 6, 2023 6:23 PM
To: Christopher Patterson <cpatterson@fsbriaw.com>
Subject: Re: Contract Book - Whitewater Township Park

If two weeks is your schedule. I will ask the board if they wish to waive the review 4.11.2023.

On Thu, Apr 6, 2023, 6:12 PM Christopher Patterson <cpatterson@fsbriaw.com> wrote:

Ron:

Although a form contract, it is a long one with material edits throughout. I don't want to slow anything down, so what is the anticipated date to execute it? We can work around that. Our only upcoming impediment is being out of the office for the MTA in two weeks.

Chris

Christopher S. Patterson

Member

Fahey Schultz Burzych Rhodes PLC

From: Ron Popp <supervisorwhitewater@gmail.com>
Sent: Thursday, April 6, 2023 3:35:19 PM
To: Christopher Patterson <cpatterson@fsbriaw.com>
Subject: Fwd: FW: Contract Book - Whitewater Township Park

Chris - As has been customary all contracts and agreements get reviewed by legal. Please schedule a review of these documents as soon as possible. If you would be so kind to advise of a completion date that would be appreciated.

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

supervisorwhitewater@gmail.com

bcc: Township Board

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

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

Date: Wed, Apr 5, 2023 at 2:37 PM

Subject: FW: Contract Book - Whitewater Township Park

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

All -

These are the contract documents for the Whitewater Township Park Improvements Project. They require township signatures.

bcc Township Board

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.

From: Rick Stout <rstout@fveng.com>

Sent: Tuesday, April 4, 2023 1:02 PM

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

Cc: Andrew Filler <afiller@fveng.com>

Subject: Contract Book - Whitewater Township Park

Cheryl,

Here is Contract document and corresponding change order. I also included agreement form for signature.

Rick Stout | LLA, LEED AP BD+C

Land Development & Enhancement Group

FLEIS & VANDENBRINK

2960 Lucerne Drive SE, Suite 100 | Grand Rapids | MI | 49546

O: 616.977.1000 | D: 616.942.3606 | C: 616.291.2357 | F: 616.977.1005

www.fveng.com



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The information contained in this message and any attachment may be proprietary, confidential, and privileged or subject to the work product doctrine and thus protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by replying to this message and deleting it and all copies and backups thereof. Thank you.

3 attachments



842850 CONTRACT MANUAL 04.03.23.pdf
18880K



842850 Change Order. No 1 04.10.23.pdf
34K



SP 00 52 00 Whitewater Twp Agreement.pdf
1341K



Ron Popp <supervisorwhitewater@gmail.com>

FW: Contract Book - Whitewater Township Park

1 message

Rick Stout <rstout@fveng.com>

Fri, Apr 21, 2023 at 12:46 PM

To: Ron Popp <supervisorwhitewater@gmail.com>, "Cheryl A. Goss" <clerk@whitewatertownship.org>, Heidi Vollmuth Gmail <heidivourtrustee@gmail.com>, Township Trustee - Vacant <trustee02@whitewatertownship.org>, Ardella Benak <treasurer@whitewatertownship.org>

Cc: Don Glenn <dglenn419@gmail.com>

Hi all,

See below from Twp Attorney. Also attached is signed change order no. 1 from Molon Excavating. Next step is for the Township to execute agreement form in the contract book and the change order.

Rick Stout | LLA, LEED AP BD+C

Land Development & Enhancement Group

FLEIS & VANDENBRINK

2960 Lucerne Drive SE, Suite 100 | Grand Rapids | MI | 49546

O: 616.977.1000 | D: 616.942.3606 | C: 616.291.2357 | F: 616.977.1005

www.fveng.com

From: Christopher Patterson <cpatterson@fsbrlaw.com>

Sent: Friday, April 21, 2023 12:34 PM

To: Rick Stout <rstout@fveng.com>

Subject: Re: Contract Book - Whitewater Township Park

CAUTION: **EXTERNAL EMAIL** DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Rick:

Thanks. I have nothing further.

Chris

Christopher S. Patterson

Member

Fahey Schultz Burzych Rhodes PLC

From: Rick Stout <rstout@fveng.com>
Sent: Friday, April 21, 2023 12:15:34 PM
To: Christopher Patterson <cpatterson@fsbrlaw.com>
Subject: FW: Contract Book - Whitewater Township Park

Chris,

See below in **RED**. If you have any comments, please feel free to reach out to me.

Thus, I have no changes to the contracts. I have a few comments that may require no action, but are based on my limited involvement and the time frame provided to review. I didn't want to not send you my thoughts prior to Tuesday's meeting. I am happy to talk to F&V or you directly on any of the following:

1. The bid submission within the contract documents reflects a list of sub-contractors. Not all are Molon Excavating. Molon Excavating is then referenced in part as a subcontractor; but otherwise through the remainder of the general conditions, contract, second and third bonds in the packet, and insurance, as the contractor. I don't know if other agreements will be issued for the subcontractors or if Molon Excavating is handling all of the work. The contract documents appear correct, but the bid submission table left me confused (and for instance, the material lists appear to reference the pre-cast planks that are noted from one of the subcontractors). It is also maybe that not all items bid are being done. **All items on bid form are part of contract and ultimate Molon Excavators responsibility. This is outlined in the General Conditions Section 7.07 Concerning Subcontractors and Suppliers. F&V did not see any issues with the sub's proposed as part of the bid form.**
2. The performance bond and payment bond are rather extensive. It seems that given the immediate change order increasing the amount in excess of the full bid because of a selection of alternates that you may want to consider adjusting the bonds immediately. **Molon Excavating has been notified upon acceptance of the change order that the contract amount and subsequent bonding levels would be subject to increase.**
3. The certificate of insurance has appropriate additional insured information and subrogation, also identified F&V as the certificate holder. However, under Michigan law, you have to verify that the insurance policy has that information to actually know that the coverage regarding additional insured, etc, is being provided. Thus, if F&V doesn't want to request copies of the policy verifying the sections that indicate the coverage on the certificate, you need to at least require an additional statement from Molon Excavating that all of the information set forth in the certificate is being provided to the Township and it is understanding that the Township is relying on the same in executing the contract. I will note that many individuals never seek information beyond the certificate of insurance, which you will hear anytime you request the policies. But Michigan cases indicate that the Township may have limited recourse if the certificate is not accurate or doesn't reflect the actual coverage. It is something you have to decide how best to balance the review and work of obtaining the insurance policy with the potential inaccuracies or lack of coverage as reflected on the certificate (which only become relevant if an incident/occurrence arises under the policy). **This verification statement has been requested from Molon Excavating.**
4. F&V's change order for 4/10/23 has no contractor or owner signature. See also my comment above regarding the bonds, which are shown for the original contract price in the contract documents package. **Typically, we would address change orders once the base contract is signed and executed from a procedural perspective. Molon Excavating did provide a signed change order and now both original contract and change order re pending Township approval and signature. Copy attached.**

Let me know if you have any questions or concerns regarding the same.

Rick Stout | LLA, LEED AP BD+C

Land Development & Enhancement Group

FLEIS & VANDENBRINK

2960 Lucerne Drive SE, Suite 100 | Grand Rapids | MI | 49546

O: 616.977.1000 | D: 616.942.3606 | C: 616.291.2357 | F: 616.977.1005

www.fveng.com

From: Ron Popp <supervisorwhitewater@gmail.com>
Sent: Thursday, April 13, 2023 9:33 AM
To: Rick Stout <rstout@fveng.com>; Andrew Filler <afiller@fveng.com>; cpatterson@fsbrlaw.com
Subject: Fwd: Contract Book - Whitewater Township Park

CAUTION: **EXTERNAL EMAIL** DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Rick & Andrew - Here are the legal concerns presented in regards to the boat ramp expansion project. In the interest of time, it may be best if one of you gets with Chris directly to find resolution.

If you will let me know what schedule the 3 of you can pull together, I will call a special meeting of the Board for that date.

Thank you,

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

supervisorwhitewater@gmail.com

bcc: Township Board

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

From: **Christopher Patterson** <cpatterson@fsbrlaw.com>
Date: Sun, Apr 9, 2023 at 10:00 PM
Subject: RE: Contract Book - Whitewater Township Park
To: Ron Popp <supervisorwhitewater@gmail.com>
Cc: Jamy Staffeld <jstaffeld@fsbrlaw.com>

Ron:

I reviewed the contract agreement, contract change order, and the contract document PDF that contained the bid terms and general conditions. In reviewing the general conditions, I found all of the relevant facets of covering a potential contract, dispute, and engineer's authority to be included based on the time available to review. The contract agreement itself also covers the bonding, insurance, retainage, performance milestones, and payment schedule based on the same. Thus, I have no changes to the contracts. I have a few comments that may require no action, but are based on my limited involvement and the time frame provided to review. I didn't want to not send you my thoughts prior to Tuesday's meeting. I am happy to talk to F&V or you directly on any of the following:

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4. F&V's change order for 4/10/23 has no contractor or owner signature. See also my comment above regarding the bonds, which are shown for the original contract price in the contract documents package.

Let me know if you have any questions or concerns regarding the same.

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
fsbirlaw.com • cpatterson@fsbirlaw.com

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

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

From: Ron Popp <supervisorwhitewater@gmail.com>
Sent: Thursday, April 6, 2023 6:23 PM
To: Christopher Patterson <cpatterson@fsbrlaw.com>
Subject: Re: Contract Book - Whitewater Township Park

If two weeks is your schedule. I will ask the board if they wish to waive the review 4.11.2023.

On Thu, Apr 6, 2023, 6:12 PM Christopher Patterson <cpatterson@fsbrlaw.com> wrote:

Ron:

Although a form contract, it is a long one with material edits throughout. I don't want to slow anything down, so what is the anticipated date to execute it? We can work around that. Our only upcoming impediment is being out of the office for the MTA in two weeks.

Chris

Christopher S. Patterson

Member

Fahey Schultz Burzych Rhodes PLC

From: Ron Popp <supervisorwhitewater@gmail.com>
Sent: Thursday, April 6, 2023 3:35:19 PM
To: Christopher Patterson <cpatterson@fsbrlaw.com>
Subject: Fwd: FW: Contract Book - Whitewater Township Park

Chris - As has been customary all contracts and agreements get reviewed by legal. Please schedule a review of these documents as soon as possible. If you would be so kind to advise of a completion date that would be appreciated.

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

supervisorwhitewater@gmail.com

bcc: Township Board

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

From: Cheryl A. Goss <clerk@whitewatertownship.org>
Date: Wed, Apr 5, 2023 at 2:37 PM

Subject: FW: Contract Book - Whitewater Township Park
To: Cheryl A. Goss <clerk@whitewatertownship.org>

All -

These are the contract documents for the Whitewater Township Park Improvements Project. They require township signatures.

bcc Township Board

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.

From: Rick Stout <rstout@fveng.com>
Sent: Tuesday, April 4, 2023 1:02 PM
To: Cheryl A. Goss <clerk@whitewatertownship.org>
Cc: Andrew Filler <afiller@fveng.com>
Subject: Contract Book - Whitewater Township Park

Cheryl,

Here is Contract document and corresponding change order. I also included agreement form for signature.

Rick Stout | LLA, LEED AP BD+C

Land Development & Enhancement Group

FLEIS & VANDENBRINK

[2960 Lucerne Drive SE, Suite 100 | Grand Rapids | MI | 49546](#)

O: 616.977.1000 | D: 616.942.3606 | C: 616.291.2357 | F: 616.977.1005



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The information contained in this message and any attachment may be proprietary, confidential, and privileged or subject to the work product doctrine and thus protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by replying to this message and deleting it and all copies and backups thereof. Thank you.

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842850 Whitewater Change order no. 1 - 04.10.23.pdf
376K

Memo

To: Whitewater Township Board of Trustees

CC: None

Date: 5.28.2023

Re: Proposed Dot Gov email extensions

Board Members –

This business item was moved from the April 11, 2023 agenda.

Respectfully submitted,

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

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

Memo

To: Whitewater Township Board of Trustees

CC: None

Date: 3.28.2023

Re: Proposed Dot Gov email extensions

Board Members –

This business item follows up on a Whitewater Township Board of Trustees discussion during the March 22, 2023 special meeting of the group. The email sent to all township board members 3.27.2023 from Mr. Bill Schaub details where we are in the process of getting the dot gov email domain whitewatertownshipmi.gov. Acting on my understanding of the special board meeting 3.22.2023 and to recap my email of the same day, the application for a dot gov domain must be completed by the highest-ranking elected official of the township. My name is therefore used as the administrative contact. With permission from Bill Schaub of Netlink Business Solutions, Mr. Kelly Collins, of Netlink Business Solutions, was listed as the required technical contact. An optional security contact email was provided in the official authorization letter to begin the application/verification process. I ask the Board to review the authorization letter and to approve its submittal as of March 23, 2023 as acting in the Board's best interests. As our request for the domain continues, we can put together the plans for the next step in this process which is to change email host provider. Currently we use Spectrum for that service and Netlink Business Solutions has recommended we move to Microsoft 365. This is a significant integration process and will likely not be seamless.

Microsoft 365 offers many different business solutions for customers. Netlink Business Solutions is recommending two options for us to consider currently. The first offering is mailbox only, for a \$5.00 per month per box fee Microsoft will provide 50GB of space in each mailbox. I believe we currently have 5GB with Spectrum so storage capacity is increasing. The second offering is Microsoft 365 Business Standard Plan which cost \$15.00 per month per license. This product offers the same mailbox as described above plus a 1 year user license to the suite of Microsoft 365 applications like Outlook, Word, Excel, PowerPoint, and OneNote (plus Access and Publisher for PC only). Additionally, a hub for teamwork to connect people using Microsoft Teams is provided. 1 TB of OneDrive cloud storage per license for file storage and sharing is included. A portion of this can be used for file backup. Each license allows the Microsoft 365 applications to be installed on up to five devices mobile, tablet, PCs or Macs. The license provides for around-the-clock phone and web support from Microsoft and is compatible with Windows 11, Windows 10, Windows 8.1, and the two most recent versions of macOS.

The move to Microsoft mailbox hosting eliminates a security concern that has existed for a long time. The Clerk's office will no longer have administrative access to everyone's email account. In fact, NO township staff will have administrative access. Netlink Business Solutions will be listed as the Microsoft Partner of Record and as such be the administrator. Each staff member will need to provide a cellphone number which will be used to authenticate each login. For those with banking applications you may already be familiar with this process. When township staff changes and they were a mailbox holder, Netlink Business Solutions will have to be contracted to make the necessary changes. Fees for this operation have not been addressed. Should Netlink no longer service the Township for any reason, the Township must notify Microsoft they wish to change the Partner of Record. Mr. Schaub has provided a link that describes the process in detail. <https://learn.microsoft.com/en-us/microsoft-365/admin/misc/add-partner?view=o365-worldwide> The Board should develop policy about who what and when changes can be made to individual email boxes and the Partner of Record designation with Microsoft. The policy should avoid a single board member which has failed us in the past.

If the Board elects to make this switch, Netlink Business Solutions recommends maintaining our existing .org mailboxes with Spectrum for between 2 and 6 months after the creation of the dot gov domain and Microsoft 365 mailboxes. Adding a notification line on outgoing mail detailing our new addresses is a good way to inform folks of the change. If cellphones are a required part of the email login procedure, as I believe they are, the Board may want to address a compensation package to all email box holders.

A quick count of current email boxes finds 8 are needed for the Township Board, Zoning Department needs 1, Planning Commission Needs 6, ZBA needs 3, PRAC requires 5, the Park Manager will need 1, and the Camping Park needs 1, for a total of 25 mailboxes. For those members using personal computers to conduct township business and awaiting a device to be issued to them, I recommend those accounts jump directly to the Business Standard Plan. Others who have functional devices can choose to remain with what they have or upgrade. Mr. Schaub recommends anyone using Microsoft office products older than 2019 upgrade to the Business Stand Plan now. My count for this option is 4 depending upon the level of satisfaction Rachel Steelman has with the device provided to her. Additionally, the status of Alex Darrow's laptop is unknown. It is stored in the copy room atop one of the filing cabinets. That device may have preloaded software to promote board level work. The math may look like this: 25 mailboxes – 5 (park manager, park, trustee1, trustee2, pc chair) = $(20 \times \$5.00) + (5 \times \$15.00) + (25 \times \$3.50) = \262.50 per month. As a budget item, we also need to add the cost of actual internet itself which appears to be around \$120.00 per month. In the short term, while both .org and .gov addresses are maintained, the monthly cost can be estimated at \$382.50. Long term the \$120.00 per month fee we currently pay to Spectrum may drop slightly when the .org addresses are shutdown. A verbal estimate regarding the migration cost from .org to .gov has been given at 30 hours @ \$130.00. If the standard cellphone compensation of \$40.00 per month is considered an estimated grand total of \$9,438.00 gets us close. A quick reference of the 2023/2024 budget line item 101.265.851 shows an annual amount of \$1800.00; this number may need to be adjusted.

Bill Schaub's email of March 22, 2023 is presented as Netlink Business Solution's official cost estimate for the items described above.

Motion One: Motion to approve the creation, execution, and submission of the authorization letter to .Gov Domain Registration c/o Verisign, Inc., 12061 Bluemont Way, Reston, Virginia 20190, dated March 22, 2023 as written, on behalf of the Whitewater Township Board of Trustees.

Motion Two: Motion to move email hosting services for Whitewater Township from Spectrum to Microsoft.

Motion Three: Motion to hire (contract) with Netlink Business Solutions to complete the email migration process from Spectrum hosted email boxes to Microsoft hosted email boxes at an estimated cost of \$4,000.

Motion Four: Motion approving Netlink Business Solutions to be listed as the sole Microsoft Partner of Record for Whitewater Township, until such time further Whitewater Township Board of Trustee action is brought forward to modify.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ron T. [unclear]".

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



WHITEWATER TOWNSHIP

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

March 22, 2023

.Gov Domain Registration
c/o Verisign, Inc.
12061 Bluemont Way
Reston, Virginia 20190

To the .gov Program:

As Township Supervisor for Whitewater Township, Grand Traverse County, Michigan, I request that responsibility for the domain name whitewatertownshipmi.gov be delegated to my municipality.

Whitewater Township is a general law township serving a population of about 2,700 residents. Recently, DNS issues prevented reliable communications with Gmail users. This request is part of multistep program to correct the issue.

In order to obtain and maintain whitewatertownshipmi.gov Whitewater Township will meet the general and specific requirements for federal agencies, found at <https://get.gov/registration/requirements>.

The following will be listed as contacts for whitewatertownshipmi.gov, which Whitewater Township will keep up to date in the .gov registrar.

Administrative contact

Ronald Popp
Township Supervisor
P.O. Box 159/5777 Vinton Road, Williamsburg, Michigan 49690
231-267-5141 Ext 23
supervisorwhitewater@gmail.com

Technical contact

Kelly Collins
Netlink Business Solutions, Engineer
6005 E Traverse HWY, Traverse City, Michigan 49684
P231-946-8808
kcollins@netlinkbus.com

Security contact

Clerk@whitewatertownship.org

I understand that if I wish to retire whitewatertownship.gov, I must submit a written request to registrar@dotgov.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ronald Popp', with a stylized flourish extending to the right.

Ronald Popp
Whitewater Township Supervisor



Ron Popp <supervisorwhitewater@gmail.com>

DNS and domain transfer information

1 message

Bill Schaub <bschaub@netlinkbus.com>

Wed, Mar 22, 2023 at 11:46 AM

To: "clerk@whitewatertownship.org" <clerk@whitewatertownship.org>, "trustee02@whitewatertownship.org" <trustee02@whitewatertownship.org>, Ron Popp <supervisorwhitewater@gmail.com>, "heidivourtrustee@gmail.com" <heidivourtrustee@gmail.com>, Ardella Benak <treasurer@whitewatertownship.org>, Kelly Collins <kcollins@netlinkbus.com>

To All,

Kelly found the answers to the questions about domain "administrative" and "technical" assignments for all 3 domains. It is the same for all 3 domains. We can initiate the "first phase" today with Cheryl if approved.

First Phase costs

Based on the information below my original estimate of 3 to 6 hours (\$130.00 per hr.) would be the needed time to move the domain registrar and DNS hosting to a new provider. Once this has completed the second phase can happen, which is moving email hosting to Microsoft. See estimates for second phase below.

Go Daddy (paid directly by Whitewater Township to Go Daddy via a credit card).

Go Daddy Domain hosting for 3 domains	\$60.00 (per year approximately)
Go Daddy DNS hosting	Include in above subscription.

Admin contacts: (The same contact is listed in all 3 domains)

Whitewater Township

[5777 Vinton Road](#)

P.O. Box 159

Williamsburg, MI 49690 USPh: +1.2312675141

Fax:

clerk@whitewatertownship.org

Technical contact: (The same contact is listed in all 3 domains)

NameSecure Inc.

P.O. Box 785

NULL

Herndon, VA 20172 US

Ph: +1.5707088418

Fax:

support@namesecure.com

Second phase estimates, moving email hosting to Microsoft.

Labor 20 to 30 hrs.

Microsoft email box license \$5.00 (per user/per month)

This is for email box only

Microsoft 365 Bus. Standard license \$15.00 (per user/per month)

This license includes the email box

Along with license for using Microsoft

Office software.

Optional antispam filter \$3.50 (per user/per month)

Optional antispam and antivirus filter

This filters the email before getting to

Microsoft servers. Reduces the

Number of junk, spam, phishing, and virus

related Emails.

Best regards,

Bill Schaub

Netlink Business Solutions

"Complete Office Technology Integration"

(231) 946-8808 phone

(231) 946-0719 fax



Ron Popp <supervisorwhitewater@gmail.com>

Agenda item for 5/09/2023

1 message

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

Tue, Apr 25, 2023 at 6:54 PM

Team,

For some time now, for the past year an accounting firm in Elk Rapids has been handling a mistake made by the Clerk with the Internal Revenue on behalf of Whitewater Township.

At this time we have not had an update from the Clerk about the above issue for sometime. The people are waiting patiently for the outcome of this issue and how will the mistake be handled and corrected.

I would hope that the Clerk would not make any decisions without notification to the board of the options available to settle the mistake.

At this time no motion, unless one is needed to have the discussion or update.

Motion to have a clear and open discussion and an update on the issue regarding the mistake made by the Clerk regarding the Internal Revenue Service.

If the Clerk needs additional time to access the information I request that this information is sent to the board members no later than May 15 2023 at 5:00 pm.

Regards
Heidi Vollmuth
WWT Trustee

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 4.28.2023
Re: Facilitator for Township Board Electronic and Telephonic Meetings

Board Members –

This business item is presented to the Board to correct some possible oversights regarding the designation of facilitator for township board electronic and telephonic meetings.

It would appear the facilitator for township board electronic and telephonic meetings was delegated during the 7.14.2020 Whitewater Township Board Meeting. The meeting minutes do not provide information on a job description, what department the facilitator works for (one could assume the township board department 101.101.703), who approves time sheets, or what the compensation will be. There is no listing for the position on the graded wage scale or the salary wage schedule. Interesting fact is that motion appears to delegate the facilitator only for the township board and not any other bodies. **“Motion by Goss to designate Lois MacLean as the facilitator for township board electronic and telephonic meetings; second by Benak. Roll call vote: Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes. Motion carried.** This is likely due to Executive Orders of the day surround COVID preventing other bodies from meeting at all. No additional business item was located which may have corrected these issues. As other bodies now use the application and the facilitator services it exceeds the 7.14.2020 motion delegating the duty. This may also generate a wage hour issue as it is not something approved by the board.

In recent months I have drawn attention to the fact the **facilitator for township board electronic and telephonic meetings** (Zoom facilitator) is charging the township board one hour of labor to set up and distribute zoom meeting data. This is a task which take less than 15 minutes including computer booth up time. Factor in 15 minutes for equipment setup and testing at the actual meeting it adds up to a total of .5 hours per meeting. Since first brining this to the public’s attention the current **facilitator for township board electronic and telephonic meetings** has curiously increased the time, she charges to 1.5 hours. Time sheet entries appeared to remain at the one-hour mark for Park & Recreation Advisory Committee Meetings, ZBA, and Planning Commission Meetings. All time sheets appear to be approved by the Clerk’s Office when no apparent board approval has been granted for this action. I believe this oversight can be corrected with a future updated motion once the job description has been established.

Whitewater Township Policy and Procedure Manual Section **“4.2(b) Time Sheets indicates All time worked shall be recorded in ¼ hour increments by the employee on an appropriate department time sheet. Time sheets will be signed by both the employee and the employee's department head. All completed time sheets shall be submitted to the clerk in accordance with the clerk's payroll processing schedule.”** Any updated motion on compensation may want to call out the time allowed or consider a base number assignment like the recording compensation process used in the township. Without fully understanding concerns raised in paragraph two it will be difficult to establish this number now.

Whitewater Township has not developed the Zoom Application beyond the simple remote participation and recording tools. We do not create the packet in slideshow format or share screens with other board members, or the public. Rarely, do board or commission members even log on to the application to make that happen. Considering these facts, why is a facilitator for township board electronic and telephonic meetings needed? If I recall the role was created to alleviate the meeting chair from being overwhelmed with running both the virtual and real meeting. While a plausible concept, the clerk takes minutes and participates in the meeting. Outside of the township board meeting venue the facilitator takes the minutes for the meeting and runs the virtual meeting, but chair persons only have the capacity to run the real meeting? I understand not all meetings and not all chair persons are alike. Occasionally someone different than the regular chairperson chairs the meeting. For them a facilitator may be helpful and the board should consider that service on an as requested basis.

The last concern is siloing. Delegating access to an operational system to a single person creates issues. The Shared access to the Zoom Account is paramount moving forward and offers a level of service continuity accommodating time off, sickness and a flexible schedule. To illustrate the importance of shared access, consider the email server troubles we have experienced. The hassle of getting official township documents. The outdated SAMS registration and what Trustee Glenn has endured at the park trying to get daily operational systems functioning that were once controlled by the Clerk. Of the highest concern is the constant obstacles the Clerk creates to park opening tasks and boat ramp improvements. The negative effects can be mitigated when the silos are torn down. It also guards against a disgruntled employee which causes disruption, uncertainties, inefficiencies that attempts to paralyze daily operations.


Board Members are fiduciaries of the public's money. Several financial issues have been outlined in this writing that must be addressed in a manner that fixes the improper payment of wages for non-board approved services, corrects the overpayment for services, and ends the reciprocity between the Clerk's Office and the current facilitator for township board electronic and telephonic meetings. The board did not seek restitution from the Clerk for the last improper payment of wages and as such was, not contemplated for this business item.

Motion one: Provide administrator level access to all Board and Commission Chairs and Vice Chairs who request access. This includes training sessions via free basic zoom accounts.

Motion two: Motion to contact MTA or other sources including the legal department for an electronic and telephonic meetings facilitator and present it to the Board for modification and approval. (Once this has been established the board can determine department, time sheet approvals and rate of compensation.)

Motion three: Motion to offer an electronic and telephonic meeting facilitator to various bodies that operate under the Whitewater Township Board on a temporary, as requested basis until board approval of a job description and compensation rate are determined or 12.31.2023 whichever arrives first.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'R. T. ...', written in a cursive style.

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

New Business (1:25:53)**Approval of Probationary Firefighter**

Motion by Goss to approve Samuel Rojewski as a probationary firefighter for the Whitewater Township Fire Department; second by Benak.

Upon questioning, Flynn said he cannot hear the rest of the board, only Popp.

Flynn said Rojewski has completed Firefighter I and II and is working on some of the medical part of it. He is a township resident who is young and ambitious and ready to help out.

(Upon MacLean unmuting the rest of the township board members, there was microphone feedback.)

Discussion followed concerning the audio issue.

Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, absent. Motion carried.

Review Quotes/Award Contract re: Township Hall Parking Lot Repairs (1:28:27)

Motion by Benak to accept Picture Perfect Asphalt Restoration's estimate dated June 18, 2020, in the amount of \$1,885 for parking lot maintenance and repairs at the Township Hall; second by Lawson.

Discussion followed regarding details of the quotes.

Popp said he amends his motion to still recommend Picture Perfect and have them stripe all available spaces.

Further discussion ensued.

Popp said he is still going to make the motion as written.

Goss noted the motion has already been made by Benak and Lawson.

Goss re-read the motion.

Roll call vote: Popp, yes; Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes. Motion carried.

Goss noted she spoke with Picture Perfect and found out they are scheduled past the August 4th election.

Designation of Facilitator for Township Board Electronic and Telephonic Meetings (1:39:58)

Motion by Goss to designate Lois MacLean as the facilitator for township board electronic and telephonic meetings; second by Benak. Roll call vote: Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes. Motion carried.

Request to Initiate Skegemog Point Road Repairs (1:40:59)

Popp said the process is that the township has to pay \$1,000, of which \$500 could be refundable, to get an estimate for any road project, gravel or blacktop. Popp represented that there are some savable sections of the road and 7,300 feet requires reconstruction.

Discussion turned to dollar amounts listed in Popp's memo, with Popp stating that the 75% (township responsibility) is part of the new county program for partnership project.

Benak asked if anyone else will be partnering with the township.

Popp replied that we don't know, because we don't know what the project is until we get some basic estimate dollars.

Benak stated the township having to come up with \$900,000 is not realistic, and asked Popp if he knows of any other partners who are looking to help us with this, and noted that Popp mentioned special assessment in his memo.

Popp mentioned the tribe, the township, and people who actually use the road as sources of funding.

Benak asked Popp how they feel about it.

Popp referred to the WMDLS Special Assessment and said he does not want to go down that road. The county has indicated that once they give an engineer's estimate, it is good for a year.

Benak said that she just knows that Whitewater Township cannot spend the \$900,000 on a single road.

Goss added that the township does not have a big pool of money to throw at this, and thinks that somewhat of a precedent has been set by the \$89,460 which the township contributed to the Baggs Road project. She stated that, knowing what is in the fund, she does not see that the township could ever commit more than approximately that same amount to any one road. The tribe can be asked, but she does not see the township taking out any type of loan, which probably leaves a special assessment district.

Goss also expressed concern about language in the Request to Initiate which appears to obligate the township for costs beyond the \$1,000, "to complete surveys, design, prepare opinion of probably (sic) cost, obtain necessary permits and verify or acquire right-of-ways (sic)."

Benak pointed out the last paragraph and read, "The Township agrees to the scheduling stated above and agrees to pay its portion of the cost share of the actual survey, filed (sic) work,



Ron Popp <supervisorwhitewater@gmail.com>

Fw: TB 05/09 Agenda Item

1 message

Rachel Steelman <rsteelmanpc@yahoo.com>
To: Ron Popp <supervisorwhitewater@gmail.com>

Thu, Apr 27, 2023 at 10:51 AM

Ron,
Can you please confirm this is in the TB 05/09 packet?
Thank you,
Rachel

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

From: Rachel Steelman <rsteelmanpc@yahoo.com>
To: Ron Popp <supervisorwhitewater@gmail.com>
Cc: Cheryl A. Goss <clerk@whitewatertownship.org>; Don Glenn <trustee02@whitewatertownship.org>; Heidi Vollmuth <heidivyourtrustee@gmail.com>; Ardella Benak <treasurer@whitewatertownship.org>; Lois Maclean <loismaclean@sbcglobal.net>
Sent: Monday, April 24, 2023 at 10:44:12 AM EDT
Subject: TB 05/09 Agenda Item

Good morning TB,

Attached is a PDF with 2 actions the PC/PC Chair are requesting be addressed at the May 9th, 2023 TB meeting. I will attempt to attend via Zoom should you have any questions but cannot guarantee my availability as such, I've given as much detail as I can in the requests. Please reach out if you have any questions I can answer beforehand.

Thank you for your time and dedication to our township!
Rachel Steelman
231-218-3010

 **TB 05.09.2023 PC Actions.pdf**
150K

To: Whitewater Township Board

From: Rachel Steelman, PC Chairperson

Date: 04/24/2023

The Planning Commission (PC) requests the Township Board (TB) take action on the following at the May 9th, 2023 TB Regular Meeting:

1. On 04/19/2023 the PC carried a Motion to have a joint special meeting with the TB to discuss the Municode contract, expanding the Mielnik contract, putting that contract under the PC's leadership, budget discussion, and any other related topic the commission wishes to discuss. This meeting is tentatively set to take place on Wednesday 05/17/2023 at 6pm.

An appropriate motion would be: Motion to schedule a joint Township Board/Planning Commission meeting to discuss the Municode contract, expanding the Mielnik contract, putting that contract under the PC's leadership, discuss the PC's budget, and discuss any other related topic the Board or Commission wishes to discuss.

2. On 04/19/2023 the PC Chair became aware that in order for the PC Subcommittees to utilize Recording Secretary Services including Zoom facilitation at subcommittee meetings the TB must approve recording secretary/zoom facilitator wages. The PC is making strides to catch up and accomplish much in a short amount of time via subcommittees. The subcommittees are also proving necessary team building and learning environments. As the PC is comprised of fairly new members who are diligently learning and adapting to their new roles, having access to Recording Secretary services and Zoom facilitation are a must for success. The fees associated can and should be paid out of the PC's approved budget. At present the PC has two subcommittees:
 - a) Resident Outreach Subcommittee is comprised of 3 Whitewater Residents, 2 PC members, and the planner. The team is working on a Resident Survey for the Master Plan. The subcommittee is doing survey research, survey question preparation, and providing recommendations to the PC. As of 04/24/2023, this subcommittee has met 3 times individually and 2 times jointly with the PC. Future meetings are anticipated.
 - b) Planning Commission Special Subcommittee is comprised of 3 PC members, the Planner, and Zoning Administrator. The group's primary focus is to research, discuss, and provide insight to the PC on several topics including but not limited to administrative processes, budget processes, and Municode. As of 04/24/2023 the team has met once and is scheduled to meet once more. The need for future meetings is unknown at this time.

- c) Additional subcommittees may be created and appointed by the PC Chair as needed to ensure the PC runs smoothly and timely.

An appropriate motion would be: Motion to authorize Recording Secretary wages and Zoom Facilitator wages at all PC subcommittee meetings held in March 2023 and during FY 2023/2024.

Memo

To: Whitewater Township Board of Trustees

CC: None

Date: 5.2.2023

Re: Spectrum Account

Board Members –

This business item is provided to make the Board aware of several happenings including Clerk Goss's email of April 11, 2023. See attached. Pending a decision about dot.gov email extensions and acceptance of Netlink Business Solutions' proposal for email hosting, a different Board action may be required.

As it has become common place with the Clerk, she continues to resign from duties, provide false narratives, fraudulently reassign tasks to other elected officials, and create obstacles to township operations at every opportunity. The Clerk wrote an email June 15, 2022 titled "Government 101" which she explains how elected officials have "zero authority to assign a task(s) to other elected officials without those elected officials' express consent." See attached. But here we are dealing with yet another contradiction of her own profession of the truth. The Clerk included her proposed transfer of Spectrum account ownership actions in the meeting synopsis as if it were a Board action. I rejected this statement and provided each Board Member with that notice of rejection. See attached. Research shows she published the synopsis without the Supervisors' approval as required by MCL 41.72a. See attached publication. She has included "her comments" in the minutes on page 4097 as if to somehow to provide a degree of authenticity to her actions. What are we to learn from a person who intentionally does something they know is wrong and against State Statute?

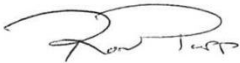
The Supervisor's Office will not accept this Spectrum task due to the potential security issues that have been created for the Township by past actions of the Clerk. This may impact your email accounts and the park's cell phone both provided by Spectrum. Be prepared to use alternate communication methods as billing information is appearing as text information on my phone which means someone provided my information to the vendor without my consent. I am not responding to these messages in anyway. Nor will I be responsible for any charges associated with the Clerk's actions.

Trustee Glenn struggles with similar issues of username, password and accounts at the park which were set up using the Clerk's information some including her social security number. Until resolved, these security issues will negatively affect user experience and profitability for the 2023 camping season.

With few exceptions, critical Township operational accounts cannot be the personal property or "owned" by a single Board Member, they must be owned by the Township and the Board must approve their creation and profile information. The Board should consider a non-board member third party as the administrative, technical, and security contacts often required for these critical operational accounts. The third party should be well versed in governmental operations and report to the Board, not a single Board Member. One example of a third party could be the legal team. Netlink Business Solution has proposed they be the "Partner of Record" with Microsoft which the Board could approve by resolution detailing specifics about global account profiles. The Board could develop a policy that when implemented will ensure continuity of township operations across an exchange of elected office and/or management post.

No motion pending further Board input.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Ron Tully". The signature is fluid and cursive, with a large initial "R" and a stylized "T".

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Spectrum

1 message

Cheryl A. Goss <clerk@whitewatertownship.org>

Tue, Apr 11, 2023 at 5:57 PM

To: Ron Popp <supervisor@whitewatertownship.org>, Ron Popp Gmail <supervisorwhitewater@gmail.com>

Ron –

Due to your continued slanderous accusations that I have accessed all of the township e-mail accounts, which I have explained ad nauseum that I do not have access to ANYONE's actual e-mail, and your nonstop attempts to disparage my integrity with your bullshit, I logged into the Spectrum account one last time and named you as the Personal Contact, the Billing Contact, the Administrative Contact, and the Technical Contact for Whitewater Township. Prepare to get new e-mail!

I was not able to change the primary username and password to the account UNTIL I spoke with someone at Spectrum Enterprise, to whom I gave your name and e-mail address and was told that this information has now been updated, and that they have already sent you an e-mail detailing how you get yourself registered with Spectrum.

Additionally, I have permanently deleted my Spectrum login and password information.

Have fun!

bcc A Whole Bunch of People

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.



Ron Popp <supervisorwhitewater@gmail.com>

Township Government 101

1 message

Cheryl A. Goss <clerk@whitewatertownship.org>
To: "Cheryl A. Goss" <clerk@whitewatertownship.org>

Wed, Jun 15, 2022 at 10:01 AM

All –

Township Government 101:

Elected officials have zero authority to assign a task(s) to other elected officials without those elected officials' express consent.

bcc: Township Board

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

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Ron Popp <supervisorwhitewater@gmail.com>

4.11.2023 Township Board Meeting Synopsis

1 message

Ron Popp <supervisorwhitewater@gmail.com>

Tue, Apr 25, 2023 at 12:00 PM

Bcc: clerk@whitewatertownship.org, Ardella Benak <treasurer@whitewatertownship.org>, heidivourtrustee@gmail.com, Don Glenn <dglenn6542@yahoo.com>, tarends226@gmail.com

All -

The 4.11.2023 meeting synopsis provided by the Clerk will not be approved as written. As we have been told many times by the Clerk, minutes are to be an accurate account of the body's business. Her attempts to make the Supervisor's Office somehow accountable for the email mess she created was not Board business, nor does it have any legal standing.

Simply put, now that people are watching, this is another duty the Clerk wants away from.

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



Synopsis of 2023.04.11 Township Board Meeting Not Approved RMP.pdf
684K



Ron Popp <supervisorwhitewater@gmail.com>

4.11.2023 Township Board Meeting Synopsis

1 message

Ron Popp <supervisorwhitewater@gmail.com>

Tue, Apr 25, 2023 at 12:00 PM

Bcc: clerk@whitewatertownship.org, Ardella Benak <treasurer@whitewatertownship.org>, heidivourtrustee@gmail.com, Don Glenn <dglenn6542@yahoo.com>, tarends226@gmail.com

All -

The 4.11.2023 meeting synopsis provided by the Clerk will not be approved as written. As we have been told many times by the Clerk, minutes are to be an accurate account of the body's business. Her attempts to make the Supervisor's Office somehow accountable for the email mess she created was not Board business, nor does it have any legal standing.

Simply put, now that people are watching, this is another duty the Clerk wants away from.

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



Synopsis of 2023.04.11 Township Board Meeting Not Approved RMP.pdf
684K

LEGAL NOTICE
Whitewater Township Board
Synopsis of April 11, 2023 Regular Meeting

Meeting called to order at 9:00 a.m.

Board members present: Goss, Glenn, Popp

Board members absent: Benak, Vollmuth


Others present: 5 in person, 2 on Zoom

Changes to agenda:

- Kitzmiller presentation rescheduled.
- No closed sessions at this meeting.
- Cleanup Day added to New Business.
- Hold Harmless Agreement added to New Business.

No public hearings. Public comment and reports heard.

Business items addressed:

- Approved Consent Calendar.
- Camping park questions/answers provided.
- Approved Josh Morgan as new fire department member.
- Approved \$6,500 expenditure for overhead door repair at fire station.
- Microsoft E-mail Hosting moved to May. **Goss will turn over Spectrum account access to Popp today.** 
- Approved township board to review/file bylaws of ZBA, PC, PRAC, and future entities.
- Township attorney's office will be requested to provide ordinance creating ordinance enforcement officer.
- Consensus that Attorney Patterson will contact Oosterhouse attorney concerning motorized usage of Moose Road Nature Trail.
- Approved 2023 County Road Improvement Agreement.
- Closed session re. Hymore complaint to be set for 05/03/2023 if Attorney Kuschel is available.
- Regarding Petobego hayfield agreement, Goss will provide 07/01/2014 e-mail.
- Approved payment to Don Glenn for park/recreation related activities.
- Approved supervisor working with fire chief for installation of COVID testing supplies at fire station.
- Popp listed specifications for additional repairs at Hi Pray Park playground.
- Approve 2023 TruGreen agreement.
- Annual audit RFP will be brought back in May
- Approved addition of Parks & Recreation Advisory Committee Report to Consent Calendar.
- Approved 2023 Cleanup Day vendor.
- Approved Hold Harmless Agreement for Free Camping Weekend.

Next meeting 05/09/2023. Adjourned 3:25 p.m.

Full text of meeting minutes is available upon request from the township clerk or at www.whitewatertownship.org. Minutes are subject to approval at next board meeting.

Cheryl A. Goss
Whitewater Township Clerk
(231) 267-5141 x24

Not Approved RMP 4.25.2023. Disposition of Spectrum Account was not a Board Action

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Source Traverse City Record-Eagle

Category Legal Notices

Published Date April 29, 2023

Notice Details

LEGAL NOTICE Whitewater Township Board Synopsis of April 11, 2023 Regular Meeting Meeting called to order at 9:00 a.m. Board members present: Goss, Glenn, Popp Board members absent: Benak, Vollmuth Others present: 5 in person, 2 on Zoom Changes to agenda: Kitzmiller presentation rescheduled. No closed sessions at this meeting. Cleanup Day added to New Business. Hold Harmless Agreement added to New Business. No public hearings. Public comment and reports heard. Business items addressed: Approved Consent Calendar. Camping park questions/answers provided. Approved Josh Morgan as new fire department member. Approved \$6,500 expenditure for overhead door repair at fire station. Microsoft E-mail Hosting moved to May. Goss will turn over Spectrum account access to Popp today. Approved township board to review/file bylaws of ZBA, PC, PRAC, and future entities. Township attorney's office will be requested to provide ordinance creating ordinance enforcement officer. Consensus that Attorney Patterson will contact Oosterhouse attorney concerning motorized usage of Lossie Road Nature Trail. Approved 2023 County Road Improvement Agreement. Closed session re: Hymore complaint to be set for 05/03/2023 if Attorney Kuschel is available. Regarding Petobego hayfield agreement, Goss will provide 07/01/2014 e-mail. Approved payment to Don Glenn for park/recreation related activities. Approved supervisor working with fire chief for installation of COVID testing supplies at fire station. Popp listed specifications for additional repairs at Hi Pray Park playground. Approve 2023 TruGreen agreement. Annual audit RFP will be brought back in May Approved addition of Parks&Recreation Advisory Committee Report to Consent Calendar. Approved 2023 Cleanup Day vendor. Approved Hold Harmless Agreement for Free Camping Weekend. Next meeting 05/09/2023. Adjourned 3:25 p.m. Full text of meeting minutes is

available upon request from the township clerk or at www.whitewatertownship.org. Minutes are subject to approval at next board meeting. Cheryl A. Goss Whitewater Township Clerk (231) 267-5141 x24 April 29, 2023- 1T600353

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Memo

To: Whitewater Township Board of Trustees

CC: None

Date: 4.27.2023

Re: Personnel Policy Manual

Board Members –

This business item is presented to the Board for some direction on the Whitewater Township Personnel Policies Manual (Last Revised February 26, 2013) recently provided to Trustee Glenn for use at the camping park this year. As Mr. Glenn's email string points, out section #5 of the manual indicates health insurance is offered by the Township. I pick this reference up in Policy No. 4, not No. 5 under the **Health Insurance** provision and read it as "shall make health benefits available to full-time employees." Earlier in the document, there is some confusing language in the **Vacation** provision. It appears to reserve the right of the Township to "negotiate individual benefits with any full-time employee at any time." This provision seems to be in contrast with Board discussion about treating all employees equally.

The Township will soon have two fulltime employees, the Fire Chief and the Park Manager. Without some modification to the manual, the Township shall offer health insurance to fulltime personnel. This benefit has been discussed in the last couple of budget cycles but has not benn implemented as of this date. Benefits of this nature can act as a significant recruituign tool for all employment needs as the Township grows.

From a year-old inquiry into this matter, health insurance premiums are almost considered on a case by case basis. Without specific personnel information getting an accurate "group" cost estimate for the benefit could be a challenge. Employee Benefit Solutions, a firm located in Cadillac, has reached out several times offering to help make an informed decision. A quick unofficial poll of induvial health insurance policies I am aware of, reveals a wide range of costs from \$200.00 per month to \$1300.00 depending upon age and coverage. To calculate a possible budget value $\$1300.00 \times .80$ (township's part) = \$1040.00 per month per employee or about \$25,000.00 annually. This expense is not currently in the 2023/2024 budget and will likely require additional revenue generation to meet should the Board choose to follow the current policy.

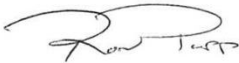
The Board has at least three options to move forward. One, offer a health insurance policy either basic or robust. Two modify the personnel policy eliminating the health insurance provision. Three modify the policy to offer a stipend to the employee to offset the cost of a personal health insurance plan.

In addition to Policy No.4 modification of the manual, the Board of Trustees may want the entire 20-year-old manual reviewed by legal for changes that have likely transpired in the last two decades.

Motion One: Temporarily suspend the health insurance provision as outlined in the Whitewater Township Personnel Policies Manual last revised February 26, 2013.

Motion Two: Send the Whitewater Township Personnel Policies Manual last revised February 26, 2013 to legal for review.

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 "T".

Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Fw: WWT Personnel Policies Manual & Acknowledgement form

1 message

dglenn6542@yahoo.com <dglenn6542@yahoo.com>
To: Ron Popp <supervisorwhitewater@gmail.com>

Wed, Apr 26, 2023 at 3:28 PM

Well, the 1st thing is that this is dated 2013 and WOW(!!!) section #5 references that the township offer health insurance benefits.

Don Glenn
dglenn6542@yahoo.com
Trustee - Whitewater Township
cell phone: (614) 940-4601

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

From: Cheryl A. Goss <clerk@whitewatertownship.org>
To: "dglenn6542@yahoo.com" <dglenn6542@yahoo.com>
Sent: Wednesday, April 26, 2023 at 12:00:06 PM EDT
Subject: RE: WWT Personnel Policies Manual & Acknowledgement form

Cheryl A. Goss

Whitewater Township Clerk
[5777 Vinton Road](mailto:clerk@whitewatertownship.org), P.O. Box 159
Williamsburg, Michigan 49690
Telephone: 231.267.5141 x24
Fax: 231.267-9020

clerk@whitewatertownship.org

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

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

From: dglenn6542@yahoo.com <dglenn6542@yahoo.com>
Sent: Monday, April 24, 2023 4:48 PM
To: Cheryl A. Goss <clerk@whitewatertownship.org>
Subject: WWT Personnel Policies Manual & Acknowledgement form

Cheryl, per our brief discussion today, could you please email me the Personnel Policies Manual we have been giving to Park Rangers upon hiring and also the Acknowledgement form they sign upon receipt in the MS Word formats, thanks.

Don Glenn
dglenn6542@yahoo.com
Trustee - Whitewater Township
cell phone: (614) 940-4601



Personnel Pol Manual as of 02.26.2013.doc
73K

WHITEWATER TOWNSHIP

PERSONNEL POLICIES

MANUAL

(Last Revised February 26, 2013)

WHITEWATER TOWNSHIP

PERSONNEL POLICIES

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- EMS Run/Training Log
- Zoning Administrator Timesheet
- Attendance Sheet for Boards or Commissions
- Social Security Number Privacy Policy

WHITEWATER TOWNSHIP PERSONNEL POLICIES MANUAL

ADOPTION

The following personnel policies manual was formally adopted by the Whitewater Township Board at a regular meeting held December 16, 1997.

The following personnel policies manual may be amended at any time by action of the Whitewater Township Board and the interpretation of this entire document shall be at the sole discretion of the said township board.

SCOPE OF PERSONNEL POLICIES

These personnel policies apply to all township employees. They do not apply to elected officials of the township.

EXEMPTION

Amended October 24, 2000, December 19, 2000, October 15, 2002

Considering the nature of the operations of the township paid per run fire department, these personnel policies, except for policy #7 (pay and expense reimbursement policies), are not intended to be applicable to their members. Separate policies and procedures are in place for the conduct and operation of the fire department through the Grand Traverse Rural Fire Department.

WHITEWATER TOWNSHIP PERSONNEL POLICES MANUAL

WELCOME TO EMPLOYEES

Welcome to Whitewater Township. These offices exist for the purpose of carrying out the mandated governmental functions of a general law township and such other services to area residents as the Whitewater Township Board prescribes. Effective accomplishment of these goals depends on interested, dedicated, and well-trained employees.

As one of these employees, you are now part of a team whose purpose is to serve the public as efficiently and courteously as possible. This manual will provide you with a guide to the rules under which you will be working and the standards of behavior that all employees are expected to follow.

As your employer, the Whitewater Township Board recognizes its responsibility to you by striving to provide the best possible working conditions and by adopting a uniformly administered employee program based on the specific policies shown in this manual.

WHITEWATER TOWNSHIP PERSONNEL POLICY #1

EQUAL EMPLOYMENT OPPORTUNITY POLICY

Whitewater Township is an equal opportunity employer (EOE) that supports and subscribes to a policy of nondiscrimination in all aspects of employment. Whitewater Township will not discriminate on the basis of race, color, religion, national origin, sex, age, height, weight, marital status, handicap or any other reason prohibited by applicable laws.

Under Michigan law, an employee may not be discriminated against in employment because of a handicap that can be reasonably accommodated to enable the employee to perform the job. Handicap employees who feel accommodation is needed to perform their job must notify the township supervisor in writing of the need for accommodation within 182 days after the date the employee knew or reasonably should have known that an accommodation was needed.

WHITEWATER TOWNSHIP PERSONNEL POLICY #2

TERMS OF EMPLOYMENT

Whitewater Township is an at-will employer. This means that the employment relationship is for an indefinite period of time and can be terminated by you or the township at any time, with or without cause and with or without notice. Employment with the township shall be at such compensation and conditions as the township board shall determine and may change from time to time.

This employment manual does not constitute an employment contract between the township and its employees. The provisions contained in this manual supersede any and all contrary representations that may have been made either by the township or you in connection with your employment. No member of the township board, another employee, or other person, except by action of the township board in a writing signed by the township supervisor, has the authority to enter into any employment agreement on behalf of the township for any specified period of time, pursuant to any particular conditions, or to make any agreement contrary to the terms expressed in this manual.

WHITEWATER TOWNSHIP PERSONNEL POLICY #3

EMPLOYMENT

Amended October 24, 2000, May 21, 2002, October 15, 2002, September 19, 2006

There are different classifications of employees:

- A full-time employee is an employee who is scheduled to work, year around, 35-40 hours per week.
- A part-time employee is an employee who is scheduled to work fewer than 35 hours per week.
- A seasonal employee is an employee who is employed on a temporary basis, either full-time or part-time.

The personnel director and/or the official/committee designated by the personnel director shall utilize the following procedures in filling any vacant employment positions (except for the deputy supervisor, deputy clerk and deputy treasurer who are selected by the supervisor, clerk and treasurer, respectively, and appointed officials who are selected in accordance with section 3.10 of the township administrative policies and procedures manual):

1. A notice of position vacancy shall be developed based on the current job description. The posting shall provide the title, brief position description, education and experience requirements, application deadline and state that the township is an EOE.
2. The position vacancy shall be published in the Traverse City Record-Eagle and, with board approval, in selected trade journals.
3. The applications and/or resumes submitted will be screened and a list of qualified candidates will be developed.
4. Interviews will be conducted and references contacted.
5. The selected candidate shall be submitted to the township board, who may schedule an interview with the candidate at a board meeting. Following board concurrence, the candidate will be offered the position, pending a suitable background check, driver record check, when applicable, and satisfactory completion of a physical examination, when applicable.
6. Upon receiving notification that the selected candidate has accepted an employment offer, the township clerk will provide the proper orientation process for the new employee to obtain understanding and concurrence with the policies and procedures of the township.

Departmental defined physical examinations, including drug testing, may be required, based on the nature of the work to be performed. Failure to meet the medical standards for a specific job may be cause for rejection of an applicant. However, Whitewater Township will not fail, or refuse, to hire, recruit or promote an individual because of a handicap that is unrelated to the job or position, nor will the township fail, or refuse, to hire, recruit or promote an individual on the basis of physical examinations that are not directly related to the requirements of the specific job.

Physical examinations will be at the township's expense and will be administered at a township designated site.

Employees may be required to submit to a background check, driver record check and physical examination on a yearly basis or as the township deems necessary.

There is a ninety (90) day introductory period of employment for all new employees. The purpose of the introductory period is to provide the township the opportunity to evaluate the employee's skills and other attributes so that it can be determined whether the employee can become a successful regular employee.

Only full-time employees are entitled to receive employee benefits as defined in this manual or to participate in an approved township pension plan. All new full-time employees will not be eligible for benefits or the pension plan for a period of ninety (90) days until the introductory period is completed. Eligible employees shall accrue vacation and sick time during their introductory period; however, they shall not be eligible for payment of such benefits until their introductory period is successfully completed.

During the introductory period, the employee's job performance shall be reviewed at thirty (30) days and sixty(60) days, with an employee performance evaluation at ninety(90) days. Should an employee's work performance be unsatisfactory, employment may be terminated by the township board without prior notice. Successful completion of the introductory period will not change the employment at-will status of each employee.

Following the introductory period, employee performance evaluations will be done at least yearly, within one month of the employee's anniversary date.

The contents of the employee personnel files shall be considered confidential. Any employee may examine the contents of his or her personnel file under the direct supervision of the clerk. Board members and the personnel director shall be provided viewing of any personnel file. The contents of an employee's personnel file shall not be removed by anyone. Confidential information contained in a personnel file shall be released to others only with the written authorization of the employee. Personnel files will be kept for seven years following an employee's termination.

Requests for copies of documents contained in the personnel files that are made pursuant to the Freedom of Information Act will be released only after confidential information that may be contained on the document is deleted.

Any employee who has a problem or complaint shall first discuss the matter with their department head. If the problem is unresolved, the employee may ask for a hearing with the personnel director. If the problem is not resolved, the employee may request a hearing before the township board.

WHITEWATER TOWNSHIP PERSONNEL POLICY #4

EMPLOYEE BENEFITS

Amended May 18, 1999, October 24, 2000, May 21, 2002, October 15, 2002, October 18, 2005,
February 26, 2013

Holidays. The township observes paid holidays as listed below. You will be permitted to take these days off and will be paid at your regular rate of pay. If a recognized holiday falls on Saturday, Friday would be the observed day; if it falls on Sunday, the observed day will be Monday. The following days are recognized as paid holidays for full-time employees:

- New Year's Day
- Good Friday (1/2 day)
- Memorial Day
- Independence Day
- Labor Day
- Day before or day after Thanksgiving
- Thanksgiving Day
- Day before or day after Christmas
- Christmas Day

Vacations. Upon completion of ninety (90) days of employment, full-time employees will be eligible for vacation with pay, based on their length of employment, according to the following schedule:

0 to 1 year:	5 days
2 to 5 years:	10 days
6 to 10 years:	15 days
11 years and over:	20 days

Whitewater Township reserves the right to negotiate individual benefits with any full-time employee at any time.

Vacation time must be approved by the township supervisor two (2) weeks in advance except in case of emergency. Employees will not receive vacation pay in lieu of vacation time except as outlined in Policy #11. Vacation time must be taken no later than six (6) months after the year in which it is earned.

Sick Days. Upon completion of ninety (90) days of employment, a full-time employee will be entitled to a maximum of five (5) paid sick days per year. Any unused sick days may not be carried over to subsequent years. It is understood that sick days are not to be considered as additional vacation or holiday time; however, vacation time may be used in conjunction with sick time, if approved.

You must call the township supervisor on each day that you are absent and prior to the time that you would ordinarily report to work. The township supervisor will require a physician's statement after three (3) consecutive days of absence due to illness.

Jury Duty. If any full-time employee is ordered and reports for jury duty, that employee shall be paid by the township at the rate of the difference between their regular pay and the jury duty pay for each day of jury duty that the employee would have been scheduled to work. The employee shall give prior notice to the township supervisor and present proper evidence as to the jury duty performed.

Funeral Leave. A full-time employee will be allowed a paid leave of absence of three (3) days funeral leave for a death in the immediate family, providing that he/she attends the funeral. Immediate family is defined as the employee's current spouse or any of the following relatives of the employee or their current spouse: son/daughter, grandchild, parent, grandparent, son/daughter-in-law, brother, sister, or a member of the employee's immediate household. Funeral leave will not be deducted from any other leave time. Additional leave may be granted without pay or charged to sick leave. Time off for funeral leave will not count as hours worked for the purpose of overtime.

Health Insurance. Upon completion of ninety (90) days of employment, the township shall make available health benefits to full-time employees. The township will pay 80% of the cost of said benefits for the employee and the employee will pay 20%.

WHITEWATER TOWNSHIP PERSONNEL POLICY #5

WORKERS COMPENSATION

As required by Michigan law, Whitewater Township carries workers compensation insurance for all employees. Benefits are paid under this coverage for on-the-job injuries.

WHITEWATER TOWNSHIP PERSONNEL POLICY #6

PENSION PLAN

Amended May 21, 2002

Whitewater Township shall contribute a sum equal to ten percent (10%) of a full-time employee's annual salary to an approved township pension plan. All new full-time employees must complete a ninety (90) day probationary period before becoming eligible for the township pension plan.

WHITEWATER TOWNSHIP PERSONNEL POLICY #7

PAY AND EXPENSE REIMBURSEMENT POLICIES

Amended June 20, 2000, December 19, 2000, October 15, 2002, May 18, 2004, June 8, 2010

Employees shall be paid wages as established by the township board on a biweekly basis beginning the ~~second Thursday in January 2001~~ third Friday in June 2010. The township complies with all applicable state and federal requirements of the Fair Labor Standards Act.

For purposes of calculating overtime compensation, a work week shall be defined as Monday through Sunday.

All time worked shall be recorded in ¼ hour increments by the employee on an appropriate department time sheet. Time sheets will be signed by both the employee and the employee's department head. All completed time sheets shall be submitted to the township clerk in accordance with the township clerk's payroll processing schedule.

The township clerk shall be notified in accordance with the township clerk's payroll processing schedule of any changes in voluntary deductions or withholding allowances desired by an employee. All voluntary deductions shall be authorized in writing.

Pay advances shall not be authorized under any circumstances.

Employees will immediately notify the township clerk of any problems or errors on their paychecks.

The township shall reimburse employees for necessary expenses incurred in performing their job-related duties. All requests for expense reimbursement shall be made on a township expense reimbursement form which shall be submitted on a monthly basis to the township clerk at least seven(7) days prior to the township board meeting at which requests will be audited.

Travel shall be reimbursed at the current IRS mileage rate. Commuting from employee's residence to the township hall or the employee's official work station shall not be eligible for reimbursement.

Receipts shall accompany expense reimbursement request. Reasonable meals and lodging expenses will be reimbursed. Personal expenses that are unnecessary in conducting township business, such as entertainment and alcohol consumed, shall not be eligible for reimbursement.

Fire and ambulance personnel may request lost time pay for responding to an emergency incident or attending a required training session that cannot be scheduled at any other time. A request for lost time pay must be accompanied by employer verification of the length of time lost on the job and the employee's salary/wage. Wages paid per run by the township will not be paid if lost time pay is received. Lost time pay shall be approved by the township board. The request shall be submitted within 30 days of the lost time to the township clerk and at least seven (7) days prior to the township board meeting at which the request will be audited.

WHITEWATER TOWNSHIP PERSONNEL POLICY #8

EMPLOYEE GUIDELINES

Amended October 15, 2002

Following are a list of employee guidelines. Imposing these guidelines is not intended to modify the at-will employment relationship.

- Each township employee shall perform the job assigned by the township board as detailed in his/her job description.
- Each township employee is expected to be fair, courteous, and cooperative in dealing with the public and fellow employees.
- All employees will respond to requests for township information from members of the public with courtesy and efficiency and shall communicate with the public in a friendly, helpful manner.
- Complaints or other concerns received from a citizen shall be received with courtesy. The employee will make every effort to resolve a complaint or problem, within the employee's scope of authority. Department heads will be notified of all complaints. If a citizen has a problem that is outside the jurisdiction or responsibility of the employee, the citizen will be directed to the appropriate office or official. The township supervisor shall also be notified in writing of any citizen complaint arising from employee conduct or the administration of a department or township board policy or procedure. The notice shall include the name, address and phone number of the citizen, the nature of the complaint and how the complaint was resolved.
- Conduct that jeopardizes the personal safety, security, or welfare of Whitewater Township or its employees is prohibited.
- An employee shall fulfill his/her duties with the utmost attention to serving the best interests of the township citizens, and no employee shall participate in a decision or transaction on behalf of the township that would result in a direct financial benefit to him/her.
- Any employee who believes that he/she may be placed in a potential conflict of interest shall immediately notify the township board, and any subsequent action shall be in conformance with state law.
- An employee shall not accept any valuable gift, whether in the form of money, products, or services, from any person or company that has a direct or indirect business interest with the township.
- An employee shall not accept employment that conflicts with performing his/her township duties.

- An employee shall not bring alcoholic beverages or illegal drugs onto township property nor be under the influence of alcohol or drugs while on duty.
- There shall be no smoking permitted within any part of any enclosed building, structure, or vehicle owned, leased or operated by the township.
- The township shall not be responsible for the loss of any employee's personal property.
- The township clerk shall be informed immediately if a township key is lost by any employee who has been issued a key. Upon termination of employment, any employee who has been issued a key shall return his or her key to the clerk. No person shall duplicate a key without authorization from the clerk or make a key available to any unauthorized person.
- Prior to leaving a township building, each employee will make his or her work station secure by checking that office machines and lights are turned off, filing cabinets and cash drawers are locked, and windows and doors are locked. The last person to leave shall check to see that the copier and other office machines are turned off, all doors and common window areas are locked, and all lights are turned off except for designated security lights.
- Any lost or damaged equipment shall be reported immediately to the employee's department head.
- The personal use of the township premises, equipment, machines, tools, supplies, postage or personal use of township labor shall be prohibited, except as noted for phone calls and copier.
- Employees are permitted to make brief personal local/long distance phone calls. Long distance calls must be billed to the employee's home phone.
- Employees may use the township copier for personal business, but shall reimburse the township at the rate established by the township board.
- Employees who wish to post notices on township bulletin boards must have the prior approval of the township supervisor.
- Classes, seminars, business trips, etc. require the issuance of a purchase order by the township clerk.
- Employees shall not release any information which would be a violation of a citizen's right to privacy to the media or to members of the general public.
- All items of information to be released to news media, radio, t.v., etc. must be cleared with the township supervisor.

WHITEWATER TOWNSHIP PERSONNEL POLICY #9

SEXUAL HARASSMENT POLICY

It is the policy of Whitewater Township that we will not tolerate sexual harassment against any employee. This policy applies to all employees and other individuals who represent or serve the township in any capacity.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication constitutes harassment when:

1. Submission to the conduct or communication is made either an explicit or implicit condition of employment,
2. Submission to or rejection of the conduct or communication by an individual is itself used as a factor in an employment decision affecting the harassed employee, or
3. The conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile, or offensive work environment.

Any employee or applicant for employment who believes that this policy may have been violated shall report the incident to the township supervisor or any other township board member. Whitewater Township will not permit or tolerate any form of reprisal or retaliation against an employee or applicant reporting any incident of claimed harassment.

Complaints of sexual harassment will be promptly and carefully investigated. If the township's investigation establishes that the complaint is valid, immediate and appropriate corrective action will be taken.

WHITEWATER TOWNSHIP PERSONNEL POLICY #10

DISCIPLINARY ACTION

Amended September 5, 2002, October 15, 2002

Whitewater Township shall assure that all disciplinary actions for employee misconduct are administered for cause in a fair, timely, and consistent manner. Prior to any disciplinary action, a thorough investigation shall be conducted.

Progressive discipline is not required. However, alternatives to discharge may be used at the discretion of the township. One of the following disciplinary procedures will be administered according to the severity of the misconduct.

- **Warnings.** The personnel officer and department heads may administer verbal or written warnings. A warning shall be documented, signed by both the personnel officer/department head and the employee, and placed in the employee's personnel file.
- **Suspension.** The application of suspension shall be authorized by the personnel officer after consultation with the department head. All relevant facts that gave rise to the suspension shall be documented, signed by both the personnel officer and the employee, and placed in the employee's personnel file. A suspension may be appealed within three (3) days or at the next township board meeting, whichever comes first. An appeal shall be requested in writing to the personnel officer, who shall promptly notify the board of the appeal and all relevant facts that gave rise to the suspension. The appeal shall be heard at the next township board meeting or at a special meeting called for that purpose.
- **Discharge.** The application of discharge shall be authorized by the personnel officer after consultation with the department head. All relevant facts that gave rise to the discharge shall be documented, signed by the personnel officer and the employee, and placed in the employee's personnel file. A discharge may be appealed within three(3) days or at the next township board meeting, whichever comes first. An appeal shall be requested in writing to the personnel officer, who shall promptly notify the board of the appeal and all relevant facts that gave rise to the suspension. The appeal shall be heard at the next township board meeting or at a special meeting called for that purpose.

The circumstances relating to each employee are unique and the use of discipline and/or termination for one employee does not constitute a precedent for other employees.

It is the policy of the township to avoid unwarranted discharges. However, the existence of this policy does not destroy the at-will employment relationship.

WHITEWATER TOWNSHIP PERSONNEL POLICY #11

TERMINATION

Amended February 26, 2013

Resignation procedure is as follows:

1. The employee shall submit a written resignation to the township clerk that will be placed in his/her personnel file.
2. The employee shall return all office keys and other township property.

Employees who desire to leave the township's employ are expected to give at least fourteen (14) calendar days' notice in writing. An employee shall be paid earned salary to the date on which employment terminates.

Resigning employees who give the requested notice and whose township property has been returned to the Township Clerk will be paid for earned vacation time. Resigning employees who fail to give the requested notice and employees whose employment is terminated by the township will not be paid for earned vacation time. Terminating employees will not receive pay in lieu of earned sick time.

The township's pension plan contribution will be made through the date of termination.

Two (2) consecutive days of absence with no communication or reason for an absence will be considered a voluntary resignation.

WHITEWATER TOWNSHIP PERSONNEL POLICIES MANUAL

ACKNOWLEDGEMENT

I acknowledge that I have received and read the Whitewater Township Personnel Policies Manual. I understand that I am bound by the policies and procedures described in this manual and, in consideration for my employment, I agree to follow them.

Signature _____ Date _____

WHITEWATER TOWNSHIP PERSONNEL POLICIES MANUAL

ATTACHMENTS

Added October 15, 2002

Amended February 18, 2003

Amended December 20, 2005

Amended February 27, 2008

Ordinance No. 22- Pension Plan Ordinance

Application for Employment

Applicant Release Form

Employee Release Form

Offer of Employment

Employee Performance Evaluation

Notice of Termination

Record of Township Asset Issued

Expense Reimbursement Request

Mileage Reimbursement Request

Time Sheet

Parks and Recreation Time Sheet

Fire Department Payroll Form

Ambulance Payroll Form

EMS Run/Training Log

Zoning Administrator Timesheet

Attendance Sheet for Boards or Commissions

Social Security Number Privacy Policy

Memo

To: Whitewater Township Board of Trustees

CC: None

Date: 4.27.2023

Re: Forms and Agreements

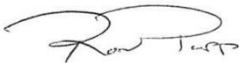
Board Members –

This business item is presented to the Board for some direction on various forms purportedly being used at the camping park on a regular basis. As the email string suggests no prominence is readily available for these documents and as part of our policy cleanup, I recommend we send them to legal and then adopt them as a board. We may also want to include a foot note as to how and when the documents were last vetted.

Motion One: Send the Free Camping Weekend and Volunteer Hold Harmless Agreements to legal for review. No motion pending further Board input.

Motion Two: Send the Pavilion Lease Agreement to legal for review.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Re: WTP volunteer HH Agreement

1 message

Ron Popp <supervisorwhitewater@gmail.com>
To: "dglenn6542@yahoo.com" <dglenn6542@yahoo.com>

Thu, Apr 20, 2023 at 2:41 PM

Sorry about the delayed response. The quick answer is I will sign a number of volunteer forms for you to use short term. The long answer is: Most of our "township forms" get some kind of review or approval by the board. I don't know that the board or legal department has ever looked at these documents. I will create a packet item, let the board review them and provide direction as to any legal review. We can then place a footnote on the document as to a date the board acted upon the document.

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

On Sun, Apr 16, 2023 at 4:11 PM dglenn6542@yahoo.com <dglenn6542@yahoo.com> wrote:

Ron, given the potential heavy reliance on volunteers to assist in the day-to-day park operations, I modified the original "task" oriented HHA to a very, broad and expansive date range in order to eliminate the need to many multiple HHA's that would otherwise be needed.

Based on our last BoT meeting, let me know if I can sign after you have had a chance to familiarize yourself with the changes and if any further edits are needed as I have volunteers being lined up to begin helping in the next 2-weeks.

I have also included the "camping weekend" HHA for comparison, thanks.

Don Glenn
dglenn6542@yahoo.com
Trustee - Whitewater Township
cell phone: (614) 940-4601

**WHITEWATER TOWNSHIP PARK
VOLUNTARY SERVICES INDEMNIFICATION
AND
HOLD HARMLESS AGREEMENT**

AGREEMENT made and entered into this 5th day of May 2023, by and between **WHITEWATER TOWNSHIP**, 5777 Vinton Rd., Williamsburg, Michigan 49690, hereinafter referred to as “**TOWNSHIP**” and

_____ of _____,
(name – please print clearly) (home address – please print clearly)

hereinafter referred to as “**CAMPER**” and collectively referred to as the “**PARTIES**”.

WHEREAS “**TOWNSHIP**” HAS GIVEN “**CAMPER**” permission to use Site _____ in the park at 9500 Park Road, Williamsburg, Michigan 49690, without charge, on the nights of May 5 and 6, 2023; and

WHEREAS “**CAMPER**” will perform volunteer services consisting of cleaning up branches, sticks, and other debris on the campsite;

NOW, THEREFORE, in consideration of the “**TOWNSHIP’S**” permission to use the campsite, and the “**TOWNSHIP’S**” acceptance of the volunteer services, “**CAMPER**” agrees to indemnify and hold harmless the “**TOWNSHIP**” from any and all claims, suits, damages, injuries, costs, losses and expenses in any manner resulting from or arising out of “**CAMPER’S**” use of the “**TOWNSHIP’S**” park and “**CAMPER’S**” performance of volunteer services.

This Agreement shall be binding on and inure to the benefit of the heirs, personal representatives, and assigns of the respective **PARTIES**.

WHITEWATER TOWNSHIP

By:

CAMPER

Signature

Date: _____

Printed Name (please print clearly)

**WHITEWATER TOWNSHIP PARK
VOLUNTARY SERVICES INDEMNIFICATION
AND
HOLD HARMLESS AGREEMENT**

AGREEMENT made and entered into this _____ day of _____ 2023, by and between **WHITEWATER TOWNSHIP**, 5777 Vinton Rd., Williamsburg, Michigan 49690, hereinafter referred to as **“TOWNSHIP”** and

_____ of _____,
(name – please print clearly) (mailing address – please print clearly)

hereinafter referred to as **“VOLUNTEER”** and collectively referred to as the **“PARTIES”**.

WHEREAS **“TOWNSHIP”** seeks volunteer assistance with the day-to-day miscellaneous activities between Monday, April 24, 2023, to October 31, 2023, from 8:00 a.m. to 8:00 p.m.; and

WHEREAS **“VOLUNTEER”** agrees to perform volunteer services at Whitewater Township Park such as performing customer service activities, facilities maintenance, trails cleanup, and miscellaneous custodial activities; and

NOW, THEREFORE, in consideration of the **“TOWNSHIP’S”** acceptance of the volunteer services, **“VOLUNTEER”** agrees to indemnify and hold harmless the **“TOWNSHIP”** from any and all claims, suits, damages, injuries, costs, losses, and expenses in any manner resulting from or arising out of **“VOLUNTEER’S”** assistance with the activities as listed above for the Whitewater Township Park day-to-day operations.

This Agreement shall be binding on and inure to the benefit of the heirs, personal representatives, and assigns of the respective **PARTIES**.

WHITEWATER TOWNSHIP

By:

VOLUNTEER

Signature

Date: _____

Printed Name (please print clearly)

**WHITEWATER TOWNSHIP PARK
RENTAL / LEASE AGREEMENT
ALCOHOL: YES NO (circle one)**

LEASE AGREEMENT, made this ____ day of _____, 202__, by and between the Township of Whitewater, a municipal corporation, hereinafter designated "Township" and _____ hereinafter designated "Lessee:", **witness to:** In consideration of the covenants and conditions hereafter contained, **it is hereby agreed** by and between the parties hereto as follows:

1. The township hereby lets and leases, the following described premises owned by the Township, for the follow period:
 - A. The Pavilion and area in the vicinity of the pavilion at Whitewater Township Park.
 - B. On the ____ day, of _____, 202__, from ____ A.M. /P.M. TO ____ A.M./P.M. Said premises shall be vacated by no later than 10:00 P.M.
2. Said premises may be used for _____, and for no other purpose, without the written consent of the Township.
3. A fee of \$_____ is required to reserve the pavilion. Payment for reservations made prior to April 1 of said year, shall be due on April 1. Reservations made after April 1 of said year shall be due 7 days following the day of reservation.
4. This agreement may not be reassigned, transferred or sublet without the prior written consent of the Township. This agreement shall bind all persons claiming under the parties hereto in whatsoever character or capacity, as fully as if they were in every instance herein named. The invalidity of any particular clause, provision or covenant herein shall not invalidate the remainder of this agreement, but the same shall be and remain valid in all respects as fully as the law will permit.
5. The Township shall furnish staff as in its judgment are required by the Lessee's activities, i.e. park ranger. The Township shall provide trash receptacles and park staff will empty the trash receptacles periodically during the lease period. It is agreed that the Lessee shall restore the pavilion to an equal or better condition than prior to the activity.
6. **The Lessee agrees to conduct its activities upon the premises so as not to endanger any person lawfully thereon and to indemnify and hold harmless the township against any and all claims for injury to persons or property (including claims of employees of the lessee or any contractor, subcontractor, or invitee) arising out of the activities contracted by the lessee, its agents, members, guests or invitees. If liquor is served during use of premises, lessee shall procure appropriate licenses if needed and *the lessee must provide a minimum of \$300,000 liability insurance ** and furnish the township with a copy of the liability. (The use of alcoholic beverages in the parking lot is prohibited).**
7. Lessee agrees to take out and pay for any permits and licenses required by any governmental authority and to pay any taxes; including amusement tax; incidental to the use of the demised premises under this lease. Be advised that the Township does not carry any type of insurance for any of your property or that of your guests.
8. The Township reserves the right to eject from Township property, including leased premises, any person or persons deemed by it to be objectionable and upon exercise

of this right by the Township; the Lessee waives any and all claims for damage against the Township.

9. **The lessee shall not admit to said premises a larger number of persons than can safely and freely move about in said areas and the decision of the township in this respect shall be final.**
10. The Township reserves the right to terminate or rescind this contract in its entirety or in part at the option of the Township immediately upon the happenings or the failure by the Lessee to perform, keep and observe any of the terms, covenants and conditions herein contained on the part of said party to be performed, kept and observed.
11. The cancellation or rescission of this contract shall not relieve the Lessee of any liabilities or obligations hereunder which shall have accrued prior to the effective date of cancellation or rescission. Lessee may cancel by providing the Township with a written notice. \$25.00 of the fee is non-refundable if cancellation is 30 days or more in advance. If cancellation is less than 30 days in advance, no refund will be made.
12. **It is agreed that lessee shall not: injure or mar, nor in any manner deface said premises and shall not cause anything to be done whereby the said premises shall in any manner be injured, marred or defaced; will not make any alterations of any kind therein and that lessee shall pay for or otherwise make good, or repair all damage to said pavilion and premises and property of the township caused by the lessee, its agents, employees, guests or invitees during tenure of this contract.**
13. **I have read, understand and agree to abide by all of the above terms of this agreement.**

WITNESS: _____ LESSOR: WHITEWATER TOWNSHIP

BY: _____

WITNESS: _____ LESSEE: _____

ADDRESS: _____

PHONE: _____

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 4.28.2023
Re: Not Accepting Grand Traverse County ARPA Funds

Board Members –

This business item is presented to the Board to consider not accepting the Grand Traverse County ARPA funds received for Lossie Road Nature Trail (LRNT). LRNT is the subject of legal action from an adjoining land owner who is claim rights to use the nature trail as a point of ingress and egress to his property. At least one board member supports the landowners use which may open the LRNT up to multiple uses and related concerns that would make it a poor investment until resolved. Looking at the grant request for the proposed project and the ARPA timeline for project completion, by the time we select and hire engineering and project management there will be little time to complete the project. Remember, these are federal funds and we must follow federal procurement policy (three bids) or run the risk of the funds being clawed back upon audit.

Not accepting the money from Grand Traverse County would allow them to distribute the funds to another worthwhile cause in time to do some good.

Motion: Motion to not accept Grand Traverse County ARPA funding.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

Memo

To: Whitewater Township Board of Trustees

CC: None

Date: 4.28.2023

Re: Freedom of Information Act Policies.

Board Members –

On April 7, 2022 according to Clerk Goss's email (See Exhibit 1) she resigned from the duties of FOIA Coordinator assigning them to the Supervisor's Office. This business item is put forth to correct the improper actions taken by the Clerk and to make the Board aware of a new problem being created by her that interferes with Township operation.

The statute provided in Exhibit 1 indicates **"A public body that is a city, village, township, county, or state department, or under the control of a city, village, township, county, or state department, shall designate an individual as the public body's FOIA coordinator."**

This duty of the public body is supported by the Township's FOIA Procedure & Guidelines document, last updated 5.2020, which states: **"Statement of Principles - The Township Board has established the following written procedures and guidelines to implement the FOIA and will create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the public body and explaining how to understand a public body's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The written public summary will be written in a manner so as to be easily understood by the general public."**

Section 1 of the same document states **"The Township Board, acting pursuant to the authority at MCL 15.236, designates the Township Clerk as the FOIA Coordinator. He or she is authorized to designate other Township staff to act on his or her behalf to accept and process written requests for the Township's public records and approve denials."** See Exhibit 2

The procedure and guideline do authorize the Clerk to designate other Township staff to act on his or her behalf. However, the Supervisor's Office is no other staff, it is a different office, thus the Clerk had no authority to reassign the duties. An email from the Clerk dated June 15, 2022 confirms her actions were improper. See Exhibit 3. Since the 4.7.2022 resignation, the Supervisor's Office has responded to FOIA requests and is willing to continue in that role if the Board wishes. The following motion is presented.

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

The new problem is created when the Clerk provides responsive documents directly to the requestor. See Exhibit 4. This action interferes with the FOIA process and prevents the FOIA Coordinator from tracking responsive information as required by General Records Schedule 4.2 See Exhibit 5. You will note in Exhibit 1 the Clerk states **“Lest this communication be misinterpreted, allow me to explicitly state what the practical effect of my resignation is. Upon notification by the new FOIA Coordinator that records are being requested which reside in the clerk’s office, my office will produce those records to the FOIA Coordinator within the allowable time frames, who, as indicated above, is responsible for “processing” the requests. I will just not be performing the “processing” duties, i.e., responding to the FOIA requestor, preparing the necessary FOIA forms, estimating total FOIA fees (including estimates of redaction time in the case of documents with information that is non-disclosable under FOIA), billing and collecting FOIA fees, actually providing responsive documents to the FOIA requestor, among others.”**


Motion two: Motion directing the Clerk to provide all responsive documents provided to the requestor for FOIA requests S-22 to the Whitewater Township FOIA Coordinator for further processing.

Motion three: Motion directing the Clerk to certify those documents provided to the FOIA Coordinator for FOIA Request S-22 are a true, accurate, and a complete copy of what was provided to the requestor using attached certification form. See Exhibit 6.

Motion four: Motion directing staff and elected officials to provide all future responsive FOIA documents to the FOIA Coordinator for final processing and delivery to the requestor until the Whitewater Township Board of Trustees directs otherwise.

Motion five: Motion requesting the Supervisor to provide updated FIOA forms reflecting changes for Whitewater Township Board of Trustee approvals.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Clerk's Resignation as FOIA Coordinator

1 message

Cheryl A. Goss <clerk@whitewatertownship.org>

Thu, Apr 7, 2022 at 9:41 AM

To: Robert Hall ZA <zoning@whitewatertownship.org>, "Brandon Flynn, Fire Chief" <firechief@whitewatertownship.org>, Lois MacLean <loismaclean@sbcglobal.net>, Terese Hooper <depclerk@whitewatertownship.org>, Ardella Benak <treasurer@whitewatertownship.org>, "Cheryl A. Goss" <clerk@whitewatertownship.org>, Heidi Vollmuth <trustee01@whitewatertownship.org>, Heidi Vollmuth Gmail <heidivourtrustee@gmail.com>, Ron Popp <supervisor@whitewatertownship.org>, Ron Popp Gmail <supervisorwhitewater@gmail.com>, Township Trustee - Vacant <Trustee02@whitewatertownship.org>
Cc: Christopher Patterson <cpatterson@fsbriaw.com>

Board Members and Others –

This e-mail will serve as my resignation as Whitewater Township FOIA Coordinator, effective the date and time this e-mail is sent, to-wit: April 7, 2022, at 9:41 a.m.

As many of you know, or should know, the duties of FOIA Coordinator are NOT statutory duties of the clerk. I do not remember now whether I was ever formally appointed as the Whitewater Township FOIA Coordinator or I simply inherited these duties from the former clerk upon taking office in November 2012. In any case, I have performed the time-consuming, non-compensated, and thankless duties of FOIA Coordinator now for 9+ years, and I am no longer willing to serve in that role.

For your convenience, I provide the following link to the Freedom of Information Act, <https://www.legislature.mi.gov/documents/mcl/pdf/mcl-act-442-of-1976.pdf>, and call your attention specifically to Section 15.236, which states the following:

15.236 FOIA coordinator.

Sec. 6. (1) A public body that is a city, village, township, county, or state department, or under the control

of a city, village, township, county, or state department, shall designate an individual as the public body's FOIA coordinator. The FOIA coordinator shall be responsible for accepting and processing requests for the

public body's public records under this act and shall be responsible for approving a denial under section 5(4)

and (5). In a county not having an executive form of government, the chairperson of the county board of commissioners is designated the FOIA coordinator for that county.

(2) For all other public bodies, the chief administrative officer of the respective public body is designated

the public body's FOIA coordinator.

(3) An FOIA coordinator may designate another individual to act on his or her behalf in accepting and processing requests for the public body's public records, and in approving a denial under section 5(4) and (5).

Lest this communication be misinterpreted, allow me to explicitly state what the practical effect of my resignation is. Upon notification by the new FOIA Coordinator that records are being requested which reside in the clerk's office, my office will produce those records to the FOIA Coordinator within the allowable time frames, who, as indicated above, is responsible for "processing" the requests. I will just not be performing the "processing" duties, i.e., responding to the FOIA requestor, preparing the necessary FOIA forms, estimating total FOIA fees (including estimates of redaction time in the case of documents with information that is non-disclosable under FOIA), billing and collecting FOIA fees, actually providing responsive documents to the FOIA requestor, among others.

Accordingly, until a new FOIA Coordinator can be appointed, the Whitewater Township website has been updated to move the title of FOIA Coordinator, as well as all FOIA forms, to the supervisor's page.

Further, in response to an e-mail yesterday from township attorney Chris Patterson regarding a "FOIA request" from Ron Popp (one of many, I might add), I do not consider internal requests for documents to be FOIA requests and will not treat them as such.

As for legitimate FOIA requests that are currently pending, I will take care of completing those. However, as stated earlier, my resignation is effective with the sending of this e-mail, which is occurring at 9:41 a.m. on April 7, 2022.

Thank you.

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.

Whitewater Township

FOIA Procedures and Guidelines

Preamble: Statement of Principles

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

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

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

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

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

Section 1: General Policies

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

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

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

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

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

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

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

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

This Procedures and Guidelines document and the Township's Written Public Summary will be maintained on the Township's website at: www.whitewatertownship.org, so a link to those documents will be provided in lieu of providing paper copies of those documents.

Section 2: Requesting a Public Record

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

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

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

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

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

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

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

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

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

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

Section 3: Processing a Request

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

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

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

When a request is granted:

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

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

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

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

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

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

When a request is denied or denied in part:

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

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

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

Requests to inspect public records:

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

Requests for certified copies:

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

Section 4: Fee Deposits

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

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

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

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

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

Section 5: Calculation of Fees

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

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

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

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

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

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

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

Labor costs will be calculated based on the following requirements:

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

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

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

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

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

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

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

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

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

Section 6: Waiver of Fees

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

Section 7: Discounted Fees

Indigence

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

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

An individual is not eligible to receive the waiver if:

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

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

Nonprofit organization advocating for developmentally disabled or mentally ill individuals

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

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

Section 8: Appeal of a Denial of a Public Record

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

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

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

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

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

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

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

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

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

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

Section 9: Appeal of an Excessive FOIA Processing Fee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

These FOIA Procedures and Guidelines become effective and were last revised on _____.

Section 11: Appendix of Whitewater Township FOIA Forms

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



Ron Popp <supervisorwhitewater@gmail.com>

Township Government 101

1 message

Cheryl A. Goss <clerk@whitewatertownship.org>
To: "Cheryl A. Goss" <clerk@whitewatertownship.org>

Wed, Jun 15, 2022 at 10:01 AM

All –

Township Government 101:

Elected officials have zero authority to assign a task(s) to other elected officials without those elected officials' express consent.

bcc: Township Board

Cheryl A. Goss, MiPMC

Whitewater Township Clerk

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

Williamsburg, Michigan 49690

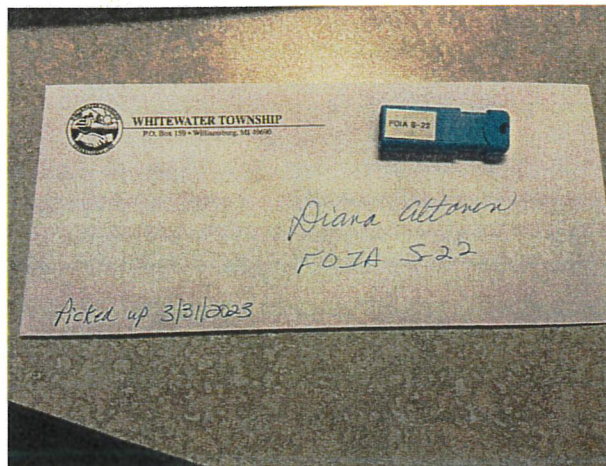
Telephone: 231.267.5141 X 24

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.



Manage Verbatim (E:)

View Drive Tools

Cut Copy path Paste shortcut Move to ~ Copy to ~ Delete Rename New folder New item ~ Easy access ~ Properties ~ Open ~ Edit ~ History ~ Select all ~ Select none ~ Invert selection ~

Organize New Open Select

Verbatim (E:) >

Name	Date modified	Type	Size
General (Police Power) Ordinances in Effect as of 03.31.2023	3/30/2023 3:20 PM	File folder	
Whitewater Township Zoning Ordinance - Last Revision Effective 11.11.2021.pdf	11/11/2021 1:09 PM	Adobe Acrobat Docume...	14,471 KB

Exhibit 5

Last updated in Transmittal No. 32
March 2022

General Records Schedule 4.2

GENERAL RECORDS SCHEDULE 4.2: Information Access and Protection Records

This schedule covers records created in the course of agencies (1) responding to requests for access to Government information and (2) protecting information that is classified or controlled unclassified, or contains personal data that is required by law to be protected.

Agencies must offer any records created prior to January 1, 1921, to the National Archives and Records Administration (NARA) before applying disposition instructions in this schedule.

Item	Records Description	Disposition Instruction	Disposition Authority
001	<p>FOIA, Privacy Act, and classified documents administrative records.</p> <p>Records on managing information access and protection activities. Records include:</p> <ul style="list-style-type: none">• correspondence related to routine implementation of the FOIA and Privacy Act and administration of document security classification• associated subject files• feeder and statistical reports <p>Exclusion: This item does not cover records documenting policies and procedures accumulated in offices having agency-wide responsibilities for FOIA, Privacy Act, and classified documents. These records must be scheduled by the agency on an agency-specific schedule.</p>	<p>Temporary. Destroy when 3 years old, but longer retention is authorized if needed for business use.</p>	DAA-GRS-2019-0001-0001
010	<p>General information request files.</p> <p>Requests for information, publications, photographs, and other information involving no administrative action, policy decision, or special compilations or research. Also includes acknowledgements, replies, and referrals of inquiries to other offices for response.</p>	<p>Temporary. Destroy when 90 days old, but longer retention is authorized if required for business use.</p>	DAA-GRS-2013-0007-0001
020	<p>Access and disclosure request files.</p> <p>Case files created in response to requests for information under the Freedom of Information Act (FOIA), Mandatory Declassification Review (MDR) process, Privacy Act (PA), Classification Challenge, and similar access programs, and completed by:</p> <ul style="list-style-type: none">• granting the request in full• granting the request in part• denying the request for any reason including:<ul style="list-style-type: none">○ inability to fulfill request because records do not exist○ inability to fulfill request because request inadequately describes records○ inability to fulfill request because search or reproduction fees are not paid	<p>Temporary. Destroy 6 years after final agency action or 3 years after final adjudication by the courts, whichever is later, but longer retention is authorized if required for business use.</p>	DAA-GRS-2016-0002-0001

Item	Records Description	Disposition Instruction	Disposition Authority
	<ul style="list-style-type: none"> • final adjudication on appeal to any of the above original settlements • final agency action in response to court remand on appeal <p>Includes:</p> <ul style="list-style-type: none"> • requests (either first-party or third-party) • replies • copies of requested records • administrative appeals • related supporting documents (such as sanitizing instructions) <p>Note 1: Record copies of requested records remain covered by their original disposal authority, but if disposable sooner than their associated access/disclosure case file, may be retained under this item for disposition with that case file.</p> <p>Note 2: Agencies may wish to retain redacted copies of requested records for business use after the rest of the associated request case file is destroyed.</p>		
030	<p>Information access and protection operational records.</p> <p>Records tracking and controlling access to protected information.</p> <p>Includes:</p> <ul style="list-style-type: none"> • records documenting receipt, internal routing, dispatch, or destruction of classified and controlled unclassified records • tracking databases and other records used to manage overall access program • requests and authorizations for individuals to have access to classified and controlled unclassified records and information <p>Note: Records documenting individuals' security clearances are covered under GRS 5.6, items 180 and 181.</p>	<p>Temporary. Destroy 2 years after last form entry, reply, or submission; or when associated documents are declassified, decontrolled, or destroyed; or when an individual's authorization expires; whichever is appropriate. Longer retention is authorized if required for business use.</p>	DAA-GRS-2019-0001-0002
031	<p>Access control records.</p> <p>Includes:</p> <ul style="list-style-type: none"> • safe and padlock combinations • names or other personal identifiers of individuals who know combinations • comparable data used to control access into classified document containers 	<p>Temporary. Destroy when superseded or obsolete, but longer retention is authorized if required for business use.</p>	DAA-GRS-2013-0007-0020

Item	Records Description		Disposition Instruction	Disposition Authority
032		<p>Records relating to classified or controlled unclassified document containers. Includes forms placed on safes, cabinets, or vaults that record opening, closing, and routine checking of container security, such as SF-701 and SF-702.</p> <p>Note: Forms involved in investigations are not covered by this item. They are instead retained according to the schedule item for records of the investigation.</p>	Temporary. Destroy 90 days after last entry on form, but longer retention is authorized if required for business use.	DAA-GRS-2016-0002-0003
040	<p>Records of accounting for and controlling access to records requested under FOIA, PA, and MDR. Records documenting identity of, and internal routing, control points, and accountability for information to which access has been requested. Includes:</p> <ul style="list-style-type: none"> • forms, registers, ledgers, logs, and tracking systems documenting requester identity and contact information, request date, and nature or purpose of request • inventories • forms accompanying documents to ensure continuing control, showing names of people handling the documents, inter-office routing, and comparable data • agent and researcher files 		Temporary. Destroy 5 years after date of last entry or final action by agency, as appropriate, but longer retention is authorized if required for business use.	DAA-GRS-2019-0001-0003
050	<p>Privacy Act accounting of disclosure files. Files maintained under the provisions of 5 U.S.C. §552a(c) for an accurate accounting of the date, nature, and purpose of each disclosure of a record to any person or to another agency. Includes:</p> <ul style="list-style-type: none"> • forms with the subject individual's name • records of the requester's name and address • explanations of the purpose for the request • date of disclosure • proof of subject individual's consent 		Temporary. Dispose of in accordance with the approved disposition instructions for the related subject individual's records, or 5 years after the disclosure for which the accountability was made, whichever is later.	NC1-64-77-1 item 27
060	<p>Erroneous release records. Files relating to the inadvertent release of privileged information to unauthorized parties, containing information the disclosure of which would constitute an unwarranted invasion of personal privacy. Includes:</p>	<p>Records filed with the record-keeping copy of the erroneously released records.</p>	Temporary. Follow the disposition instructions approved for the released record copy or destroy 6 years after the erroneous release, whichever is later.	DAA-GRS-2015-0002-0001

Item	Records Description		Disposition Instruction	Disposition Authority
061	<ul style="list-style-type: none"> requests for information copies of replies all related supporting documents May include: <ul style="list-style-type: none"> official copy of records requested or copies 	Records filed separately from the record-keeping copy of the released records.	Temporary. Destroy 6 years after the erroneous release, but longer retention is authorized if required for business use.	DAA-GRS-2015-0002-0002
065	Privacy complaint files. Records of privacy complaints (and responses) agencies receive in these categories: <ul style="list-style-type: none"> process and procedural (consent, collection, and appropriate notice) redress (inquiries seeking resolution of difficulties or concerns about privacy matters not specifically outlined in the Privacy Act) operational (inquiries regarding Privacy Act matters but not including Privacy Act requests for access and/or correction) complaints referred to another organization 		Temporary. Destroy 3 years after resolution or referral, as appropriate, but longer retention is authorized if required for business use.	DAA-GRS-2019-0001-0004
070	Agency reports to the Congress, Department of Justice, or other entities regarding FOIA, MDR, PA, and similar access and disclosure programs. Note: This item does not apply to summary reports incorporating government-wide statistics. These must be scheduled separately by the summarizing agent.		Temporary. Destroy 2 years after date of report, but longer retention is authorized if required for business use.	DAA-GRS-2013-0007-0006
080	Legal and regulatory compliance reporting records. Reports prepared in compliance with federal laws and regulations, such as the E-Government Act (Public Law 107-347), Federal Information Security Modernization Act of 2014, and Title V (Confidential Information Protection and Statistical Efficiency Act), as codified in 44 U.S.C. §101.	Annual reports by agency CIO, Inspector General, or Senior Agency Official for Privacy. Legal citation: OMB M-07-16.	Temporary. Destroy 5 years after submission of report, but longer retention is authorized if required for business use.	DAA-GRS-2013-0007-0022
081		All other agency reports and internal reports by individual system owners to the Senior Agency Official for Privacy (SAOP).	Temporary. Destroy 2 years after submission of report, but longer retention is authorized if required for business use.	DAA-GRS-2013-0007-0023

Item	Records Description	Disposition Instruction	Disposition Authority
090	Privacy Act amendment request files. Files relating to an individual's request to amend a record pertaining to that individual under 5 U.S.C. §552a(d)(2), to the individual's request for review of an agency's refusal to amend a record under 5 U.S.C. §552a(d)(3), and to any civil action or appeal brought by the individual against the refusing agency under 5 U.S.C. §552a(g). Includes: <ul style="list-style-type: none"> • requests to amend and to review refusal to amend • copies of agency's replies • statement of disagreement • agency justification for refusal to amend a record • appeals • related materials 	Temporary. Destroy with the records for which amendment was requested or 4 years after close of case (final determination by agency or final adjudication, whichever applies), whichever is later. Longer retention is authorized if required for business use.	DAA-GRS-2013-0007-0007
100	Automatic and systematic declassification review program records. Files related to the review of permanent records in anticipation of automatic declassification at 25, 50, or 75 years per Executive Order 13526, and the periodic review of records exempted from automatic declassification. Files include program records documenting declassification decisions.	Temporary. Destroy or delete after conducting next review or when subject records are transferred to NARA, but longer retention is authorized if required for business use.	DAA-GRS-2020-0002-0001
110	Fundamental classification guidance review files. Reports, significant correspondence, drafts, received comments, and related materials responding to "fundamental classification guidance review" as required by Executive Order 13526 Section 1.9. Note: This item does not cover reports and correspondence received at the Information Security Oversight Office (ISOO).	Temporary. Destroy 5 years after report is submitted to ISOO, but longer retention is authorized if required for business use.	DAA-GRS-2013-0007-0011
120	Classified information nondisclosure agreements. Copies of nondisclosure agreements, such as SF 312, Classified Information Nondisclosure Agreement, signed by civilian and military personnel with access to information that is classified under standards put forth by executive orders governing security classification.	Records maintained in the individual's official personnel folder.	Apply the disposition for the official personnel folder.
121		Records maintained separately from the individual's official personnel folder. Legal citations: ICD 703, Protection of Classified National Intelligence; 32 CFR 2001.80(d)(2)(vii).	Temporary. Destroy when 50 years old. DAA-GRS-2015-0002-0003

Item	Records Description		Disposition Instruction	Disposition Authority
130	Personally identifiable information extracts. System-generated or hardcopy print-outs generated for business purposes that contain Personally Identifiable Information. Legal citation: OMB M-07-16 (May 22, 2007), Attachment 1, Section C, bullet "Log and Verify."		Temporary. Destroy when 90 days old or no longer needed pursuant to supervisory authorization, whichever is appropriate.	DAA-GRS-2013-0007-0012
140	Personally identifiable information extract logs. Logs that track the use of PII extracts by authorized users, containing some or all of: date and time of extract, name and component of information system from which data is extracted, user extracting data, data elements involved, business purpose for which the data will be used, length of time extracted information will be used. Also includes (if appropriate): justification and supervisory authorization for retaining extract longer than 90 days, and anticipated disposition date.		Temporary. Destroy when business use ceases.	DAA-GRS-2013-0007-0013
150	Privacy Act System of Records Notices (SORNs). Agency copy of notices about the existence and character of systems of records, documenting publication in the Federal Register when the agency establishes or revises the system, per the Privacy Act of 1974 [5 U.S.C. 552a(e)(4) and 5 U.S.C. 552a(e)(11)], as amended. Also significant material documenting SORN formulation, other than Privacy Impact Assessment records (see item 161).		Temporary. Destroy 2 years after supersession by a revised SORN or after system ceases operation, but longer retention is authorized if required for business use.	DAA-GRS-2016-0003-0002
160	Records analyzing Personally Identifiable Information (PII). Records documenting whether certain privacy and data security laws, regulations, and agency policies are required; how the agency collects, uses, shares, and maintains PII; and incorporation of privacy protections into records systems as required by the E-Government Act of 2002 (Public Law 107-347, section 208), the Privacy Act of 1974 (5 U.S.C. 552a), and other applicable privacy laws, regulations, and agency policies. Includes significant background material documenting formulation of final products.	Records of Privacy Threshold Analyses (PTAs) and Initial Privacy Assessments (IPAs). Records of research on whether an agency should conduct a Privacy Impact Assessment (PIA).	Temporary. Destroy 3 years after associated PIA is published or determination that PIA is unnecessary, but longer retention is authorized if required for business use.	DAA-GRS-2016-0003-0003
161		Records of Privacy Impact Assessments (PIAs).	Temporary. Destroy 3 years after a superseding PIA is published, after system ceases operation, or (if PIA concerns a website) after website is no longer available to the public, as appropriate. Longer	DAA-GRS-2016-0003-0004

Item	Records Description	Disposition Instruction	Disposition Authority
		retention is authorized if required for business use.	
170	<p>Computer matching program notices and agreements.</p> <p>Agency copy of notices of intent to share data in systems of records with other federal, state, or local government agencies via computer matching programs, and related records documenting publication of notice in the Federal Register per the Privacy Act of 1974 [5 U.S.C. 552a(e)(12)], as amended. Also agreements between agencies, commonly referred to as Computer Matching Agreements, prepared in accordance with Office of Management and Budget Final Guidance. Includes documentation of Data Integrity Board (DIB) review and approval of matching programs and agreements, and significant background material documenting formulation of notices and agreements.</p>	<p>Temporary. Destroy upon supersession by a revised notice or agreement, or 2 years after matching program ceases operation, but longer retention is authorized if required for business use.</p>	DAA-GRS-2016-0003-0005
180	<p>Virtual public access library records.</p> <p>Records published by an agency on line to fulfill the requirement in 5 U.S.C. 552(a)(2)(A) through 5 U.S.C. 552(a)(2)(D) and 5 U.S.C. 552(g)(1) through 5 U.S.C. 552(g)(3) that agencies must make those records available for public inspection and copying. Includes:</p> <ul style="list-style-type: none"> • final concurring and dissenting opinions and orders agencies issue when adjudicating cases • statements of policy and interpretations the agency adopts but does not publish in the <i>Federal Register</i> • administrative staff manuals and instructions to staff that affect a member of the public • copies of records requested under the Freedom of Information Act (FOIA) which, because of the nature of their subject matter, the agency determines are, or are likely to become, the subject of subsequent requests for substantially the same records or which have been requested three or more times • indexes of agency major information systems • descriptions of agency major information and record locator systems • handbooks for obtaining various types and categories of agency public information <p>Exclusion: This item refers only to copies an agency publishes on line for public reference. The agency record copy of such material may be of permanent value and the agency must schedule it.</p> <p>Not media neutral. Applies to electronic records only.</p>	<p>Temporary. Destroy when no longer needed.</p>	DAA-GRS-2016-0008-0001
Controlled Unclassified Information (CUI) program records.			

Item	Records Description	Disposition Instruction	Disposition Authority
Exclusion: Records of the Controlled Unclassified Information Executive Agent office at the National Archives (NARA must schedule these records separately).			
190	<p>CUI program implementation records. Records of overall program management. Includes:</p> <ul style="list-style-type: none"> • records documenting the process of planning agency policy and procedure • agency submissions to the CUI Executive Agent of authorities (laws, federal regulations, or Government-wide policies containing safeguarding or dissemination controls) the agency proposes to include in the CUI Registry to designate unclassified information as CUI • agency submissions to the CUI Executive Agent of proposed laws, federal regulations, or Government-wide policies that would establish, eliminate, or modify a category of CUI, or change information controls applicable to CUI • correspondence with CUI Executive Agent <p>Exclusion 1: CUI directives and formal policy documents (agencies must schedule these separately).</p> <p>Exclusion 2: Records of CUI self-inspections (GRS 5.7, item 020 covers these).</p> <p>Exclusion 3: Records of annual program reports to the CUI Executive Agent (GRS 5.7, item 050 covers these).</p>	Temporary. Destroy when 7 years old, but longer retention is authorized if required for business use.	DAA-GRS-2019-0001-0005
191	<p>CUI information sharing agreements. Agreements in which agencies agree to share CUI with non-executive branch entities (<i>e.g.</i>, state and local police) and foreign entities that agree to protect the CUI.</p> <p>Exclusion: Contracts involving CUI and contractor access to CUI; GRS 1.1, item 010 covers contracts.</p>	Temporary. Destroy 7 years after canceled or superseded, but longer retention is authorized if required for business use.	DAA-GRS-2019-0001-0006
192	<p>Records of waivers of CUI requirements. Description of and rationale for each waiver, documentation of alternate steps the agency takes to ensure it sufficiently protects the CUI covered by the waiver, and records of the agency notifying authorized recipients and the public of the waiver.</p>	Temporary. Destroy when waiver is rescinded, system is no longer in use, or all affected records are destroyed, as applicable, but longer retention is authorized if required for business use.	DAA-GRS-2019-0001-0007

Item	Records Description		Disposition Instruction	Disposition Authority
193	Records of requests for decontrol and challenges to CUI designations. Requests to decontrol CUI or challenging a CUI marking as incorrect (either improperly assigned or lacking), responses to requests, records of adjudication, and records of dispute resolution if adjudication is appealed.	Records filed with the record-keeping copy of the CUI-marked records.	Follow the disposition instructions approved for the records at issue.	
194		Records filed separately from the record-keeping copy of the CUI-marked records.	Temporary. Destroy 6 years after change in CUI status, but longer retention is authorized if required for business use.	DAA-GRS-2019-0001-0008
195	Records of CUI misuse. Allegations of CUI misuse, records of internal investigations, communications with and reports of findings from the CUI Executive Agent, and records of corrective actions. Exclusion: If the agency assigns such investigations to its Inspector General (IG), the agency schedule for IG records covers the records created in the IG office.		Temporary. Destroy 5 years after completing the investigation or completing all corrective actions, whichever is later, but longer retention is authorized if required for business use.	DAA-GRS-2019-0001-0009

Exhibit 6

CERTIFICATION

I, Cheryl A. Goss, Clerk of Whitewater Township, do hereby certify that the electronic files provided to the Whitewater Township FOIA coordinator for FOIA request number S-22 and attached to this electronic communication are a true, accurate, and complete copy of the documents provided to the requestor.

Signed

Cheryl A. Goss, Whitewater Township Clerk

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 5.3.2023
Re: Township Audit - Update

Board Members –

Attached are two pages of Township Board minutes, one is from the 2.21.2023 and one is from the 3.8.2023 meeting. Reading the minutes of those meetings it appears two people were to collect and provide request for quotation (RFQ) for annual audit services. As of this date, I do not believe we have the process underway to agree on a RFQ language or how to put it into circulation.

The Board has been well advised to the importance of getting the annual audit scheduled early for a summer appointment rather than a fall one like last year. While some Board members may not be happy with Baird, Cotter & Bishop, PC. we are out of time for the 2022 audit. For the above reasons the following motions are made.

Motion one: Motion authorizing the Treasurer to sign the Management Letter for the March 31, 2023 Fiscal Year End Audit.

Motion two: Motion authorizing the Supervisor to sign the Baird, Cotter & Bishop, PC. Proposal for a complete financial audit of Whitewater Township as of and for the year ended March 31, 2023 dated April 28, 2023 in the amount of \$14,000.00

Motion three: Motion authorizing the Supervisor to sign the Baird, Cotter & Bishop, PC. Letter of Engagement dated April 28, 2023.

Respectfully submitted,



Ron Popp
Supervisor, Whitewater Township

DRAFT MINUTES

Public comment ended at 9:18 a.m.

Benak corrected an alleged “fact” that was stated by Connie Hymore. The treasurer does not approve a land division; treasurer’s involvement is to verify taxes are paid before approval, not to check the application.

Agenda Items as Listed in Special Meeting Notice**REVIEW LEGAL OPINION REGARDING HYMORE COMPLAINT – CLOSED SESSION**

Motion by Glenn to enter closed session under MCL 15.268(1)(h) and MCL 15.243(1)(g) in order to discuss a confidential written legal opinion from the township attorney regarding township land divisions and specifically parcel 13-136-001-02; second by Benak.

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

At 9:21 a.m., the meeting recessed.

At 10:31 a.m., the meeting reconvened.

Motion by Glenn to proceed as discussed in closed session with additional research of state law and the local ordinance; second by Benak.

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

BUDGET WORK SESSION – GENERAL FUND AND ALL OTHER FUNDS

Proposed General Fund revenue figures and General Fund departments 101 Township Board through 276 Cemetery expenditure figures were reviewed and revised, with the exception of department 171 Supervisor due to Popp’s absence.

Wages proposed to be increased include:

- Township board trustees \$220/meeting
- Supervisor \$30,068
- Clerk \$30,645
- Treasurer \$30,068
- Board of Review members \$75/meeting, \$16/hour

Goss will look for an auditor RFP template on the MTA website.

Regarding Cleanup Day, Benak would like to do the scrap tire grant again, if it is still available.

The next budget work session on 2/22 will begin with department 400 Planning Commission.

Board Comments/Discussion

None

DRAFT MINUTES**Whitewater Township Board
Minutes of Special Meeting held March 8, 2023****Call to Order**

Supervisor Popp called the meeting to order at 9:00 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 Glenn, Trustee Vollmuth

Board Members absent: None

Others present in person: Fire Chief Brandon Flynn, Zoom Facilitator Lois MacLean

Others present via Zoom: 3

Set/Adjust Meeting Agenda

Benak provided a memo regarding cloud-based managed services for budget discussion.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:03 a.m.

Heidi Vollmuth

Melissa Melton

Connie Hymore

Public comment ended at 9:09 a.m.

Agenda Items as Listed in Special Meeting Notice**GENERAL FUND AND ALL OTHER FUNDS**

The entire budget document was reviewed and revisions were made.

Other specific topics included:

- Regarding Zoom facilitator, Benak, Goss, and Glenn support keeping the status quo.
- Benak will download the MTA document for auditor RFP and get it to everyone. It will be included on the March agenda.
- Elected official raises were discussed.

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

At 10:57 a.m., the meeting reconvened.

- Alternate language for salary resolutions was created.
- Cost of managed services will be allocated to departments individually or to township board.



Ron Popp <supervisorwhitewater@gmail.com>

RE: Annual Audit

1 message

Zack Fredrickson <zfredrickson@bcbcpa.com>
To: Ron Popp <supervisorwhitewater@gmail.com>

Wed, May 3, 2023 at 2:45 PM

Ron,

The management representation letter will mainly be the same as last year. The only changes is the wording of some of the matters, there will be no new bullet points. We can only give the representation letter out at the completion of the audit.

Thank you

Zack Fredrickson, C.P.A.

Baird, Cotter and Bishop, P.C.

A: 134 W Harris St., Cadillac, MI 49601

P: (231)775-9789 (ext: 425)

F: (231)775-9749

E: zfredrickson@bcbcpa.com

W: <https://bcbcpa.com/>

[Click here](#) to upload sensitive files.

To pay your bill online: <https://bcbcpa.com/pay/>



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From: Ron Popp <supervisorwhitewater@gmail.com>
Sent: Wednesday, May 3, 2023 2:27 PM
To: Zack Fredrickson <zfredrickson@bcbcpa.com>
Subject: Re: Annual Audit

Good afternoon Sir - Will the management letter be the same language as last year? If not can you provide an updated version?

Thank you,

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

supervisorwhitewater@gmail.com

On Mon, May 1, 2023 at 7:56 AM Zack Fredrickson <zfredrickson@bcbcpa.com> wrote:

Ron,

Attached is the engagement letter you requested and an audit proposal that should help address your questions. Please let us know if there is anything else we can do for you.

Thank you

Zack Fredrickson, C.P.A.

Baird, Cotter and Bishop, P.C.

A: 134 W Harris St., Cadillac, MI 49601

P: (231)775-9789 (ext: 425)

F: (231)775-9749

E: zfredrickson@bcbcpa.com

W: <https://bcbcpa.com/>

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From: Ron Popp <supervisorwhitewater@gmail.com>
Sent: Thursday, April 27, 2023 3:23 PM
To: Zack Fredrickson <zfredrickson@bcbcpa.com>
Subject: Annual Audit

Zack - I hope all is well.

Can you please provide an estimate of cost for the annual audit at Whitewater Township. Please include an engagement letter and any requirement for any management, authorization or letters needed to close out the audit process. I would like to make sure the Board of Trustees are aware of the complete process.

Many thanks

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

supervisorwhitewater@gmail.com



Baird, Cotter & Bishop, P.C.

SERVING YOUR PAST, PRESENT & FUTURE

CERTIFIED PUBLIC ACCOUNTANTS

134 WEST HARRIS STREET CADILLAC, MICHIGAN 49601 PHONE: (231) 775-9789 FAX: (231) 775-9749
www.bcbcpa.com

April 28, 2023

Whitewater Township
Grand Traverse County
PO Box 159
Williamsburg, MI 49690

We are pleased to submit a proposal for a complete financial audit of the Whitewater Township as of and for the year ended March 31, 2023.

We submit the following bid, for the year ended March 31, 2023:

<u>Year Ended March 31, 2023</u>	<u>Price</u>
March 31, 2023	\$14,000

This fee also includes preparation of the Annual Local Unit Fiscal Report Form F-65 (MI-2) and the Municipal Financing Qualifying Statement (MFQS). If additional work is required of our firm to prepare your records for audit or to perform any additional services relative to changes in accounting pronouncements, new funds, QuickBooks consulting or various projects and consultations beyond the audit engagement, we will consider the work to be a separate engagement to be negotiated outside this audit proposal. For a partner or a manager of the firm, hourly fees range from \$160 to \$340 per hour and for other professional staff and C.P.A.'s, the hourly fee ranges from \$68 to \$140 per hour.

Any delay in timely signing of the management representation letter will cause the auditor to leave open applicable auditing procedures unnecessarily that could result in additional fees beyond the scope of the audit proposal.

The contact person at our office who is authorized to make representations on behalf of the firm, relative to this proposal, is Zachary D. Fredrickson, C.P.A. Mr. Fredrickson may be contacted at the address and telephone number appearing in our letterhead. We look forward to your reply to our proposal and hope to enjoy the opportunity to perform this service for the Township.

Very truly yours,

BAIRD, COTTER AND BISHOP, P.C.

Zachary D. Fredrickson, C.P.A.

We have reviewed the above proposal and agree with the stated terms.

SIGNATURE: _____

DATE: _____



Baird, Cotter & Bishop, P.C.

SERVING YOUR PAST, PRESENT & FUTURE

CERTIFIED PUBLIC ACCOUNTANTS

134 WEST HARRIS STREET CADILLAC, MICHIGAN 49601 PHONE: (231) 775-9789 FAX: (231) 775-9749
www.bcbcpa.com

ENGAGEMENT LETTER

April 28, 2023

To the Management of Whitewater Township:

We are pleased to confirm our understanding of the services we are to provide Whitewater Township for the year ended March 31, 2023.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements of Whitewater Township as of and for the year ended March 31, 2023. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Whitewater Township's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Whitewater Township's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Budgetary comparison schedules

We have also been engaged to report on supplementary information other than RSI that accompanies Whitewater Township's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements:

1. Combining statements, individual fund statements, and supporting schedules will be included as deemed appropriate.

The objectives of our audit are to obtain reasonable assurance as to whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, issue an auditor's report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgement of a reasonable user made based on the financial statements.

The objectives also include reporting on internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.

Auditor's Responsibilities for the Audit of the Financial Statements

We will conduct our audit in accordance with GAAS and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of your accounting records of Whitewater Township and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgement and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

In connection with this engagement, we may communicate with you or others via email transmission. As emails can be intercepted and read, disclosed, or otherwise used or communicated by an unintended third party, or may not be delivered to each of the parties to whom they are directed and only to such parties, we cannot guarantee or warrant that emails from us will be properly delivered and read only by the addressee. Therefore, we specifically disclaim and waive any liability or responsibility whatsoever for interception or unintentional disclosure of emails transmitted by us in connection with the performance of this engagement. In that regard, you agree that we shall have no liability for any loss or damage to any person or entity resulting from the use of email transmissions,

including any consequential, incidental, direct, indirect, or special damages, such as loss of revenues or anticipated profits, or disclosure or communication of confidential or proprietary information.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and may include tests of the physical existence of inventories, if any, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected customers, creditors, and financial institutions. We may also request written representations from your attorneys as part of the engagement.

Audit Procedures - Internal Control

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Whitewater Township's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Other Services

We will also prepare or assist in preparing the financial statements, related notes, the F-65, and depreciation schedule of Whitewater Township in conformity with accounting principles generally accepted in the United States of America based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide, such as preparation of the F-65 and depreciation schedule. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes, the F-65, and depreciation schedule and that you have reviewed and approved the

financial statements and related notes, the F-65, and depreciation schedule prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Responsibilities of Management for the Financial Statements

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with accounting principles generally accepted in the United States of America, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by GAAS and *Government Auditing Standards*.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse that we report.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with accounting principles generally accepted in the United States of America (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date of supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us

in the written representation letter that (1) you are responsible for the presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations and schedules we request and will locate any documents selected by us for testing. We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If for whatever reason your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

We will provide copies of our reports to the Township; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Baird, Cotter and Bishop, P.C. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the oversight agency for audit or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Baird, Cotter and Bishop, P.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the oversight agency for audit. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Zachary Fredrickson is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. To ensure that Baird, Cotter and Bishop, P.C.'s independence is not impaired under AICPA Code of Professional Conduct, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel. We expect to begin our audit on an agreed upon date.

Our fee for these services will be \$14,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered upon completion and delivery of our audit report. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Reporting

We will issue a written report upon completion of our audit of Whitewater Township's financial statements. Our report will be addressed to management and those charged with governance of Whitewater Township. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or the misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

You may request that we perform additional services not addressed in this engagement letter. If this occurs, we will communicate with you regarding the scope of the additional services and the estimated fees. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter.

You have requested that we provide you with a copy of our most recent external peer review report and any subsequent reports received during the contract period. Accordingly, our 2020 peer review report accompanies this letter.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will state (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The report will also state that the report is not suitable for any other purpose. If during our audit we become aware that Whitewater Township is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Our audit engagement ends on delivery of our audit report. Any follow-up services that might be required will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

We appreciate the opportunity to be of service to Whitewater Township and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

BAIRD, COTTER AND BISHOP, P.C.

Baird, Cotter & Bishop, P.C.

RESPONSE:

This letter correctly sets forth the understanding of Whitewater Township. To finalize the audit the Township Treasurer need to timely sign the management representation letter at the completion of our audit engagement.

MANAGEMENT SIGNATURE: _____

TITLE: _____

DATE: _____

MANAGEMENT REPRESENTATION LETTER

Baird, Cotter and Bishop, P. C.
134 West Harris Street
Cadillac, Michigan 49601

This representation letter is provided in connection with your audit of the financial statements of Whitewater Township, which comprise the respective financial position of governmental activities, the business-type activities, each major fund and the aggregate remaining fund info as of March 31, 2022 and the respective changes in financial position for the year then ended, and the disclosures (collectively, the “financial statements”, for the purpose of expressing opinions as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

We confirm, to the best of our knowledge and belief, as of September 16, 2022, the following representations made to you during your audit.

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated July 27, 2022, including our responsibility for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP and for preparation of the supplementary information in accordance with the applicable criteria.
2. The financial statements referred to above are fairly presented in conformity with U.S. GAAP and include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.
3. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.
4. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
5. Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
6. Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with U.S. GAAP.
7. Adjustments or disclosures have been made for all events, including instances of noncompliance, subsequent to the date of the financial statements that would require adjustment to or disclosure in the financial statements.

8. The effects of all known actual or possible litigation, claims, and assessments, if any, have been accounted for and disclosed in accordance with U.S. GAAP.
9. Guarantees, whether written or oral, under which the Township is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

10. We have provided you with:
 - a. Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters.
 - b. Additional information that you have requested from us for the purpose of the audit.
 - c. Unrestricted access to persons within the Township from whom you determined it necessary to obtain audit evidence.
 - d. Minutes of the meetings of the Board or summaries of actions of recent meetings for which minutes have not yet been prepared.
11. All material transactions have been recorded in the accounting records and are reflected in the financial statements.
12. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as result of fraud.
13. We have no knowledge of any fraud or suspected fraud that affects the Board and involves:
 - a. Management,
 - b. Employees who have significant roles in internal control, or
 - c. Others where the fraud could have a material effect on the financial statements.
14. We have no knowledge of any allegations of fraud or suspected fraud affecting the Township's financial statements communicated by employees, former employees, regulators, or others.
15. We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or abuse, whose effects should be considered when preparing financial statements.
16. We are not aware of any pending or threatened litigation, claims, or assessments or unasserted claims or assessments that are required to be accrued or disclosed in the financial statements, and we have not consulted a lawyer concerning litigation, claims, or assessments.
17. We have disclosed to you the names of the Township's related parties and all the related party relationships and transactions of which we are aware, including any side agreements.

Government - Specific

18. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
19. We have taken timely and appropriate steps to remedy identified and suspected fraud or noncompliance with provisions of laws, regulations, contracts, and grant agreements that you have reported to us.
20. We have a process to track the status of audit findings and recommendations.
21. We have identified to you any previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
22. We have identified to you any investigations or legal proceedings that have been initiated with respect to the period under audit.
23. We have provided our views on reported findings, conclusions, and recommendations, as well as our planned corrective actions, for the report.
24. The Township has no plans or intentions that may materially affect the carrying value or classification of assets, deferred outflows of resources, liabilities, deferred inflows of resources, and fund balance or net position.
25. We are responsible for compliance with laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.
26. We have identified and disclosed to you all instances of identified and suspected fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we believe have a material effect on the financial statements.
27. There are no violations or possible violations of, budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
28. We understand that as part of your audit, you prepared the adjusting journal entries necessary to convert our cash basis records to the accrual basis of accounting and acknowledge that we have received and approved those entries and accepted responsibility for them.
29. As part of your audit, you assisted with preparation of the financial statements and disclosures. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed, approved, and accepted responsibility for those financial statements and disclosures.
30. In regards to the maintenance of depreciation schedule, and F-65 services performed by you, we have:

- a. Assumed all management responsibilities.
 - b. Designated an individual (within senior management), who has suitable skill, knowledge, or experience to oversee the services.
 - c. Evaluated the adequacy and results of the services performed.
 - d. Accepted responsibility for the results of the services.
- 31. The Township has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
 - 32. The Township has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
 - 33. The financial statements include all fiduciary activities required by GASBS No. 84, as amended.
 - 34. The financial statements properly classify all funds and activities in accordance with GASBS No. 34, as amended.
 - 35. All funds that meet the quantitative criteria in GASBS Statement Nos. 34 and 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
 - 36. Components of net position (net investment in capital assets; restricted; and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned, and unassigned) are properly classified and, if applicable, approved.
 - 37. Investments, derivative instrument transactions, and land and other real estate held by endowments are properly valued.
 - 38. Provisions for uncollectible receivables have been properly identified and recorded.
 - 39. Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
 - 40. Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
 - 41. Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
 - 42. Deposits and investment securities and derivative instrument transactions are properly classified as to risk and are properly disclosed.
 - 43. Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated or amortized.
 - 44. We have appropriately disclosed the Township's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and

unrestricted net position is available and have determined that net position is properly recognized under the policy.

45. We are following GASB Statement No. 54, paragraph 18, to determine the fund balance classifications for financial reporting purposes.
46. We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.
47. With respect to combining statements and supporting schedules.
 - a. We acknowledge our responsibility for presenting the combining statements and supporting schedules in accordance with accounting principles generally accepted in the United States America, and we believe the combining statements and supporting schedules, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America. The methods of measurement and presentation of the combining statements and supporting schedules have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
48. It is understood between Whitewater Township and you that your audit of the financial statements was made in accordance with the standards outlined in the engagement letter and, accordingly, included such tests of the accounting records and such other auditing procedures as you considered necessary in the circumstances; that is, by means of testing and sampling of transactions and accounts because complete verification by detailed audit of every transaction was not practicable. We understand that the testing and sampling procedures followed in your audit would not necessarily disclose errors or irregularities, should any exist.
49. We have reviewed and accepted your proposed journal entries, if any, and understand the effects of these entries on our financial statements by reviewing the draft of the independent auditor's report and financial statements. We concur with the presentation of the data in those statements, including the footnotes and additional information.
50. We received the detail capital asset report.

To the best of our knowledge and belief, no events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustments to, or disclosure in, the aforementioned financial statements.

SIGNED

TITLE

Memo

To: Whitewater Township Board of Trustees
CC: None
Date: 5.4.2023
Re: Request for Reimbursement Board of Review Expenses

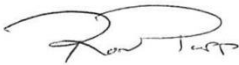
Board Members –

This business item is presented to the Board requesting reimbursement for expenses incurred at the March 2023 Board of Review 6-hour mandatory session.

It has been common practice for many years to provide meals to Board of Review Members and the Assessors who serve at the two hearing sessions. Curiously this year, the Clerk has refused all payment for the expense claiming Dawn is an independent contractor. While partly true, Dawn is also an employee of the Township and was attending one of the two review sessions to assist the Board of Review. Attached you will find Dawn's employment agreement.

Motion one: Motion approving 2023 Board of Review meal expenses submitted by the Supervisor in the amount of \$85.68.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township

EXPENSE REIMBURSEMENT REQUEST

DATE	DESCRIPTION OF EXPENSE	DEPARTMENT	AMOUNT
3/13/2023	Bar Meal Jarvis & Sanborn	101-247-865	39.70
3/15/2023	Bar meal Jarvis, Sanborn, Kuhns	101-247-865	45.98

Delivery

WELCOME TO THAT'S A PIZZA!
ACME, MI (231) 938-2983

WHITEWATER TOWNSHIP
() 267-5141
5777 VINTON RD
WILLIAMSBURG

GRID:U16

RON 231-409-5059

0041 3/13/23 5:48p

1 GRILLED WRAPS:BLACK BEAN WRA 11.45
+chips
1 FOUNTAIN 2.50
+unswee
1 FULL:CHICKEN CASHEW SALAD 11.25
1 FOUNTAIN 2.50
+mello

Sub-Total 27.70
Delivery 5.50

Sub-Total 33.20

Tip 6.50

Total 39.70
CREDIT CARD

THANK YOU FOR YOUR ORDER

Srvr:9695 WS:3

Delivery

We don't
pay for
IC meals.

CB
4/19/23

Pick Up

WELCOME TO THAT'S A PIZZA!
ACME, MI (231) 938-2983

0003 (RON 3/15/23 11:15a

2 FULL:CHICKEN CASHEW SALAD 22.50
1 FULL:CAROLINA PEANUT 8.99
1 FOUNTAIN 2.50
+coke
1 FOUNTAIN 2.50
+coke

Sub-Total 36.49
Tax 2.19

Sub-Total 38.68

Tip 7.30

Total 45.98
CREDIT CARD

THANK YOU FOR YOUR ORDER

Srvr:8557 WS:3

Pick Up

SUBMITTED BY Ros Pope

DATE 4.4.2023

DEPARTMENT Board of Review

TOTAL \$

* Please attach receipts

EMPLOYMENT AGREEMENT

1. This agreement is effective October 1, 2021 and is between Whitewater Township Board of Trustees, representing Whitewater Township ("Township"), and Dawn Kuhns, of P O Box 1506, Kalkaska, Michigan 49646-1506 ("Dawn").

2. The Township wishes to employ Dawn as the Township's certified assessor, as provided for in MCL 41.61(1). The Township and Dawn agree that this employment shall be at will, terminable by either party for any or no reason, with or without cause.

3. Dawn will prepare and certify the assessment roll and tax roll for the Township, and will deposit them with the Township Supervisor. This work is expected to include duties and responsibilities listed in Whitewater Township Job Description herein attached.

4. The Township will compensate Dawn in the amount of \$1,200.00 per year.

5. It is anticipated that in preparing and certifying the assessment roll and tax roll, Dawn will rely on the services and work product of AD Assessing Incorporated, a firm of which she is a co-owner and which has an independent contractor agreement with the Township.

6. This Agreement shall continue in effect until the contract with AD Assessing Incorporated is terminated.

WHITEWATER TOWNSHIP

By: 

Ron Popp, SUPERVISOR



Dawn M. Kuhns

Team,

Maybe it is time to revisit the delivery due dates of the board packet preparation. It appears ten business days does not work well at times. If one relooks at a calendar one can see that ten calendar days would technically serve the same purpose. Placing these dates on one's calendar might help the information flow better to the Supervisor who now has to put the packet together. Maybe we all need to take turns putting the packet together with the Supervisor so there is a buddy system, this eliminates mistakes and errors.

I am recommending a change to policy from ten business days to ten calendar days. See below for the following deadlines for packet submissions.

Clarification if the 10 day mark falls on the weekend the packet will go out on Friday or Monday.

The Clerk doesn't work on Fridays so her information should make the packet on thursdays before her three day weekend.

This solution should help everyone involved to meet the packet deadlines. Preparing our packet with some due dates gives the person putting it together some breathing room and more manageable.

May 09 2023	Board meeting/Packet info due	April 28 2023
June 13 2023		June 1. 2023
July 11 2023		June 29 2023
Aug 08 2023		July. 29 2023
Sept 12 2023		Aug. 31. 2023
Oct. 10 2023		Sept 28. 2023
Nov. 14 2023		Nov 02. 2023
Dec. 12. 2023.		Nov 30. 2023

Motion to change the Ten business days to Ten calendar Days and change policy to read the same

Motion for discussion purposes only at this time.
Dates can be changed or altered at time of vote.

This change does several good things and they are listed below.

Facts: Gives all team members time to prepare better and

Creates some checks and balances to reduce error.

Places the board packet out into the public about the same time every month, and helps others prepare too.

Possibly depending on discussion can aid and assist the Supervisor with some assistance and checks and balances

(Above dates can be altered or changed as needed.)

**Whitewater Township
Trustee**

Memo

To: Whitewater Township Board
From: Don Glenn, Trustee
Date: April 30, 2023
Re: PRAC funding request for BCNA tree removal

Attached to this memo are documents received from the PRAC requesting funding in the amount not to exceed \$1,655.00 for some trail clearing of a portion of BCNA.

The scope of work as described on the cost estimate from the Grand Traverse Conservation District, dated April 24, 2023, entitled: "Battle Creek Trail Clearing – 2023" states that the funding request would cover the cost to clear approximately eighteen (18) trees.

No motion is presented pending board discussion of this request.

**Whitewater Township
Parks & Recreation**

Memo

To: Whitewater Township Board
From: PRAC
cc:
Date: 4/26/2023
Re: BCNA Finalization of Tree Removal

Board-

Please see attached quotation from the Grand Traverse Conservation District for the estimated labor and time, with a not to exceed value, to clear the 18 fallen trees over the BCNA trails.

Fwd: Battle Creek Nature Area Tree removal completion

From: Mel Melton (mammelon@gmail.com)
To: dglenn6542@yahoo.com
Cc: amber.voice@mclaren.org
Date: Monday, April 24, 2023 at 10:04 PM EDT

Don - Amber and I were able to meet on Sunday to walk the BCNA trail to count all the downed trees that were over the trail that were in the 'spur' trail and after the pond portion of the trail toward the open field. Steve Largent with the Grand Traverse Conservation District has provided a quotation to complete this work based on our tree count and cutting from centerline an opening width of 15ft minimum. (see attached).

Can you please request this be added to this month's board meeting, for a motion that the board move forward with this as soon as possible this spring so the trails are safe for pedestrians walking these trails? If so, does a new purchase order need to be placed or what would the next step be?

Thank you,
Melissa

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

From: **Steve Largent** <slargent@gtcd.org>
Date: Fri, Mar 10, 2023 at 3:06 PM
Subject: Re: Battle Creek Nature Area Tree removal completion
To: Mel Melton <mammelon@gmail.com>

Hi Mel - We figure unless we run into something unforeseen and based on your 30 tree estimate, it shouldn't take us more than a couple days. In fact, it may only take a day. So, I'm proposing a not to exceed amount of \$3,500 to open the trail to a minimum width of 15 feet. This includes a crew of 4 sawyers for two days, travel, & associated equipment to complete the work. Hopefully we can go back to the contract from last year but I'll leave that up to you & the board. Take care and have a great weekend. S.

On Tue, Mar 7, 2023 at 3:41 PM Steve Largent <slargent@gtcd.org> wrote:

👍 Let me get with my team and see what we can get to you by the end of the week.

On Tue, Mar 7, 2023 at 3:25 PM Mel Melton <mammelon@gmail.com> wrote:

Can you put together a budget quote first, without walking it yet? The timeline to walk it is maybe in a couple of weeks, when hopefully snow has melted :o)

Thanks,
Mel

On Tue, Mar 7, 2023 at 1:27 PM Steve Largent <slargent@gtcd.org> wrote:

Hi Mel - Sounds good. When do you want to meet and walk the trail to mark the centerline?

On Tue, Mar 7, 2023 at 12:52 PM Mel Melton <mammelon@gmail.com> wrote:

Hi Steve - I hope all is well with you. I wanted to see if I could get a quotation for the cleanup of the rest of the fallen trees at BCNA in Williamsburg. I believe there are approximately 30 trees in total. There are some off the main trail that turns off to the right (by first bench location), and then the majority just beyond the pond, south end of main trail. I would like to get this taken care of this spring if I can get the board to approve this quickly (and if you still have our contract still 'open' that it would be less paperwork).

We can go and mark the center line of trees and have you cut 10 or 15 ft to each side. I would take your suggestion on that. We just need the trails open, safe and easily passable by walkers.

Let me know if you have any questions.

Thanks,
Melissa

--

Steve Largent

Conservation Team Coordinator

Grand Traverse Conservation District

1450 Cass Rd. Traverse City, MI 49685

231.883.9960

231.941.0960 x16

<http://www.natureiscalling.org>

[Like the Grand Traverse Conservation District on Facebook!](#)

--

Steve Largent

Conservation Team Coordinator

Grand Traverse Conservation District

1450 Cass Rd. Traverse City, MI 49685

231.883.9960

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[Like the Grand Traverse Conservation District on Facebook!](#)

--

Steve Largent

Conservation Team Coordinator

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1450 Cass Rd. Traverse City, MI 49685

231.883.9960

231.941.0960 x16

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[Like the Grand Traverse Conservation District on Facebook!](#)



BCNA Trail Clearing Est-2023.pdf
79.8kB



Battle Creek Trail Clearing - 2023

Estimate Date: 04/24/23

Note: This a not to exceed estimate to clear approximately 18 trees as marked by Whitewater Twp parkland staff, from the Battle Creek Natural Area like what was done at BCNA in 2022. If time allows, GTCD will also traverse the entire length of Lossie Road Trail to clear any trees or branches leaning over or blocking the trail.

GTCD Labor: 32 hours (4 people @ 8hrs ea.) = \$1,600 (Includes equipment)

Travel: \$55.00

Total Not to Exceed: \$1,655

Estimate Prepared By:

Steve Largent

Grand Traverse Conservation District

1450 Cass Road

Traverse City, MI 49685

slargent@gtcd.org

(231) 8839960



Grand Traverse
Conservation District
Boardman River Nature Center

231-941-0960
www.natureiscalling.org
1450 Cass Rd., Traverse City, MI 49685

Memo

To: Whitewater Township Board of Trustees

CC: None

Date: 4.28.2023

Re: Insurance Exclusion

Board Members –

This notice of exclusion was provided by our insurance underwriter. According to the email string with our agent Paul Olsen, long term pollution was never included in our policy thus making this exclusion notice an apparent non issue.

The explanation left me wondering, if pollution coverage was never included, then what is the need to exclude it.

The Township did operate a dump for many years and therefore may have some exposure on this matter if testing is ever completed.

No motion pending further Board input.

Respectfully submitted,



Whitewater Township FOIA Coordinator
Supervisor, Whitewater Township



Ron Popp <supervisorwhitewater@gmail.com>

Re: PFAS Exclusion

1 message

Paul Olson <polson@muwm.net>

Mon, Apr 24, 2023 at 12:47 PM

To: Ron Popp <supervisorwhitewater@gmail.com>

Before this exclusion ,long term pollution coverage was always excluded in the policy.
The new exclusion tightens done various exclusions pertaining to pollution.

Paul

Sent from my iPad

On Apr 24, 2023, at 9:19 AM, Ron Popp <supervisorwhitewater@gmail.com> wrote:

Hi Paul -

This is a possible concern for Whitewater Township as the Township operated a municipal dump for many years. While no PFAS testing has been performed in the Township I suspect increased development pressures will soon require some to take place.

I suspect other local units that have a Michigan Township Participating Plan will have similar questions as this issue develops.

Ron Popp
Whitewater Township Supervisor
231.267.5141 Ext. 23
supervisorwhitewater@gmail.com
bcc: Township Board
<2023 Township Participating Plan PFAS Exclusion.pdf>

U.S. SPECIALTY INSURANCE COMPANY
1700 OPDYKE COURT
AUBURN HILLS MI 48326

RECEIVED
4-24-23
C6

NOTICE OF POLICY CHANGE

Named Insured & Mailing Address:

WHITEWATER TOWNSHIP
5777 VINTON ROAD
P.O. BOX 159
WILLIAMSBURG, MI 49690

Producer:

MUNICIPAL UNDERWRITERS OF WEST
MI, INC.
4171 Wolverine Drive

Williamsburg, MI 49690

Policy No: HMTP-381444

Date of Change: 6/1/2023 ; 12:01 A.M. Local Time at the mailing address of the Named Insured.

This notice is to advise you of changes in this policy on the effective date shown above.

The description of the change is as follows:

This is a summary of a change to the MTPP Policy. No coverage is provided by this summary, nor can it be construed to replace any provision of your policy. You should read your policy and review the Declarations for complete information on the coverages you are provided and consult with your broker or insurance advisor. If there is any conflict between the policy and advisory notice summary, **THE PROVISIONS OF THE POLICY SHALL PREVAIL.**

Your policy is being renewed with the following endorsement:

Restrictions of Coverage – Entire Package Policy

The following COMMON exclusion restricting coverage shall be applicable to the entire MTPP Package Policy:

- **Total Exclusion- Perfluorinated Compounds (PFC)/ Per- and Polyfluoroalkyl Substances (PFAS)**

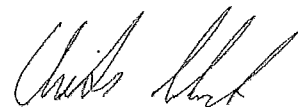
This endorsement excludes coverage for any liability or damages arising out of or related to Perfluorinated Compounds (PFC) / Per- and Polyfluoroalkyl (PFAS)

Named Insured

WHITEWATER TOWNSHIP

COPY

Date Mailed:
April 28, 2023



AUTHORIZED REPRESENTATIVE

Copy for Named Insured