

**NOTICE:** IN ORDER TO FACILITATE REMOTE ELECTRONIC PARTICIPATION FOR THE **JANUARY 12, 2021 TOWNSHIP BOARD REGULAR MEETING**, A ZOOM MEETING HAS BEEN SCHEDULED. **TOWNSHIP RESIDENTS/PROPERTY OWNERS AND OTHER INTERESTED PARTIES ARE INVITED TO ATTEND.** INSTRUCTIONS FOR CONNECTING TO THE MEETING APPEAR BELOW.

Whitewater Zoom is inviting you to a scheduled Zoom meeting.

Topic: Township Board Meeting

Time: Jan 12, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/98085755375?pwd=Zk9Xd2ljeVkyS2VrS29melRUMExhUT09>

Meeting ID: 980 8575 5375

Passcode: 821211

One tap mobile

+13126266799,,98085755375#,,,,\*821211# US (Chicago)

Dial by your location

+1 312 626 6799 US (Chicago)

Meeting ID: 980 8575 5375

Passcode: 821211

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

Contact Information for Board Members:

Supervisor Ron Popp – 231-267-5141 x23 [supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)

Clerk Cheryl Goss – 231-267-5141 x24 [clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)

Treasurer Ardella Benak – 231-267-5141 x22 [treasurer@whitewatertownship.org](mailto:treasurer@whitewatertownship.org)

Trustee Paul Hubbell – 231-267-5141 [trustee02@whitewatertownship.org](mailto:trustee02@whitewatertownship.org)

Trustee Heidi Vollmuth - 231-633-9468 [heidivourtrustee@gmail.com](mailto:heidivourtrustee@gmail.com)

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 or the TDD at 800-649-3777.

**WHITEWATER TOWNSHIP BOARD  
AGENDA FOR REGULAR MEETING – JANUARY 12, 2021  
7:00 p.m. at the Whitewater Township Hall  
5777 Vinton Road, Williamsburg, MI 49690  
Phone 231-267-5141/Fax 231-267-9020**

- A. Call to Order/Pledge of Allegiance
- B. Roll Call of Board Members
- C. Set/Adjust Meeting Agenda

#### D. Declaration of Conflict of Interest

#### E. Public Comment

Any person shall be permitted to address a meeting of the township board. Public comment shall be carried out in accordance with the following board rules and procedures:

1. Comments shall be directed to the board, with questions directed to the chair.
2. Any person wishing to address the board shall speak from the lectern and state his or her name and address.
3. Persons may address the board on matters that are relevant to township government issues.
4. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer board members' 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 presenters. Silence or non-response from the board should not be interpreted as disinterest or disagreement by the board.

#### F. Public Hearing – Revised Whitewater Township Park Boat Launch/Entryway Improvement Plans

#### G. Reports/Presentations/Announcements/Comments

1. County Commissioner Report
2. Fire Department Report
3. Planning Commission Report
4. Parks & Recreation Advisory Committee Report

#### H. Consent Calendar

##### Receive and File

1. Supervisor's Report for December 2020
2. Clerk/Parks & Recreation Administrator's Report for December 2020/January 2021
3. Zoning Administrator's Report January 2021 Staff Report
4. Mobile Medical Response December 2020 Activity Reports
5. Fire Department December 2020 Report
6. Historical Society Report for November and December 2020
7. Approved 11/09/2020 Parks & Recreation Advisory Committee Minutes
8. Approved 11/11/2020 Historical Society Minutes

##### Correspondence

1. Grand Traverse County Sheriff Department Statistics for November 2020
2. E-mail 12/08/2020 @ 5:15 p.m. Tracy Spincich re: Marijuana Ordinance Vote at Tonight's Meeting
3. E-mail 12/08/2020 @ 6:09 p.m. Debbie Young re: Marijuana Ordinances
4. E-mail 12/08/2020 @ 8:09 p.m. Vern Gutknecht re: December 8, 2020 Board Meeting
5. E-mail 12/09/2020 Cindy Wotila re: Whitewater Township Hybrid Meeting Was Proper
6. E-mail 12/10/2020 Michael Mix re: Meeting
7. E-mail 12/10/2020 Jeff Goodwin re: In-Person Meeting
8. E-mail 12/11/2020 Sandra Rancourt re: From a Moscow Township Trustee
9. Letter 12/11/2020 Linda Frank re: 12/08/2020 Meeting
10. E-mail 12/15/2020 John King re: Skegemog Point Repair

11. E-mail 12/16/2020 Dan Buron re: Goodwill NMI Selected for MacKenzie Scott Gift
12. 12/16/2020 Grand Traverse County RecycleSmart re: Holiday Recycling Tips and More
13. E-mail 12/18/2020 Thomas Kachadurian re: Habitat GTR December Newsletter
14. 12/23/2020 Foster Swift re: COVID Impacts on Electronic Public Meetings
15. E-mail 01/04/2021 Della Benak re: Resignation from ZBA

#### Minutes

1. Recommend approval of 12/08/2020 regular meeting minutes and 12/15//2020 special meeting minutes

#### Bills for Approval

1. Approval of Alden State Bank vouchers # 46146 through 46223
2. Approval of First Community Bank Miami Beach vouchers # (none)
3. Approval of First Community Bank WMDLS vouchers # (none)

#### Budget Amendments (none)

#### Revenue & Expenditure Report (none)

#### I. Unfinished Business

1. Revised Whitewater Township Park Boat Launch/Entryway Improvement Plans
2. COVID-19 Preparedness and Response Plan

#### J. New Business

1. 12/03/2020 Draft Legal Opinion re: Lossie Road Nature Trail
2. Appointments/Reappointments to Boards/Commissions/Committees
3. Legal Opinion re: Appointment of Township Board Representative to Planning Commission
4. 2020/2021 Fiscal Year Budgeted Transfers
5. Whitewater Township Park 2021 Dates and Rates
6. Cherry Capital Connection Request for Presentation on 02/09/2021
7. Letter of Interest to Grand Traverse Band re: Possible Sewer Extension
8. Budget Work Session Dates

#### K. Tabled Items (none)

#### L. Board Comments/Discussion

#### M. Announcements

1. Township Board regular meeting on 02/09/2021 @ 7:00 p.m.

#### 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 or the TDD at 800-649-3777.

To: Township Board Members

From: Cheryl A. Goss, Township Clerk

Date: 01/05/2021

Re: **Consent Calendar for 01/12/2021 Township Board Meeting**

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**Receive and File**

1. Supervisor's Report for December 2020
2. Clerk/Parks & Recreation Administrator's Report for December 2020/January 2021
3. Zoning Administrator's Report January 2021 Staff Report
4. Mobile Medical Response December 2020 Activity Reports
5. Fire Department December 2020 Report
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14. 12/23/2020 Foster Swift re: COVID Impacts on Electronic Public Meetings
15. E-mail 01/04/2021 Della Benak re: Resignation from ZBA

**Minutes**

1. Recommend approval of 12/08/2020 regular meeting minutes and 12/15//2020 special meeting minutes

**Bills for Approval**

1. Approval of Alden State Bank vouchers # 46146 through 46223
2. Approval of First Community Bank Miami Beach vouchers # (none)
3. Approval of First Community Bank WMDLS vouchers # (none)

**Budget Amendments (none)**

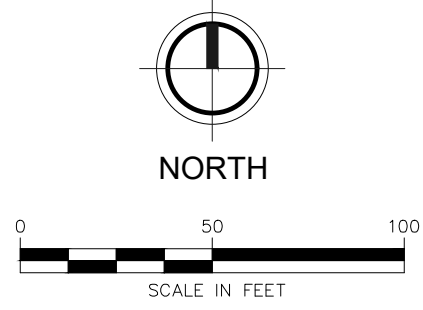
**Revenue & Expenditure Report (none)**

An appropriate motion would be: **Motion to approve Consent Calendar items as presented.**

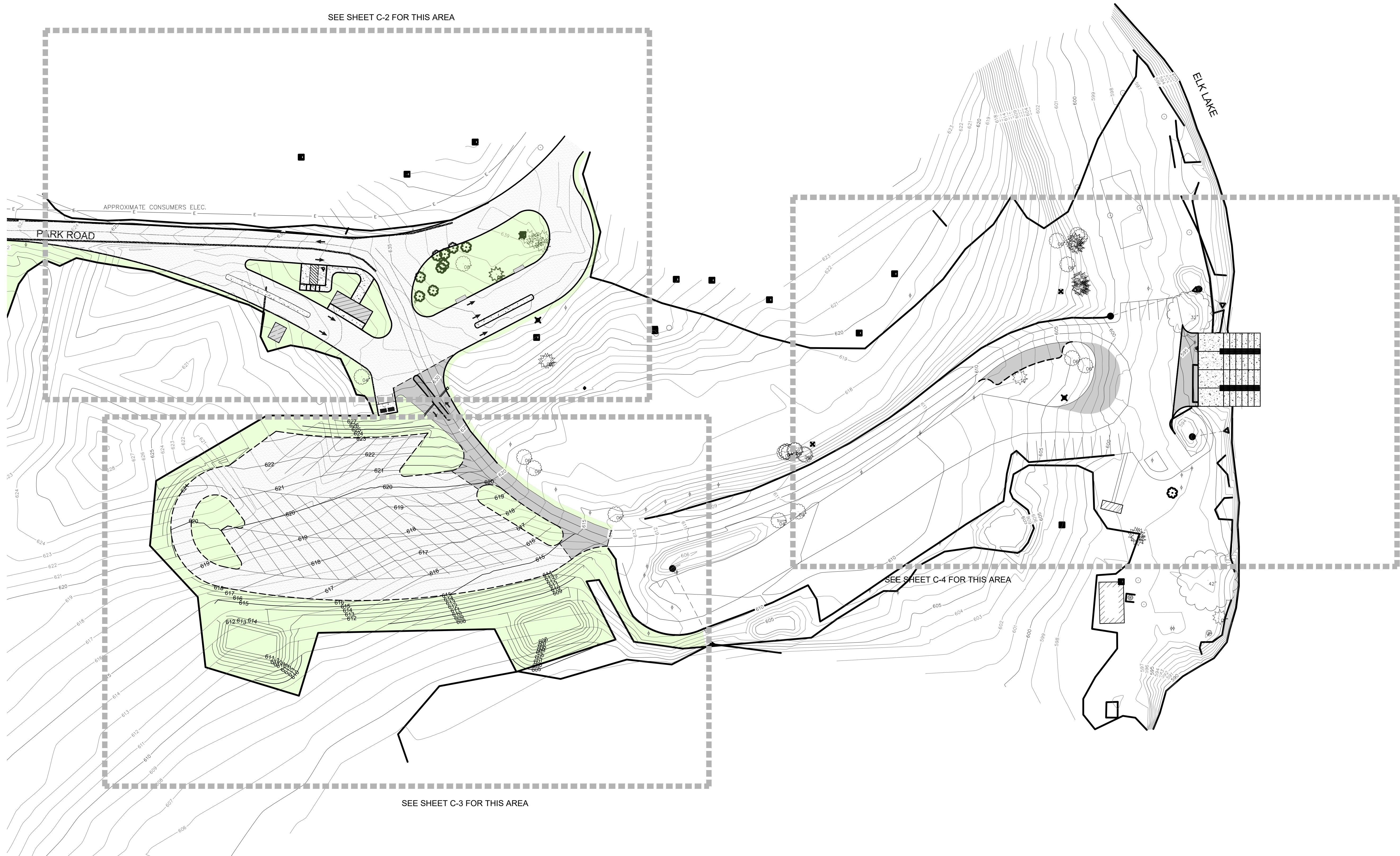
Roll call vote required.



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603 Bay St, First Floor  
Traverse City, MI 49684  
P: 231.932.8600  
F: 231.932.8700



REVISION:

WHITEWATER TOWNSHIP  
9500, PARK RD, WILLIAMSBURG, MI  
WHITEWATER PARK WATERWAYS GRANT  
OVERALL SITE PLAN

DESIGN TEAM: PROJ MGR: DESIGNED BY: CHECK BY:  
RS OCTOBER 2020  
DRAWING INFORMATION: 842250\_C1  
102320 ricks

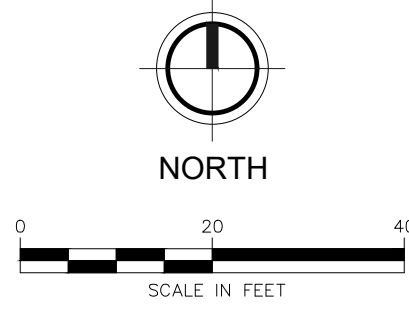
NOT FOR  
CONSTRUCTION

F&V PROJECT NO.

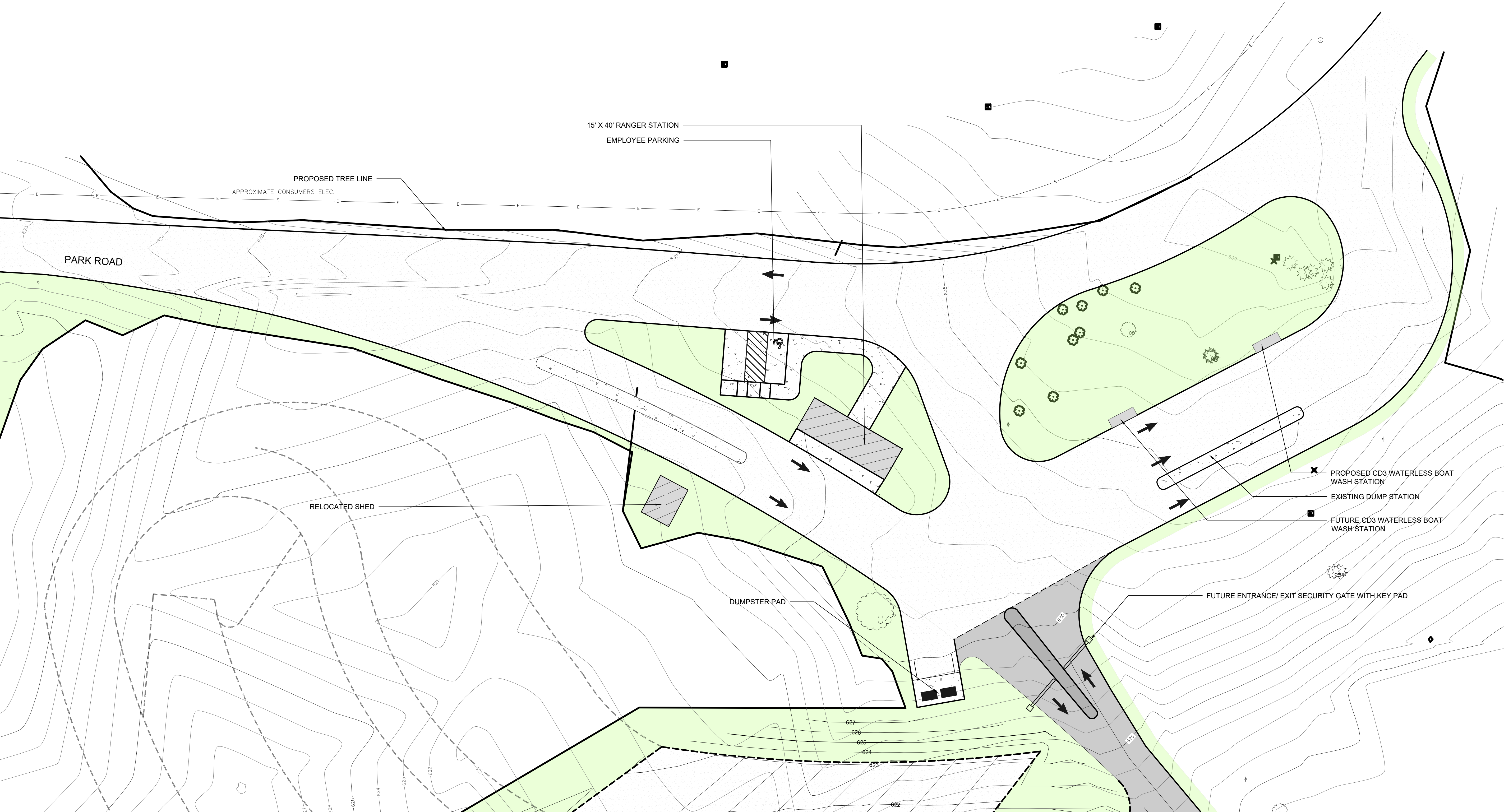
C1



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REVISION:  
**WHITEWATER TOWNSHIP**  
9500, PARK RD, WILLIAMSBURG, MI  
**WHITEWATER PARK WATERWAYS GRANT**  
**PROPOSED CHECK-IN ENTRY AREA PLAN**

DESIGN TEAM: PROJ MGR:  
DESIGNED BY:  
DRAWN BY:  
CHECK BY:  
RS OCTOBER 2020  
DRAWING INFORMATION:  
842250\_C1  
102320 ricks

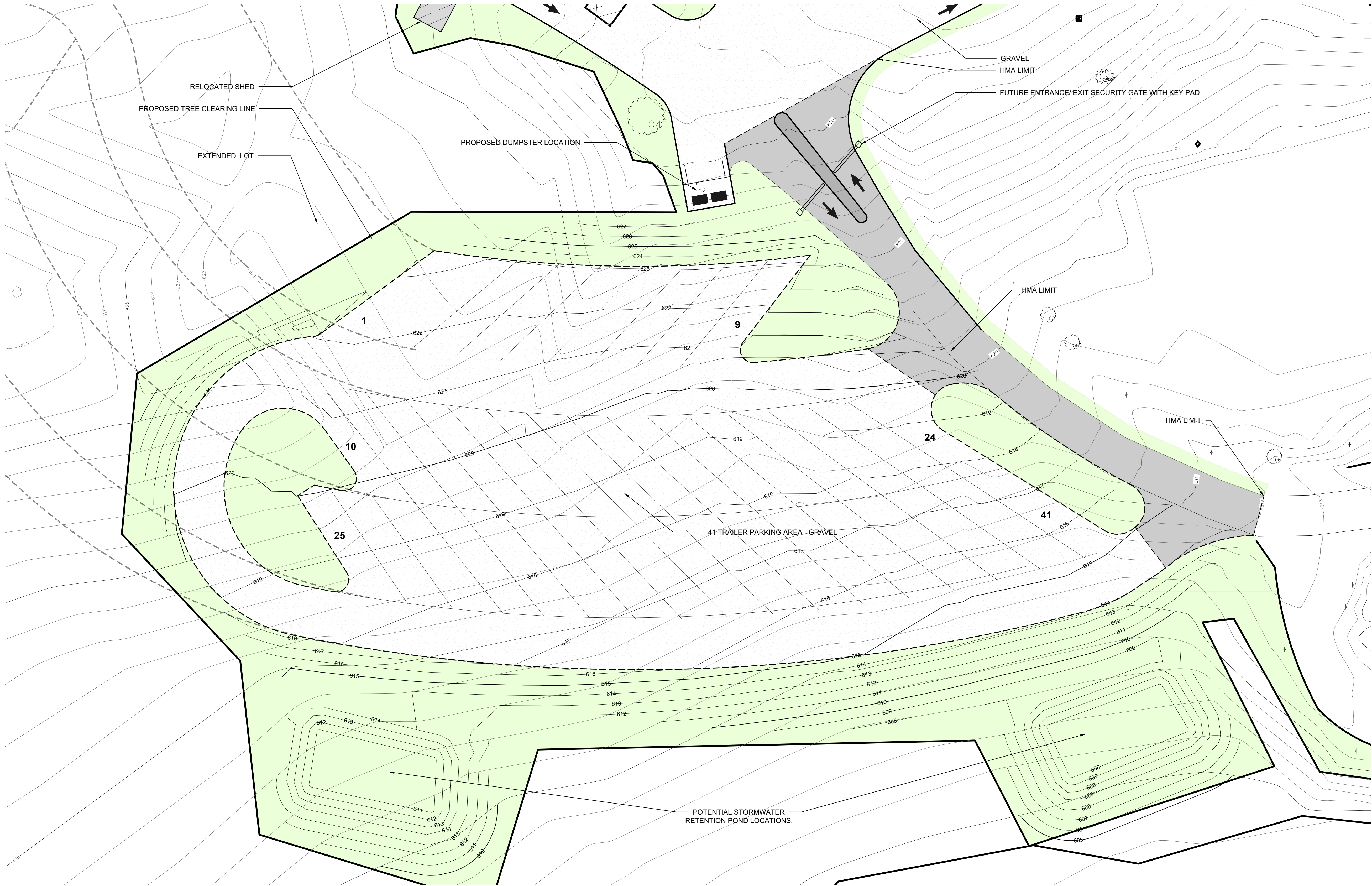
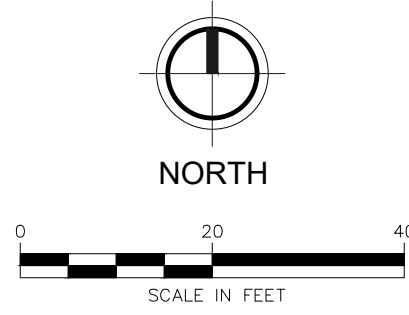
NOT FOR  
CONSTRUCTION

F&V PROJECT NO.

C2



Know what's below.  
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REVISION:

**WHITEWATER TOWNSHIP**  
9500, PARK RD, WILLIAMSBURG, MI  
**WHITEWATER PARK WATERWAYS GRANT**  
**PROPOSED BOAT TRAILER PARKING PLAN**

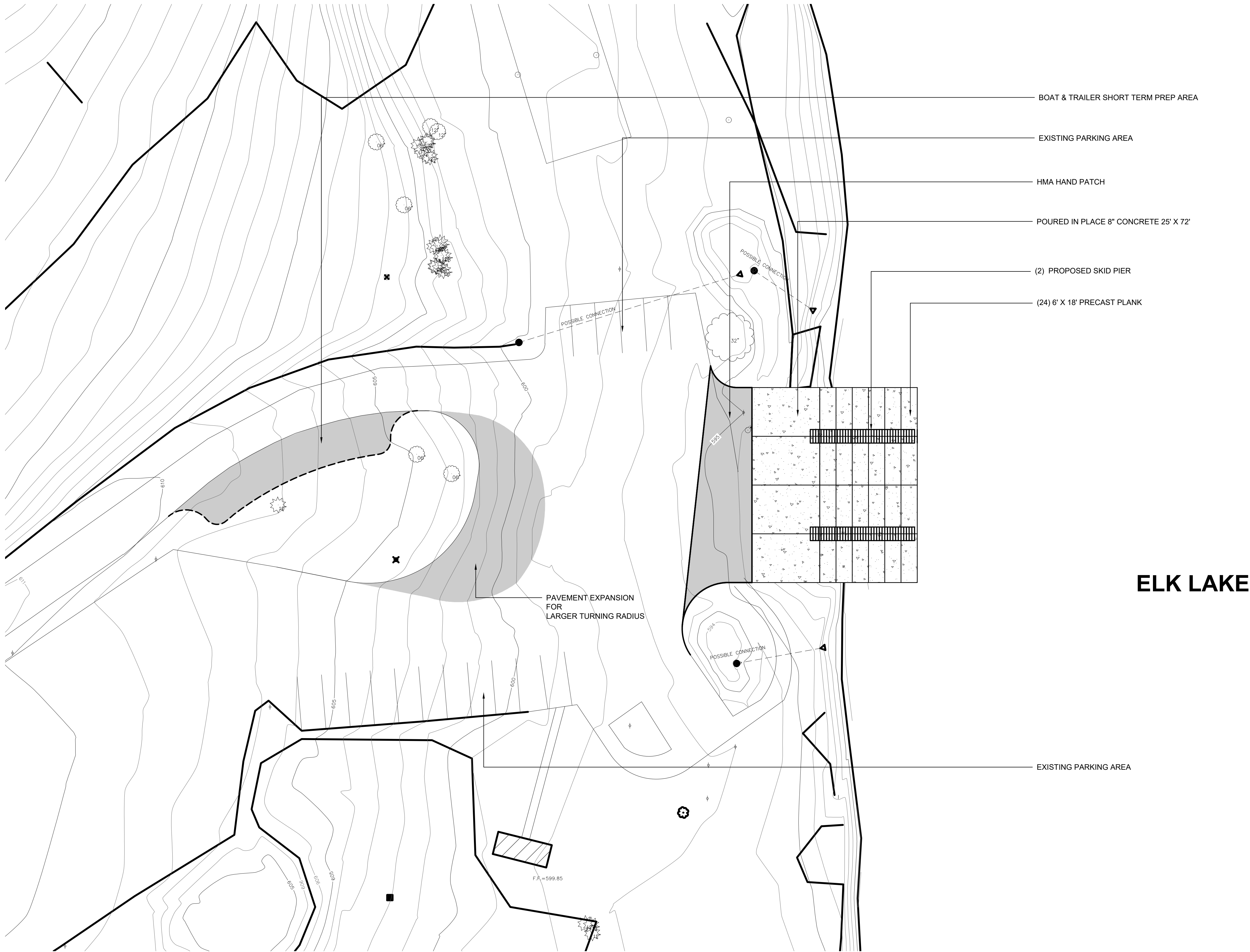
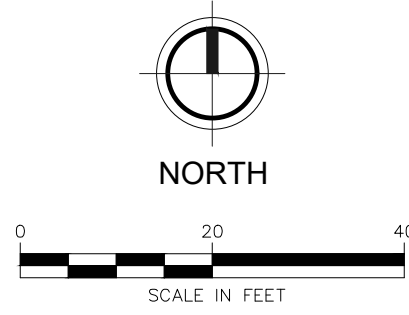
DESIGN TEAM:	PROJ MGR:
	DESIGNED BY:
	DRAWN BY:
	CHECK BY:
	RS OCTOBER 2020
	DRAWING INFORMATION:
	842250_C1
	102320 ricks

**NOT FOR  
CONSTRUCTION**

F&V PROJECT NO.



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**FLEIS & VANDENBRINK**  
DESIGN. BUILD. OPERATE.

603 Bay St, First Floor  
Traverse City, MI 49684  
P: 231.932.8600  
F: 231.932.8700

REVISION:

WHITEWATER TOWNSHIP  
9500 PARK RD, WILLIAMSBURG, MI  
WHITEWATER PARK WATERWAYS GRANT  
PROPOSED BOAT LAUNCH PLAN

DESIGN TEAM:	PROJ MGR:
	DESIGNED BY:
	DRAWN BY:
	CHECK BY:
	RS OCTOBER 2020
	DRAWING INFORMATION:
	842250_C1
	102320 andrew.filler

NOT FOR  
CONSTRUCTION

# Whitewater Township Supervisor's Report

## December 2020

### 1) Investigate citizen observations:

A. None

### 2) Office duties:

#### A. Meetings:

- 1) The Supervisor's meeting this month conflicted with new official training provided by Fahey Schultz Burzych, Rhodes PLC, the Township's attorney firm. The webinar was well executed and offered a wide variety of topics each hosted by the attorney specializing in that discipline.
- 2) The MTA monthly meeting was cancelled for the month of December. We look forward to getting together with the group in 2021.
- 3) Met with Mike Jantz of C2AE Architecture/Engineering to tour his firms' grants projects in Kalkaska. The grant expertise offered by the firm may assist the Township on many different future projects.
- 4) The December Board of Review (BOR) was held via zoom on the 15<sup>th</sup>. I Met BOR Members individually outdoors the following morning to collect the required signatures on BOR documents. Thank you to the Board of Review Members for making the additional effort!

#### **B. Other Items of Interest:**

- 1) All municipalities continue to be under updated Michigan Department of Health and Human Services COVID-19 orders until January 15, 2021 at midnight.
- 2) Explored alternate methods of revising speed limits on local roads and found a couple of interesting possibilities. The alternate ideas have been forwarded to Ron Rohloff at the Road Commission for review and comment.
- 3) A draft letter of interest has been created and ready for Joe Huhn, Grand Traverse Band Utilities Director. The letter is elsewhere in the January agenda.
- 4) Thank you to all of the Skegemog Point Road residents who submitted questions for the December 15, 2020 Special Meeting regarding repair efforts for the Road. The advanced communication with Road Commission staff proved to be beneficial addressing many concerns. We are looking forward to a revised Opinion of Probable Cost using the new work scope discussed during the meeting.

- 5) Residents expressed a number of comments and concerns regarding the accuracy of the most recent Township Newsletter dealing with the marihuana topic. As with any controversial topic, the recent adoption of the Ordinance 59 and 60 has drawn a significant amount of attention.

Respectfully Submitted,

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

Ron Popp  
Whitewater Township Supervisor.

## **Clerk/Parks & Recreation Administrator's Report for December 2020/January 2021**

To: Whitewater Township Board and Community

From: Cheryl A. Goss, Township Clerk

Date: 01/05/2021

This report details activity in the Clerk's office since my last report dated 12/02/2020.

### **Meetings Attended (in addition to Township Board meetings):**

1. 12/14/2020 Parks & Recreation Advisory Committee

**Elections:** No upcoming elections. I have attached to this report the Antrim Michigan Forensics Report containing the results of the Allied Security Operations Group investigation into the huge vote switch in the presidential race which occurred on the 11/3 Election Day, first reporting Biden as the winner of that race and the eventual correction to Trump being the top vote-getter. It is definitely an eye-opening report.

**Recodification of General/Zoning Ordinances:** Nothing new since last report.

**Article 11, Recreational RC-1:** The board is awaiting the planning commission's list of pros and cons regarding the 5-acre minimum lot size issue.

**Whitewater Township Park:** Dates and rates for 2021 are on the January 12th agenda, as well as public hearing on the revised boat launch/entryway improvement plans. Information is being gathered for 2021/2022 budgeting purposes.

**Hi Pray Park/Battle Creek Natural Area/Lossie Road Nature Trail/Petobego Natural Area:** There have been 210 responses to the 2020 Park Improvement Survey, either through the survey on the website or hard copies returned. PRAC member Linda Slopsema has been tallying them. I will have more information about the results after the next PRAC meeting. Perfect Fence is in the process of getting appropriate-sized end rail clamps fabricated for the Hi Pray Park dugout project.

**FOIA Requests:** Two FOIA requests were processed in December:

1. TWG Acquisitions requested Winter 2020 Tax File.
2. Janet Bachl requested digital and Zoom audio/video of 12/08/2020 Township Board meeting.

### **Ordinances 59 and 60 – Medical and Recreational Marijuana**

On 12/21, Renee and Glenn Savage filed Notices of Intent to File Petition regarding these two ordinances with my office. The next day, I noticed that the statute cited in the letters was applicable to zoning ordinances, not police power ordinances. After confirming with the township attorney that the cited statute was incorrect, I immediately notified Renee by phone and followed up with a letter. Similarly, three petitions, each bearing different header language related to these ordinances, were brought to my office on 12/22, but I have confirmed with the township attorney's office that the clerk's office is not required to do anything with these petitions.

**Other News:** Happy New Year!

# Allied Security Operations Group

## Antrim Michigan Forensics Report

### REVISED PRELIMINARY SUMMARY, v2

Report Date 12/13/2020

**Client:** Bill Bailey

**Attorney:** Matthew DePerno

#### **A. WHO WE ARE**

1. My name is Russell James Ramsland, Jr., and I am a resident of Dallas County, Texas. I hold an MBA from Harvard University, and a political science degree from Duke University. I have worked with the National Aeronautics and Space Administration (NASA) and the Massachusetts Institute of Technology (MIT), among other organizations, and have run businesses all over the world, many of which are highly technical in nature. I have served on technical government panels.
2. I am part of the management team of Allied Security Operations Group, LLC, (ASOG). ASOG is a group of globally engaged professionals who come from various disciplines to include Department of Defense, Secret Service, Department of Homeland Security, and the Central Intelligence Agency. It provides a range of security services, but has a particular emphasis on cybersecurity, open source investigation and penetration testing of networks. We employ a wide variety of cyber and cyber forensic analysts. We have patents pending in a variety of applications from novel network security applications to SCADA (Supervisory Control and Data Acquisition) protection and safe browsing solutions for the dark and deep web. For this report, I have relied on these experts and resources.

#### **B. PURPOSE AND PRELIMINARY CONCLUSIONS**

1. The purpose of this forensic audit is to test the integrity of Dominion Voting System in how it performed in Antrim County, Michigan for the 2020 election.
2. We conclude that the Dominion Voting System is intentionally and purposefully designed with inherent errors to create systemic fraud and influence election results. The system intentionally generates an enormously high number of ballot errors. The electronic ballots are then transferred for adjudication. The intentional errors lead to bulk adjudication of ballots with no oversight, no transparency, and no audit trail. This leads to voter or election fraud. Based on our study, we conclude that The Dominion Voting System should not be used in Michigan. We further conclude that the results of Antrim County should not have been certified.

3. The following is a breakdown of the votes tabulated for the 2020 election in Antrim County, showing different dates for the tabulation of the same votes.

Date	Registered Voters	Total Votes Cast	Biden	Trump	Third Party	Write-In	TOTAL VOTES for President
Nov 3	22,082	16,047	7,769	4,509	145	14	12,423
Nov 5	22,082	18,059	7,289	9,783	255	20	17,327
Nov 21	22,082	16,044	5,960	9,748	241	23	15,949

4. The Antrim County Clerk and Secretary of State Jocelyn Benson have stated that the election night error (detailed above by the vote "flip" from Trump to Biden, was the result of human error caused by the failure to update the Mancelona Township tabulator prior to election night for a down ballot race. We disagree and conclude that the vote flip occurred because of machine error built into the voting software designed to create error.
5. Secretary of State Jocelyn Benson's statement on November 6, 2020 that "[t]he correct results always were and continue to be reflected on the tabulator totals tape . . . ." was false.
6. The allowable election error rate established by the Federal Election Commission guidelines is of 1 in 250,000 ballots (.0008%). We observed an error rate of 68.05%. This demonstrated a significant and fatal error in security and election integrity.
7. The results of the Antrim County 2020 election are not certifiable. This is a result of machine and/or software error, not human error.
8. The tabulation log for the forensic examination of the server for Antrim County from December 6, 2020 consists of 15,676 individual events, of which 10,667 or 68.05% of the events were recorded errors. These errors resulted in overall tabulation errors or ballots being sent to adjudication. This high error rates proves the Dominion Voting System is flawed and does not meet state or federal election laws.
9. These errors occurred after The Antrim County Clerk provided a re-provisioned CF card with uploaded software for the Central Lake Precinct on November 6, 2020. This means the statement by Secretary Benson was false. The Dominion Voting System produced systemic errors and high error rates both prior to the update and after the update; meaning the update (or lack of update) is not the cause of errors.

10. In Central Lake Township there were 1,222 ballots **reversed** out of 1,491 total ballots cast, resulting in an 81.96% rejection rate. All reversed ballots are sent to adjudication for a decision by election personnel.
11. It is critical to understand that the Dominion system classifies ballots into two categories, 1) normal ballots and 2) adjudicated ballots. Ballots sent to adjudication can be altered by administrators, and adjudication files can be moved between different Results Tally and Reporting (RTR) terminals with no audit trail of which administrator actually adjudicates (i.e. votes) the ballot batch. This demonstrated a significant and fatal error in security and election integrity because it provides no meaningful observation of the adjudication process or audit trail of which administrator actually adjudicated the ballots.
12. A staggering number of votes required adjudication. This was a 2020 issue not seen in previous election cycles still stored on the server. This is caused by intentional errors in the system. The intentional errors lead to bulk adjudication of ballots with no oversight, no transparency or audit trail. Our examination of the server logs indicates that this high error rate was incongruent with patterns from previous years. The statement attributing these issues to human error is not consistent with the forensic evaluation, which points more correctly to systemic machine and/or software errors. The systemic errors are intentionally designed to create errors in order to push a high volume of ballots to bulk adjudication.
13. The linked video demonstrates how to cheat at adjudication:  
<https://mobile.twitter.com/KanekoaTheGreat/status/1336888454538428418>
14. Antrim County failed to properly update its system. A purposeful lack of providing basic computer security updates in the system software and hardware demonstrates incompetence, gross negligence, bad faith, and/or willful non-compliance in providing the fundamental system security required by federal and state law. There is no way this election management system could have passed tests or have been legally certified to conduct the 2020 elections in Michigan under the current laws. According to the National Conference of State Legislatures – Michigan requires full compliance with federal standards as determined by a federally accredited voting system laboratory.
15. Significantly, the computer system shows vote adjudication logs for prior years; but all adjudication log entries for the 2020 election cycle are missing. The adjudication process is the simplest way to manually manipulate votes. The lack of records prevents any form of audit accountability, and their conspicuous absence is extremely suspicious since the files exist for previous years using the same software. Removal of these files violates state law and prevents a meaningful audit, even if the Secretary wanted to conduct an audit. We must conclude that the 2020 election cycle records have been manually removed.

16. Likewise, all server security logs prior to 11:03 pm on November 4, 2020 are missing. This means that all security logs for the day after the election, on election day, and prior to election day are gone. Security logs are very important to an audit trail, forensics, and for detecting advanced persistent threats and outside attacks, especially on systems with outdated system files. These logs would contain domain controls, authentication failures, error codes, times users logged on and off, network connections to file servers between file accesses, internet connections, times, and data transfers. Other server logs before November 4, 2020 are present; therefore, there is no reasonable explanation for the security logs to be missing.
17. On November 21, 2020, an unauthorized user unsuccessfully attempted to zero out election results. This demonstrates additional tampering with data.
18. The Election Event Designer Log shows that Dominion ImageCast Precinct Cards were programmed with new ballot programming on 10/23/2020 and then again after the election on 11/05/2020. These system changes affect how ballots are read and tabulated, and our examination demonstrated a significant change in voter results using the two different programs. In accordance with the Help America Vote Act, this violates the 90-day Safe Harbor Period which prohibits changes to election systems, registries, hardware/software updates without undergoing re-certification. According to the National Conference of State Legislatures – Michigan requires full compliance with federal standards as determined by a federally accredited voting system laboratory.
19. The only reason to change software after the election would be to obfuscate evidence of fraud and/or to correct program errors that would de-certify the election. Our findings show that the Central Lake Township tabulator tape totals were significantly altered by utilizing two different program versions (10/23/2020 and 11/05/2020), both of which were software changes during an election which violates election law, and not just human error associated with the **Dominion Election Management System**. This is clear evidence of software generated movement of votes. The claims made on the **Office of the Secretary of State** website are false.
20. The Dominion ImageCast Precinct (ICP) machines have the ability to be connected to the internet (see Image 11). By connecting a network scanner to the ethernet port on the ICP machine and creating Packet Capture logs from the machines we examined show the ability to connect to the network, Application Programming Interface (API) (a data exchange between two different systems) calls and web (http) connections to the Election Management System server. Best practice is to disable the network interface card to avoid connection to the internet. This demonstrated a significant and fatal error in security and election integrity. Because certain files have been deleted, we have not yet found origin or destination; but our research continues.

21. Because the intentional high error rate generates large numbers of ballots to be adjudicated by election personnel, we must deduce that bulk adjudication occurred. However, because files and adjudication logs are missing, we have not yet determined where the bulk adjudication occurred or who was responsible for it. Our research continues.
22. Research is ongoing. However, based on the preliminary results, we conclude that the errors are so significant that they call into question the integrity and legitimacy of the results in the Antrim County 2020 election to the point that the results are not certifiable. Because the same machines and software are used in 48 other counties in Michigan, this casts doubt on the integrity of the entire election in the state of Michigan.
23. DNI Responsibilities: President Obama signed Executive Order on National Critical Infrastructure on 6 January 2017, stating in Section 1. Cybersecurity of Federal Networks, "The Executive Branch operates its information technology (IT) on behalf of the American people. The President will hold heads of executive departments and agencies (agency heads) accountable for managing cybersecurity risk to their enterprises. In addition, because risk management decisions made by agency heads can affect the risk to the executive branch as a whole, and to national security, it is also the policy of the United States to manage cybersecurity risk as an executive branch enterprise." President Obama's EO further stated, effective immediately, each agency head shall use The Framework for Improving Critical Infrastructure Cybersecurity (the Framework) developed by the National Institute of Standards and Technology." Support to Critical Infrastructure at Greatest Risk. The Secretary of Homeland Security, in coordination with the Secretary of Defense, the Attorney General, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, the heads of appropriate sector-specific agencies, as defined in Presidential Policy Directive 21 of February 12, 2013 (Critical Infrastructure Security and Resilience) (sector-specific agencies), and all other appropriate agency heads, as identified by the Secretary of Homeland Security, shall: (i) identify authorities and capabilities that agencies could employ to support the cybersecurity efforts of critical infrastructure entities identified pursuant to section 9 of Executive Order 13636 of February 12, 2013 (Improving Critical Infrastructure Cybersecurity), to be at greatest risk of attacks that could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security (section 9 entities);

This is a national security imperative. **In July 2018, President Trump strengthened President Obama's Executive Order to include requirements to ensure US election systems, processes, and its people were not manipulated by foreign meddling, either through electronic or systemic manipulation, social media, or physical changes made in hardware, software, or supporting systems.** The 2018 Executive Order. Accordingly, I hereby order:

Section 1. (a) Not later than 45 days after the conclusion of a United States election, the Director of National Intelligence, in consultation with the heads of any other appropriate executive departments and agencies (agencies), shall conduct an assessment of any information indicating that a foreign government, or any person acting as an agent of or on behalf of a foreign government, has acted with the intent or purpose of interfering in that election. The assessment shall identify, to the maximum extent ascertainable, the nature of any foreign interference and any methods employed to execute it, the persons involved, and the foreign government or governments that authorized, directed, sponsored, or supported it. The Director of National Intelligence shall deliver this assessment and appropriate supporting information to the President, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General, and the Secretary of Homeland Security.

We recommend that an independent group should be empaneled to determine the extent of the adjudication errors throughout the State of Michigan. This is a national security issue.

24. Michigan resident Gustavo Delfino, a former professor of mathematics in Venezuela and alumni of University of Michigan, offered a compelling affidavit [Exhibit 2] recognizing the inherent vulnerabilities in the SmartMatic electronic voting machines (software which was since incorporated into Dominion Voting Systems) during the 2004 national referendum in Venezuela (see attached declaration). After 4 years of research and 3 years of undergoing intensive peer review, Professor Delfino's paper was published in the highly respected "Statistical Science" journal, November 2011 issue (Volume 26, Number 4) with title "Analysis of the 2004 Venezuela Referendum: The Official Results Versus the Petition Signatures." The intensive study used multiple mathematical approaches to ascertain the voting results found in the 2004 Venezuelan referendum. Delfino and his research partners discovered not only the algorithm used to manipulate the results, but also the precise location in the election processing sequence where vulnerability in machine processing would provide such an opportunity. According to Prof Delfino, the magnitude of the difference between the official and the true result in Venezuela estimated at 1,370,000 votes. Our investigation into the error rates and results of the Antrim County voting tally reflect the same tactics, which have also been reported in other Michigan counties as well. This demonstrates a national security issue.

## **C. PROCESS**

We visited Antrim County twice: November 27, 2020 and December 6, 2020.

On November 27, 2020, we visited Central Lake Township, Star Township, and Mancelona Township. We examined the Dominion Voting Systems tabulators and tabulator roles.

On December 6, 2020, we visited the Antrim County Clerk's office. We inspected and performed forensic duplication of the following:

1. **Antrim County Election Management Server** running **Dominion Democracy Suite 5.5.3-002**;
2. **Compact Flash** cards used by the local precincts in their **Dominion ImageCast Precinct**;
3. **USB memory sticks** used by the **Dominion VAT** (Voter Assist Terminals); and
4. **USB memory sticks** used for the Poll Book.

**Dominion** voting system is a Canadian owned company with global subsidiaries. It is owned by Staple Street Capital which is in turn owned by UBS Securities LLC, of which 3 out of their 7 board members are Chinese nationals. The Dominion software is licensed from Smartmatic which is a Venezuelan owned and controlled company. Dominion Server locations have been determined to be in Serbia, Canada, the US, Spain and Germany.

#### **D. CENTRAL LAKE TOWNSHIP**

1. On November 27, 2020, part of our forensics team visited the Central Lake Township in Michigan to inspect the **Dominion ImageCast Precinct** for possible hardware issues on behalf of a local lawsuit filed by Michigan attorney Matthew DePerno on behalf of William Bailey. In our conversations with the clerk of **Central Lake Township** Ms. Judith L. Kosloski, she presented to us "two separate paper totals tape" from Tabulator ID 2.
  - One dated "Poll Opened Nov. 03/2020 06:38:48" (Roll 1);
  - Another dated "Poll Opened Nov. 06/2020 09:21:58" (Roll 2).
2. We were then told by Ms. Kosloski that on November 5, 2020, Ms. Kosloski was notified by Connie Wing of the County Clerk's Office and asked to bring the tabulator and ballots to the County Clerk's office for re-tabulation. They ran the ballots and printed "Roll 2". She noticed a difference in the votes and brought it up to the clerk, but canvassing still occurred, and her objections were not addressed.
3. Our team analyzed both rolls and compared the results. Roll 1 had **1,494** total votes and Roll 2 had **1,491** votes (Roll 2 had 3 less ballots because 3 ballots were damaged in the process.)
4. "Statement of Votes Cast from Antrim" shows that only **1,491** votes were counted, and the **3** ballots that were damaged were not entered into final results.

5. Ms. Kosloski stated that she and her assistant manually refilled out the three ballots, curing them, and ran them through the ballot counting system - but the final numbers do not reflect the inclusion of those **3** damaged ballots.
6. This is the most preliminary report of serious election fraud indicators. In comparing the numbers on both rolls, *we estimate 1,474 votes changed* across the two rolls, between the first and the second time the exact same ballots were run through the County Clerk's vote counting machine - *which is almost the same number of voters that voted in total*.
- **742 votes were added to School Board Member for Central Lake Schools (3)**
  - **657 votes were removed from School Board Member for Ellsworth Schools (2)**
  - **7 votes were added to the total for State Proposal 20-1 (1)** and out of those there were **611 votes** moved between the Yes and No Categories.
7. There were incremental changes throughout the rolls with some significant adjustments between the 2 rolls that were reviewed. This demonstrates conclusively that votes can be and were changed during the second machine count after the software update. That should be impossible especially at such a high percentage to total votes cast.
8. For the **School Board Member for Central Lake Schools (3)** [Image 1] there were **742 votes** added to this vote total. Since multiple people were elected, this did not change the result of both candidates being elected, but one does see a change in who had most votes. If it were a single-person election this would have changed the outcome and demonstrates conclusively that votes can be and were changed during the second machine counting. That should be impossible.

[Image 1]:

School Board Member for Central Lake Schools (3)	
Melanie Eckhardt:	852
Keith Shafer:	846
Write-in:	112
Total Votes:	1810

School Board Member for Central Lake Schools (3)	
Melanie Eckhardt:	519
Keith Shafer:	525
Write-in:	24
Total Votes:	1068

Recount 11/6

Election 11/3

9. For the **School Board Member for Ellsworth Schools (2)** [Image 2]

- Shows **657 votes being removed** from this election.
- In this case, only **3** people who were eligible to vote actually voted. Since there were **2** votes allowed for each voter to cast.
- The recount correctly shows **6** votes.

But on election night, there was a major calculation issue:

[Image 2]:

School Board Member for Ellsworth Schools (2)	
Mark Edward Groenink:	3
Christopher Wallace:	3
Write-in:	0
Total Votes:	6

School Board Member for Ellsworth Schools (2)	
Mark Edward Groenink:	333
Christopher Wallace:	320
Write-in:	10
Total Votes:	663

Recount 11/6      Election 11/3

10. In **State Proposal 20-1 (1)**, [Image 3] there is a major change in votes in this category.

- There were **774 votes for YES** during the election, to **1,083 votes for YES** on the recount a change of **309 votes**.
- **7** votes were added to the total for **State Proposal 20-1 (1)** out of those there were **611** votes moved between the Yes and No Categories.

[Image 3]:

State Proposal 20-1 (1)	
Yes:	1083
No:	206
Total Votes:	1289

State Proposal 20-1 (1)	
Yes:	774
No:	508
Total Votes:	1282

State Proposal 20-2	
---------------------	--

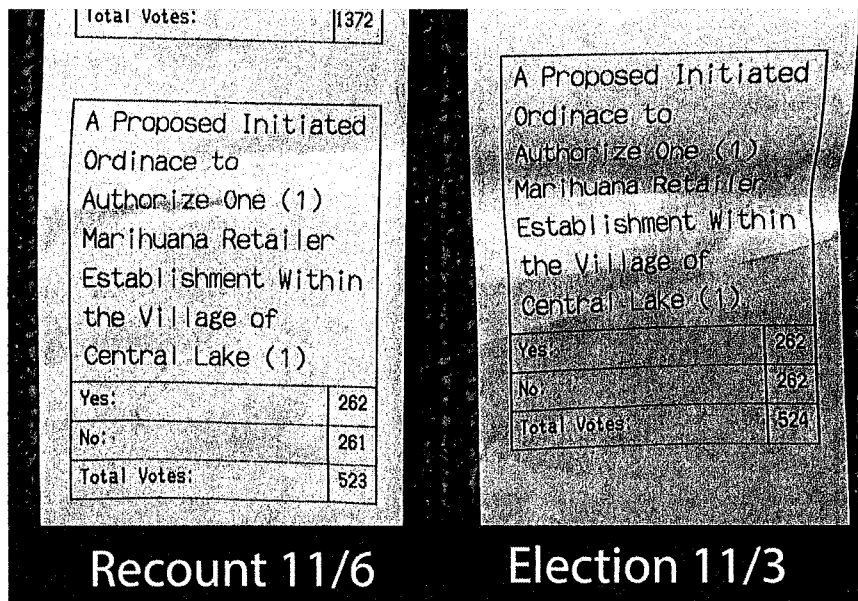
  

Recount 11/6	Election 11/3
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11. **State Proposal 20-1 (1)** is a fairly technical and complicated proposed amendment to the Michigan Constitution to change the disposition and allowable uses of future revenue generated from oil and gas bonuses, rentals and royalties from state-owned land. Information about the proposal: <https://crcmich.org/publications/statewide-ballot-proposal-20-1-michigan-natural-resources-trust-fund>
12. A Proposed Initiated **Ordinance to Authorize One (1) Marihuana (sic) Retailer Establishment Within the Village of Central Lake (1)**. [Image 4]
  - On election night, it was a tie vote.
  - Then, on the rerun of ballots 3 ballots were destroyed, but only one vote changed on the totals to allow the proposal to pass.

When **3 ballots were not counted** and **programming change on the tabulator was installed** the proposal **passed with 1 vote being removed from the No vote**.

[Image 4]:



13. On Sunday December 6, 2020, our forensics team visited the Antrim County Clerk. There were two USB memory sticks used, one contained the software package used to tabulate election results on November 3, 2020, and the other was programmed on November 6, 2020 with a different software package which yielded significantly different voting outcomes. The election data package is used by the **Dominion Democracy Suite** software & election management system software to upload programming information onto the Compact Flash Cards for the **Dominion ImageCast Precinct** to enable it to calculate ballot totals.
14. This software programming should be standard across all voting machines systems for the duration of the entire election if accurate tabulation is the expected outcome as required by US Election Law. This intentional difference in software programming is a design feature to alter election outcomes.
15. The election day outcomes were calculated using the original software programming on November 3, 2020. On November 5, 2020 the township clerk was asked to re-run the Central Lake Township ballots and was given no explanation for this unusual request. On November 6, 2020 the Antrim County Clerk, Sheryl Guy issued the second version of software to re-run the same Central Lake Township ballots and oversaw the process. This resulted in greater than a 60% change in voting results, inexplicably impacting every single election contest in a township with less than 1500 voters. These errors far exceed the ballot error rate standard of 1 in 250,000 ballots (.0008%) as required by federal election law.
  - The original election programming files are last dated 09/25/2020 1:24pm
  - The updated election data package files are last dated 10/22/2020 10:27 am.

16. As the tabulator tape totals prove, there were large numbers of votes switched from the November 3, 2020 tape to the November 6, 2020 tape. This was solely based on using different software versions of the operating program to calculate votes, not tabulate votes. This is evidenced by using same the Dominion System with two different software program versions contained on the two different USB Memory Devices.
17. The Help America Vote Act, Safe Harbor provides a 90-day period prior to elections where no changes can be made to election systems. To make changes would require recertification of the entire system for use in the election. The Dominion User Guide prescribes the proper procedure to test machines with test ballots to compare the results to validate machine functionality to determine if the **Dominion ImageCast Precinct** was programmed correctly. If this occurred a ballot misconfiguration would have been identified. Once the software was updated to the 10/22/2020 software the test ballots should have been re-run to validate the vote totals to confirm the machine was configured correctly.
18. The November 6, 2020 note from **The Office of the Secretary of State Jocelyn Benson** states: "The correct results always were and continue to be reflected on the tabulator totals tape and on the ballots themselves. Even if the error in the reported unofficial results had not been quickly noticed, it would have been identified during the county canvass. Boards of County Canvassers, which are composed of 2 Democrats and 2 Republicans, review the printed totals tape from each tabulator during the canvass to verify the reported vote totals are correct."
  - Source: [https://www.michigan.gov/sos/0,4670,7-127-1640\\_9150-544676--,00.html](https://www.michigan.gov/sos/0,4670,7-127-1640_9150-544676--,00.html)
19. The **Secretary of State Jocelyn Benson's** statement is false. Our findings show that the tabulator tape totals were significantly altered by utilization of two different program versions, and not just the **Dominion Election Management System**. This is the opposite of the claim that the **Office of the Secretary of State** made on its website. The fact that these significant errors were not caught in ballot testing and not caught by the local county clerk shows that there are major inherent built-in vulnerabilities and process flaws in the **Dominion Election Management System**, and that other townships/precincts and the entire election have been affected.
20. On Sunday December 6, 2020, our forensics team visited the Antrim County Clerk office to perform forensic duplication of the **Antrim County Election Management Server** running **Dominion Democracy Suite 5.5.3-002**.
21. Forensic copies of the **Compact Flash** cards used by the local precincts in their **Dominion ImageCast Precinct** were inspected, **USB memory sticks** used by the **Dominion VAT** (Voter Assist Terminals) and the **USB memory sticks** used for the Poll Book were forensically duplicated.

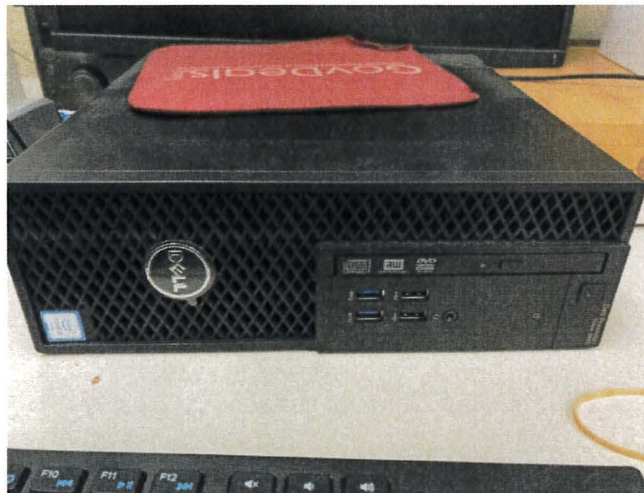
22. We have been told that the ballot design and configuration for the **Dominion ImageCast Precinct** and VAT were provided by **ElectionSource.com** which is owned by MC&E, Inc of Grand Rapids, MI.

#### **E. MANCELONA TOWNSHIP**

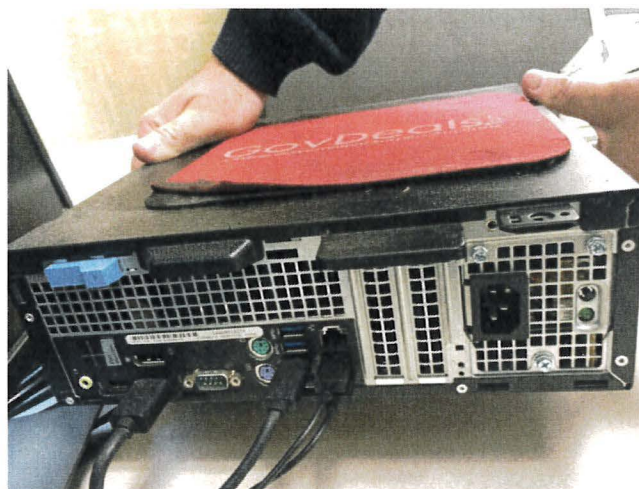
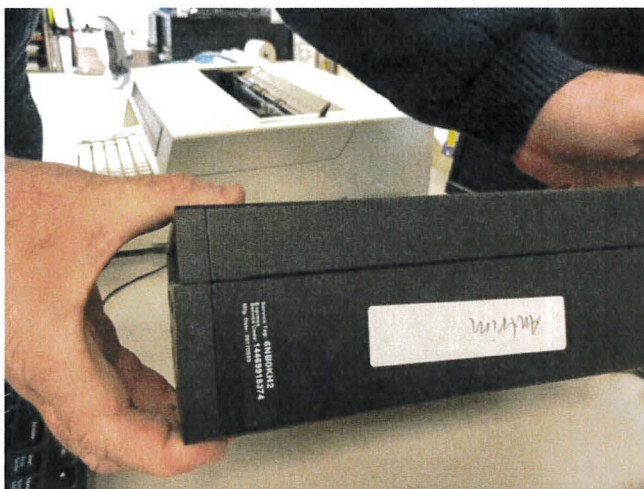
1. In Mancelona township, problems with software versions were also known to have been present. Mancelona elections officials understood that ballot processing issued were not accurate and used the second version of software to process votes on 4 November, again an election de-certifying event, as no changes to the election system are authorized by law in the 90 days preceding elections without re-certification.
2. Once the 10/22/2020 software update was performed on the Dominion ImageCast Precinct the test ballot process should have been performed to validate the programming. There is no indication that this procedure was performed.

#### **F. ANTRIM COUNTY CLERK'S OFFICE**

1. Pursuant to a court ordered inspection, we participated in an onsite collection effort at the Antrim County Clerk's office on December 6, 2020. [Image 5]:



Among other items forensically collected, the Antrim County Election Management Server (EMS) with Democracy Suite was forensically collected. [Images 6 and 7].



The EMS (Election Management Server) was a:

Dell Precision Tower 3420.

Service Tag: 6NB0KH2

The EMS contained 2 hard drives in a RAID-1 configuration. That is the 2 drives redundantly stored the same information and the server could continue to operate if either of the 2 hard drives failed. The EMS was booted via the Linux Boot USB memory sticks and both hard drives were forensically imaged.

At the onset of the collection process we observed that the initial program thumb drive was not secured in the vault with the CF cards and other thumbdrives. We watched as the County employees, including Clerk Sheryl Guy searched throughout the office for the missing thumb drive. Eventually they found the missing thumb drive in an unsecured and unlocked desk drawer along with multiple other random thumb drives. This demonstrated a significant and fatal error in security and election integrity.

## **G. FORENSIC COLLECTION**

We used a built for purpose Linux Boot USB memory stick to boot the EMS in a forensically sound mode. We then used Ewfacquire to make a forensic image of the 2 independent internal hard drives.

Ewfacquire created an E01 file format forensic image with built-in integrity verification via MD5 hash.

We used Ewverify to verify the forensic image acquired was a true and accurate copy of the original disk. That was done for both forensic images.

## **H. ANALYSIS TOOLS**

**X-Ways Forensics:** We used X-Ways Forensics, a commercial Computer Forensic tool, to verify the image was useable and full disk encryption was not in use. In particular we confirmed that Bit locker was not in use on the EMS.

**Other tools used:** PassMark – OSForensics, Truxton - Forensics, Cellebrite – Physical Analyzer, Blackbag-Blacklight Forensic Software, Microsoft SQL Server Management Studio, Virtual Box, and miscellaneous other tools and scripts.

## **I. SERVER OVERVIEW AND SUMMARY**

1. Our initial audit on the computer running the Democracy Suite Software showed that standard computer security best practices were not applied. These minimum-security standards are outlined the 2002 HAVA, and FEC Voting System Standards – it did not even meet the minimum standards required of a government desktop computer.
2. The election data software package USB drives (November 2020 election, and November 2020 election updated) are secured with bitlocker encryption software, but they were not stored securely on-site. At the time of our forensic examination, the election data package files were already moved to an unsecure desktop computer and were residing on an unencrypted hard drive. This demonstrated a significant and fatal error in security and election integrity. Key Findings on Desktop and Server Configuration: - There were multiple Microsoft security updates as well as Microsoft SQL Server updates which should have been deployed, however there is no evidence that these security patches were ever installed. As described below, many of the software packages were out of date and vulnerable to various methods of attack.
  - a) Computer initial configuration on 10/03/2018 13:08:11:911
  - b) Computer final configuration of server software on 4/10/2019
  - c) Hard Drive not Encrypted at Rest
  - d) Microsoft SQL Server Database not protected with password.
  - e) Democracy Suite Admin Passwords are reused and share passwords.
  - f) Antivirus is 4.5 years outdated
  - g) Windows updates are 3.86 years out of date.
  - h) When computer was last configured on 04/10/2019 the windows updates were 2.11 years out of date.
  - i) User of computer uses a Super User Account.

3. The hard drive was not encrypted at rest – which means that if hard drives are removed or initially booted off an external USB drive the files are susceptible to manipulation directly. An attacker is able to mount the hard drive because it is unencrypted, allowing for the manipulation and replacement of any file on the system.
4. The Microsoft SQL Server database files were not properly secured to allow modifications of the database files.
5. The Democracy Suite Software user account logins and passwords are stored in the unsecured database tables and the multiple Election System Administrator accounts share the same password, which means that there are no audit trails for vote changes, deletions, blank ballot voting, or batch vote alterations or adjudication.
6. Antivirus definition is 1666 days old on 12/11/2020. Antrim County updates its system with USB drives. USB drives are the most common vectors for injecting malware into computer systems. The failure to properly update the antivirus definition drastically increases the harm caused by malware from other machines being transmitted to the voting system.
7. Windows Server Update Services (WSUS) Offline Update is used to enable updates the computer – which is a package of files normally downloaded from the internet but compiled into a program to put on a USB drive to manually update server systems.
8. Failure to properly update the voting system demonstrates a significant and fatal error in security and election integrity.
9. There are 15 additional updates that should have been installed on the server to adhere to Microsoft Standards to fix known vulnerabilities. For the 4/10/2019 install, the most updated version of the update files would have been 03/13/2019 which is 11.6.1 which is 15 updates newer than 10.9.1

**This means the updates installed were 2 years, 1 month, 13 days behind the most current update at the time. This includes security updates and fixes. This demonstrated a significant and fatal error in security and election integrity.**

- Wed 04/10/2019 10:34:33.14 - Info: Starting WSUS Offline Update (v. 10.9.1)
- Wed 04/10/2019 10:34:33.14 - Info: Used path "D:\WSUSOFFLINE1091\_2012R2\_W10\cmd\" on EMSSERVER (user: EMSADMIN)
- Wed 04/10/2019 10:34:35.55 - Info: Medium build date: 03/10/2019

- Found on c:\Windows\wsusofflineupdate.txt
- \*WSUS Offline Update (v.10.9.1) was created on 01/29/2017

\*WSUS information found here <https://download.wsusoffline.net/>

10. Super User Administrator account is the primary account used to operate the **Dominion Election Management System** which is a major security risk. The user logged in has the ability to make major changes to the system and install software which means that there is no oversight to ensure appropriate management controls – i.e. anyone who has access to the shared administrator user names and passwords can make significant changes to the entire voting system. The shared usernames and passwords mean that these changes can be made in an anonymous fashion with no tracking or attribution.

## J. ERROR RATES

1. We reviewed the Tabulation logs in their entirety for 11/6/2020. The election logs for Antrim County consist of 15,676 total lines or events.
  - Of the 15,676 there were a total of 10,667 critical errors/warnings or a 68.05% error rate.
  - Most of the errors were related to configuration errors that could result in overall tabulation errors or adjudication. These 11/6/2020 tabulation totals were used as the official results.
2. For examples, there were 1,222 ballots **reversed** out of 1,491 total ballots cast, thus resulting in an 81.96% rejection rate. Some of which were reversed due to "Ballot's size exceeds maximum expected ballot size".
  - According to the NCSL, Michigan requires testing by a federally accredited laboratory for voting systems. In section 4.1.1 of the Voluntary Voting Systems Guidelines (VVSG) Accuracy Requirements a. **All systems shall achieve a report total error rate of no more than one in 125,000.**
  - [https://www.eac.gov/sites/default/files/eac\\_assets/1/28/VVSG.1.1.VOL.1.FINAL1.pdf](https://www.eac.gov/sites/default/files/eac_assets/1/28/VVSG.1.1.VOL.1.FINAL1.pdf)
  - In section 4.1.3.2 Memory Stability of the VVSG it states that **Memory devices used to retain election management data shall have demonstrated error free data retention for a period of 22 months.**
  - In section 4.1.6.1 Paper-based System Processing Requirements subsection a. of the VVSG it states "The ability of the system to produce and receive electronic signals from the scanning of the ballot, perform logical and numerical operations upon these data, and reproduce the contents of memory when required **shall** be sufficiently free of **error** to enable

satisfaction of the system-level accuracy requirement indicated in Subsection 4.1.1."

- These are not human errors; this is definitively related to the software and software configurations resulting in error rates far beyond the thresholds listed in the guidelines.
3. A high "error rate" in the election software (in this case 68.05%) reflects an algorithm used that will weight one candidate greater than another (for instance, weight a specific candidate at a 2/3 to approximately 1/3 ratio). In the logs we identified that the RCV or Ranked Choice Voting Algorithm was enabled (see image below from the Dominion manual). This allows the user to apply a weighted numerical value to candidates and change the overall result. The declaration of winners can be done on a basis of points, not votes. [Image 8]:

choice voting results are evaluated on a district per district basis and each district has a set number of points (100). Elimination and declaration of winners is done on basis of points, not votes.

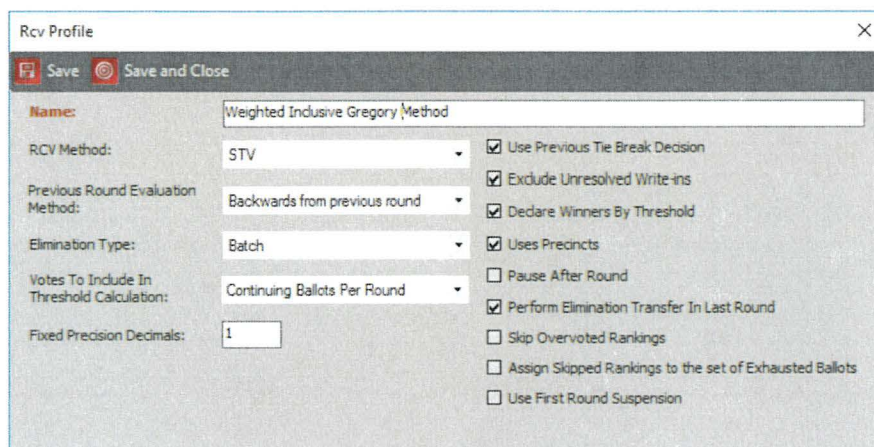


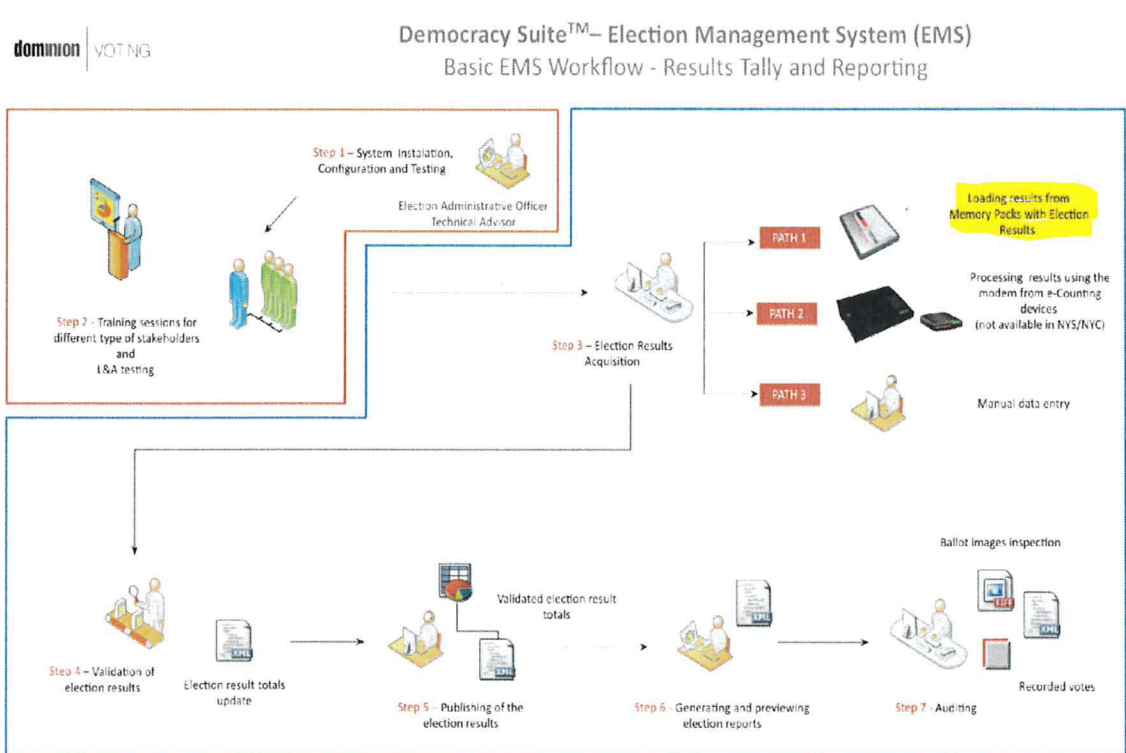


Figure 11-3: RCV Profile screen

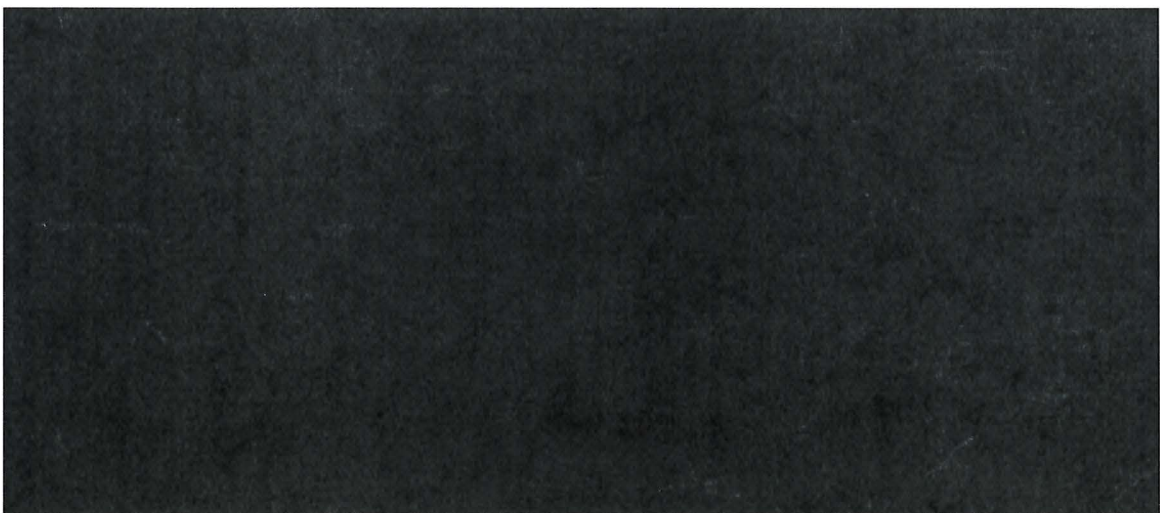
4. The Dominion software configuration logs in the Divert Options, shows that all write-in ballots were flagged to be diverted automatically for adjudication. This means that all write-in ballots were sent for "adjudication" by a poll worker or election official to process the ballot based on voter "intent". Adjudication files allow a computer operator to decide to whom to award those votes (or to trash them).
5. In the logs all but two of the Override Options were enabled on these machines, thus allowing any operator to change those votes. [Image 9]:

- 
6. In the logs all but two of the Override Options were enabled on these machines, thus allowing any operator to change those votes. This gives the system operators carte blanche to adjudicate ballots, in this case 81.96% of the total cast ballots with no audit trail or oversight. [Image 10]:
- 


7. On 12/8/2020 Microsoft issued 58 security patches across 10+ products, some of which were used for the election software machine, server and programs. Of the 58 security fixes 22, were patches to remote code execution (RCE) vulnerabilities. [Image 11]:



8. We reviewed the Election Management System logs (EmsLogger) in their entirety from 9/19/2020 through 11/21/2020 for the Project: Antrim November 2020. There were configuration errors throughout the set-up, election and tabulation of results. The last error for Central Lake Township, Precinct 1 occurred on 11/21/2020 at 14:35:11 System.Xml.XmlException System.Xml.XmlException: The ' ' character, hexadecimal value 0x20, cannot be included in a name. Bottom line is that this is a calibration that rejects the vote (see picture below). [Image 12]:



Notably 42 minutes earlier on Nov 21 2020 at 13:53:09 a user attempted to zero out election results. Id:3168 EmsLogger - There is no permission to {0} - Project: User: Thread: 189. This is direct proof of an attempt to tamper with evidence.



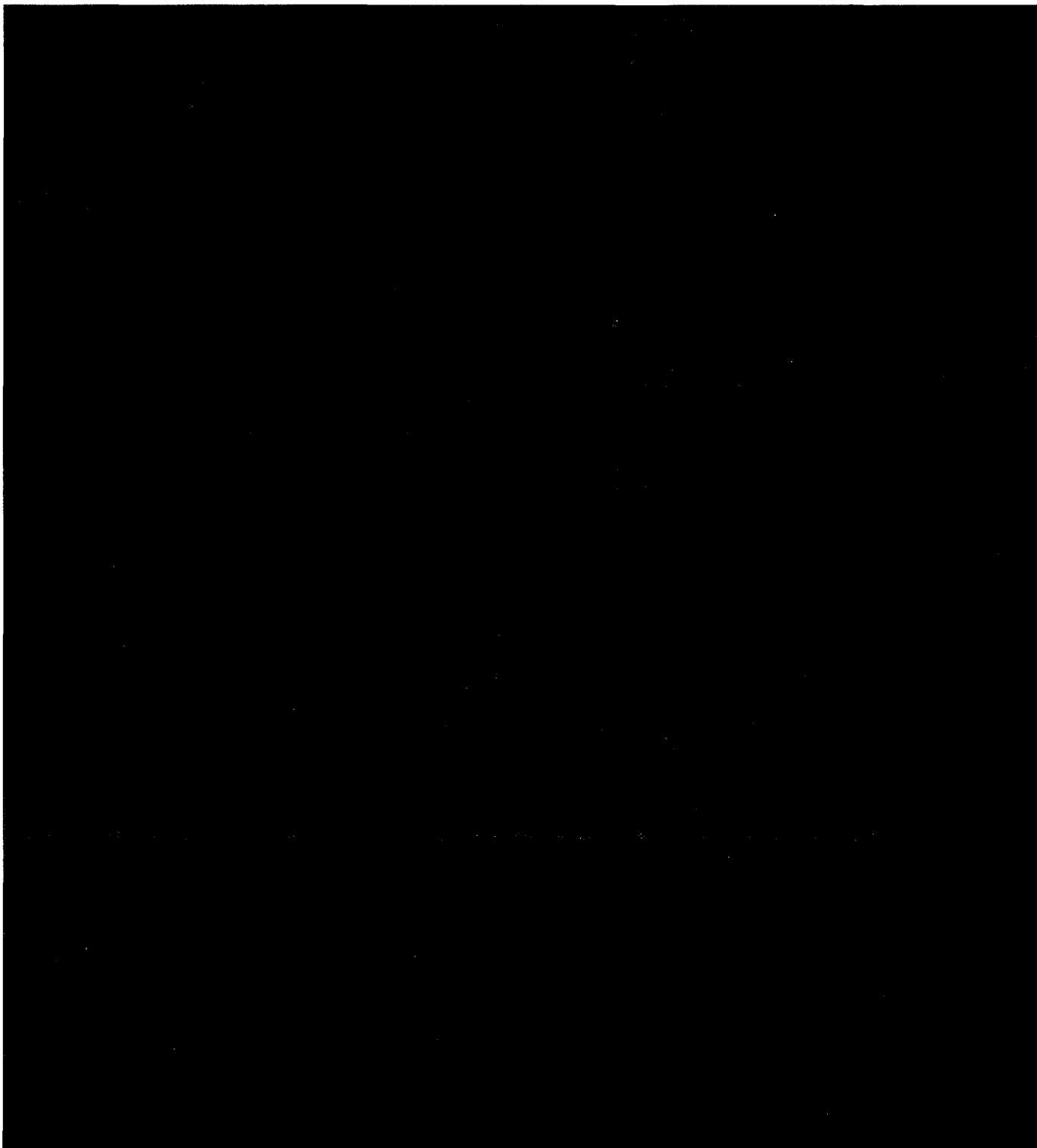
9. The Election Event Designer Log shows that Dominion ImageCast Precinct Cards were programmed with updated new programming on 10/23/2020 and again after the election on 11/05/2020. As previously mentioned, this violates the HAVA safe harbor period.

Source: C:\Program Files\Dominion Voting Systems\Election Event Designer\Log\Info.txt

- Dominion Imagecast Precinct Cards Programmed with 9/25/2020 programming on 09/29/2020, 09/30/2020, and 10/12/2020.
- Dominion Imagecast Precinct Cards Programmed with New Ballot Programming dated 10/22/2020 on 10/23/2020 and after the election on 11/05/2020

Excerpt from 2020-11-05 showing "ProgramMemoryCard" commands.





10. Analysis is ongoing and updated findings will be submitted as soon as possible. A summary of the information collected is provided below.

10|12/07/20 18:52:30| Indexing completed at Mon Dec 7 18:52:30 2020

12|12/07/20 18:52:30| INDEX SUMMARY

12|12/07/20 18:52:30| Files indexed: 159312

12|12/07/20 18:52:30| Files skipped: 64799  
12|12/07/20 18:52:30| Files filtered: 0  
12|12/07/20 18:52:30| Emails indexed: 0  
12|12/07/20 18:52:30| Unique words found: 5325413  
12|12/07/20 18:52:30| Variant words found: 3597634  
12|12/07/20 18:52:30| Total words found: 239446085  
12|12/07/20 18:52:30| Avg. unique words per page: 33.43  
12|12/07/20 18:52:30| Avg. words per page: 1503  
12|12/07/20 18:52:30| Peak physical memory used: 2949 MB  
12|12/07/20 18:52:30| Peak virtual memory used: 8784 MB  
12|12/07/20 18:52:30| Errors: 10149  
12|12/07/20 18:52:30| Total bytes scanned/downloaded: 1919289906

Dated: December 13, 2020

A handwritten signature in blue ink, appearing to read "Russell Ramsland, Jr.", written in a cursive style.

---

Russell Ramsland



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

[www.whitewatertownship.org](http://www.whitewatertownship.org)

[zoning@whitewatertownship.org](mailto:zoning@whitewatertownship.org)

### Planning and Zoning

In late 2019 the Whitewater Township planning commission determined that the master plan would need to be reviewed in order to be statutorily compliant. Then along came COVID-19, along with several cancelled meetings, the inaccessibility of the public to effectively attend, and our indoctrination into the world of totally digital meetings. What else could you ask for?

During the initial phases of the master plan review, I believe a consensus was reached among the commissioners that any amending of the master plan would be to update where needed (such as demographics), and to add statutorily required sections per PA 33 of 2008, The Michigan Planning Enabling Act - (such as a zoning plan). In other words – take a minimalist approach that would otherwise be guided by public input. It was also recognized that there were no discernable goals with accompanying strategies or objectives. The much-desired public input never materialized as we journeyed into early 2020. The Zoning Administrator intends to send out a ‘renewed’ Notice of Intent to Plan to adjacent municipalities.

### Zoning Board of Appeals

The zoning board of appeals met one time to hear a ‘use’ variance request to erect an accessory structure absent a primary use such as a dwelling and to also appeal the ruling of the ZA. The ZA ruling was upheld and the ‘use’ variance was denied.

### Land Use Permit Activity

Land Use Permit activity remained steady throughout the year – a summary will be provided next month in the form of an annual report.

### Thoughts from staff:

- A. The Whitewater Township Board has opted in to both the Medical Marijuana and the Recreational (adult-use) Marijuana under the respective Acts. In brief, that is a signal that the Planning Commission should act to establish the appropriate zoning regulations for each. I would strongly encourage the Township to engage legal counsel in preparing the appropriate / suggested zoning language. In essence, the ‘use(s)’ are already strictly regulated through the State of Michigan and their application process. Whitewater Township already has a site plan review and special use review process in place. In addition to incorporating specific special use standards related to the uses, definitions, and assigning the districts within where the use(s) may be established, this should NOT be a very time-consuming process.

### Master Plan

- B. Considering the current meeting situation, it is imperative that work continue regarding the master plan. It is my thought that having never engaged in such a project that it may be beneficial (to the planning commission) **to engage an unbiased third party to, at a minimum, walk us (and the public) through the process**, while at the same time confirming our current master plan deficiencies and how Whitewater Township can best address this important issue.

For your review –

*Robert A. Hall*

## Fractile Response Time

Trip Date IS BETWEEN 12/01/2020 AND 12/31/2020; AND Initial Priority IS P-1 Life Threatening Emergency OR P-2 Emergency No Lights OR P-3 Downgrade (No Lts/Sirens); AND Dispatch Zones IS GT-Whitewater; AND Dispatch Status IS Canceled At Destination OR Canceled At Scene OR Canceled Complete OR Canceled Partiall Available OR Canceled Transporting OR Complete; AND the time 'Save' was clicked

### MOBILE MEDICAL RESPONSE INC

	Call Count	Cumulative Call Count	Percent of Total Calls	Cumulative Percent of Total Calls
03:00 - 03:59	1	1	14%	14%
05:00 - 05:59	2	3	29%	43%
09:00 - 09:59	1	4	14%	57%
10:00 - 10:59	1	5	14%	71%
11:00 - 11:59	1	6	14%	86%
15:00 - 15:59	1	7	14%	100%

Total Calls for MOBILE MEDICAL RESPONSE INC: 7

# Requests by Nature of Call in Whitewater Twp

From 12/01/2020 to 12/31/2020

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	Total
Chest Pain (Non-Traumatic)	1
Falls	1
Heart Problems / A.I.C.D.	1
Hemorrhage/Lacerations	1
Overdose / Poisoning (Ingestion)	1
Stroke (CVA)	1
Traffic/Transportation/Accidents	1
Total	7

---

# Demand Analysis by Day of Week for Whitewater Twp

From 12/01/2020 to 12/31/2020

*Time  
of Day*

	2.MON	4.WED	5.THU	6.FRI	Total
00:00 - 00:59	0	1	0	0	1
01:00 - 01:59	0	0	1	0	1
06:00 - 06:59	0	0	1	0	1
16:00 - 16:59	1	0	0	0	1
17:00 - 17:59	0	0	1	0	1
20:00 - 20:59	0	0	0	1	1
21:00 - 21:59	0	0	0	1	1
Total	1	1	3	2	7

## Transport Count by Month

	12/2019	1/2020	2/2020	3/2020	4/2020	5/2020	6/2020	7/2020	8/2020	9/2020	10/2020	11/2020	12/2020	Total
Village of Elk Rapids	14	11	4	13	10	12	16	14	17	19	10	4	11	155
Elk Rapids Twp	4	7	5	5	5	2	5	6	5	8	9	4	6	71
Milton Twp	13	8	8	9	9	14	10	16	9	16	20	12	10	154
Whitewater Twp	9	17	14	14	6	8	19	18	26	18	16	18	7	190
Torch Lk Twp	0	1	0	0	0	0	1	0	0	1	2	1	1	7
Helena Twp	0	0	0	0	0	0	0	0	1	0	0	0	0	1
Kalkaska County	0	0	0	0	0	1	0	1	1	1	0	1	1	6
<b>Total</b>	40	44	31	41	30	37	51	55	59	63	57	40	36	584



# WHITEWATER TOWNSHIP FIRE DEPARTMENT

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

## December 2020 Monthly Report Fire Chief Brandon Flynn

**Alarms:** The fire department responded to 1 emergency call in December.

- Motor vehicle accident with extrication

**Training:** 2 training sessions were held in December.

- Vehicle maintenance, SCBA check
- Target Solutions, Firefighting Foams

### Meetings/Other:

- Regional Training Center, remote, December 3
- Medical Control Authority, remote, December 8
- County Fire Chief's, remote, December 9.
- LPT/Covid, remote, December 4, 11 & 18
- LEPC, cancelled
- 911 Board of Directors, cancelled

### General:

Engine 3 and Air 3 had their annual maintenance, pump test and DOT inspection this month through Fick & Sons and CSI. Engine 3 will require more work including a head gasket on the motor and new leaf springs.

AFP conducted the annual fire suppression inspection on the system at the fire station on Monday, December 7.

The new Station Manager fire reporting software was purchased and installed on Friday December 11. The fire department will begin using this software on January 1, 2021 when the incident numbers reset to zero.

Both snowmobiles were dropped off at Long Lake Marina on December 3 and returned on December 31 for much needed mechanical work.

Employees of the fire department with EMS licenses have begun the COVID vaccination process through the Grand Traverse County Health Department.



Committed to proudly serving the community with professionalism and integrity.

## **Historical Society Report for November & December**

To: Whitewater Township Board Members

From: Luann Snider, Historical Society Director

Date: January 4, 2021

**Meetings:** The regular meeting was held on November 11, 2020 at 7:00 pm at the Township Hall. We discussed being able to view and get a copy of photos regarding Barker Creek, that are on micro fish at the Kalkaska Library. And see if there are others that are of interest to us about our area. There are also some upcoming meetings planned regarding information that is getting donated to the Society.

The regular meeting was held on December 9, 2020 at 7:00 pm at the Township Hall. We went over the conversation that Roger Birks had with the Kalkaska Library, they have not gotten the micro fish back yet, they are having difficulty getting it. We also discussed the package that Mary Lou Baggs sent regarding photos and information that she had about the churches in Barker Creek. And discussed the meeting I had with a relative regarding information from our area.

**Public Inquiries:** Michael Conlon wants a photo of the Trestle emailed to him; it was located next to his house.

**Scan/Catalog Documents:** Not many hours were spent going through the files, with covid still going on and having to move my mother up.

**New Documents/Items Received:** Mary Lou Baggs sent me some photos and information about the churches in Barker Creek.

Joan Burnett (Hobbs) donated a board off a shipping crate that was sent by train to Williamsburg, A clock that was in the Hobbs store, Photos, newspaper clippings and a Hobbs family tree.

**Williamsburg School Reunion:** No new information at this time.

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

**Whitewater Township  
Parks and Recreation Advisory Committee  
Regular Minutes for Monday, November 9, 2020**

**Call to order 7:07 p.m.**

**Roll Call:** Butler, Melton, Slopsema,  
Absent: Cosgrove, Hubbell  
Also in attendance Clerk Goss

**Set / Approve Agenda:** Set

**Declaration of Conflict of Interest:** None

**Public Comment:** None

**Approval of minutes:**

Motion by Butler, second by Melton to approve October 12, 2020, meeting minutes. All in favor. Motion carried.

Motion by Butler, second by Melton to approve October 26, 2020, special meeting minutes. All in favor.  
Motion carried.

**Reports/Presentations/Announcements/Comments/Correspondence:** Lossie Road Trail – Phil Knapp made a public comment at the Township Board meeting. Phil is willing to put funds into the project of something to address the wet area. There are possible permitting requirements. Goss notes that to get an EGLE permit will require a professional to be brought in. Possibly contact GT Regional Land Conservancy (GTRLC), culvert or boardwalk. Steve from GTRLC said a culvert would be appropriate with the running water that is there. Steve recommended blocking that area from motorized vehicles. Approximately 220' of wet area.

Non-motorized vehicle signs are an issue for people who have adjacent properties and it has been brought to the attention of the Township Board. Chet Grant is vocal about using the west end of the trail for hunting purposes. Jacobson and Oosterhouse are vocal about accessing on the east end. The township cannot restrict property owners' rights to access the trail.

The township board has sent the non-motorized issue to the legal team for input.

The Lossie Road Nature Trail is governed by the BCNA Management Plan.

Upgrades would make it more useable. Possibly make the walking trail go around the wet area if we are not able to address the vehicles.

"Non-motorized" has never been enforced. There have not been any issues with property owners until the signs went up. The Lossie Road Trail has degraded so much that walkers can hardly traverse it.

Keep this on the radar of the PRAC agenda. First thing is the legal aspect. Next would be to bring in someone to look at it and then possibly bring in professionals to make plans.

**Unfinished Business:**

1. Dug-outs update: Got the permit. Perfect Fence has to find the clamps that the permit calls out rather than welding. Shane of Fleis & VandenBrink drew up the plans, maybe they can find the clamps and clips that are being required. Clerk Goss will continue to follow-up to find them.

2. Trail signs update: Slopsema and Melton will work together.

3. Kiosks update: Waiting on a quote from the gentleman who put the posts up at the park.

4. Rec Plan review: Survey: We do want to move forward on getting the survey on the website. Put the survey on the website, email blast with a pdf version and a link to the website survey and in our newsletter and have copies available at the township hall with a deadline of December 13 to have a count for the meeting on the 14<sup>th</sup>.

Discussion regarding what is and is not barrier free or ADA.

Capital Improvement schedule discussion:

Dugouts, \$18,000

Hi Pray Park (HPP) ball park bleachers, \$6,000

Ball field lights \$2,000

Lossie Trail improvements, \$20,000

HPP playground equipment improvements, \$30,000

HPP southwest access driveway, \$70,000

HPP install walking trail, \$90,000

Whitewater Township Park (WTP) upgrade pit toilets, \$30,000

WTP courtesy dock, \$20,000

WTP kayak, canoe, stand up paddle board launch (universal accessibility), \$75,000

Lossie Trail parking, \$37,000

Lossie Trail walking bridge upgrade, \$35,000

Petobago improvements – such as parking area, signage and road access, \$20,000

Petobago boundary markers, ??

BCNA Management Plan, \$120,000

Develop a disc golf course, \$3,000

Community garden, \$2,000

Ranger station, \$36,000

Park Road improvements, \$600,000

Long term plans.

**New Business:** None

**Next regular meeting:** December 14, 2020.

**Public Comment:** None

**Adjournment:** 9:13 p.m.

Respectfully submitted,

Lois MacLean

Recording Secretary

*Approved  
12/9/2020  
JHB*

Whitewater Township Historical Society  
Minutes of the Meeting held on November 11, 2020

Call to Order:

-Meeting was called to order by Snider at 7:04 p.m. at the Whitewater Township Hall  
5777 Vinton Road, Williamsburg, MI 49690

Roll Call:

-Members Present: Birks/Yes, Snider/Yes  
- Members Absent: Lake

Set / Adjust Agenda:

-No Changes

Approval of Minutes:

-Birks made the motion to approve the (October 14, 2020) minutes and Snider seconded the motion  
All in Favor: 2/ Opposed 0  
Motion Carried

Public Comment:

-None

Correspondence:

-None

Unfinished Business:

-Snider is going to contact Kalkaska Library to set up a time to view the Micro Fish photos of Barker Creek. And to see if there are any books about our area there.

New Business:

-Snider is having a meeting with Joan Burnett (Hobbs), her father ran his parents store Hobbs Mercantile and later the building became the school gym, the building was torn down years ago.  
-Snider is supposed to email some photos of the Train Trussell to Michael Conlon

Public Comment:

-None

**Adjournment:**

- Birks made the motion to adjourn the meeting and Snider seconded the motion
- the meeting was adjourned by Snider at 8:21 p.m.

Respectfully Submitted,  
Luann Snider  
Historical Society Recording Secretary

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

November 2020

Location	Citations	Traffic Crashes			Arrests		Traffic Crash Totals
		Fatal	PIA	PDA	OWI	Criminal	
01 Acme	8	0	1	15	2	1	16
02 Blair	26	0	3	20	0	11	23
03 East Bay	69	0	1	34	2	6	35
04 Fife Lake	3	0	2	18	0	1	20
05 Garfield	80	0	5	88	13	43	93
06 Grant	1	0	0	4	1	1	4
07 Green Lake	3	0	3	17	1	2	20
08 Long Lake	3	0	2	18	0	2	20
09 Mayfield	3	0	2	11	1	0	13
10 Peninsula	0	0	1	4	0	2	5
11 Paradise	5	0	2	11	1	2	13
12 Union	9	0	0	10	0	0	10
13 Whitewater	4	0	2	18	1	3	20
29 Fife Lake Vlg	0	0	0	0	0	0	0
30 Kingsley Vlg	0	0	2	2	2	1	4
66 Traverse City	1	0	0	1	0	25	1
84 Out of County	0	0	0	0	0	5	0
<b>Totals</b>	215	0	26	271	24	105	297

Ticket stats are based on what District Court has entered as of 12/23/20.

Arrest stats are as of 12/13/20.

**From:** Tracy Spincich [REDACTED]  
**Sent:** Tuesday, December 8, 2020 5:15 PM  
**To:** dito115@aol.com; clerk@whitewatertownship.org; treasurer@whitewatertownship.org; supervisor@whitewatertownship.org; trustee02@whitewatertownship.org  
**Subject:** Marijuana Ordinance Vote at Tonight's Meeting

Hello,

As a voter in Whitewater Township, this letter is to express my concern with the vote tonight as it relates to the marijuana ordinances. It is my understanding that the information that was shared in the township newsletter was not accurate and that the community does not have a clear understanding of the true picture. I had previously written to Ron Popp to express my concern over this and I still oppose this ordinance. Please ensure that all voters have accurate information and the ability to attend a meeting (clearly, we live in a rural community where internet is an issue for some) prior to having a final vote. This is too big of an issue to not share all the facts and information and for constituents not to have meeting access.

Thank you for your time.

Sincerely,

Tracy Spincich

**From:** debbie young [REDACTED]  
**Sent:** Tuesday, December 8, 2020 6:09 PM  
**To:** supervisor@whitewatertownship.org; David Young  
**Subject:** Marijuana Ordances

To The Whitewater Township Board,

I was recently notified of a vote that your board was considering on two ordinances involving marijuana. My husband and I would have considered attending the meeting tonight, however we do not intend to violate the Governors Order to do so. The fact that the meeting is still being held in person is neglectful to the meaning of the pause order. We are not confident that our internet capabilities will allow us to be heard, thus please use this email as our public comment.

We are opposed to ANY marijuana ordinances that have been brought forth. We believe it is the responsibility of this board to honor the past information you were provided in both 2017 and 2018 in these matters. Holding such an important vote during a time when we cannot attend does not seem like something a board who values their community would do. In addition, not honoring the information from your community is in direct conflict with the campaigns you run for election.

To be clear, we are AGAINST the marijuana ordinances being brought for your consideration tonight.

Sincerely,  
Dave and Debora Young  
Whitewater Township Residents

**supervisor@whitewatertownship.org**

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**From:** Vern Gutknecht [REDACTED]  
**Sent:** Tuesday, December 8, 2020 8:09 PM  
**To:** Ron Popp  
**Subject:** Whitewater Board Member to the Planning Commission  
**Attachments:** December 8, 2020 Board Mtg.docx

Hello Ron

I would like to submit to the Board my comments regarding the assignment of the Board Member to the Planning commission

Thanks

Sincerely  
Vern Gutknecht [REDACTED]

December 8, 2020

Whitewater Township Board Meeting

Subject: The appointment of Ms, Ardella Benak to the Whitewater Planning Commission.

Ms, Heidi Vollmuth has replaced Mr Loyd Lawson on the Board and should also be assigned to support the Planning Commission.

I object to any efforts made to allow Ms, Ardella Benak to be appointed to the Whitewater Township Planning Commission.

Ms Benak, has shown on numerous occasions to have a conflict of interest and bias regarding zoning and ordinance issues.

It is very well documented that Ms Benak, her immediate, and extended family members, have significant personal and financial interest in making zoning and ordinance changes that will benefit them.

Ms Benak has on numerous occasions made public unvalidated and disingenuous, comments all in an effort to support her personal needs.

In order to avoid any future possible legal actions, I would suggest that this board not assign Ms Benak to the Planning Commission. In the best interest of the entire Whitewater community, it is recommended that Ms, Heidi Vollmuth be assigned to the support the Planning Commission.

Vern Gutknecht

## Cheryl A. Goss

---

**From:** Ardella M Benak <treasurer@whitewatertownship.org>  
**Sent:** Friday, December 11, 2020 1:42 PM  
**To:** 'Cheryl Goss'  
**Subject:** FW: Whitewater Township hybrid meeting was proper

I don't see your name on this list from Popp. Thought you would want to see this.  
Della

-----Original Message-----

From: supervisor@whitewatertownship.org <supervisor@whitewatertownship.org>  
Sent: Thursday, December 10, 2020 10:56 AM  
To: Della Benak <treasurer@whitewatertownship.org>; Paul Hubbell <Trustee02@whitewatertownship.org>; Deputy Supervisor <tileright@yahoo.com>; Heidi Vollmuth <heidivourtrustee@gmail.com>  
Cc: supervisor@whitewatertownship.org; Cindy Wotila <cindy@mwplegal.com>  
Subject: FW: Whitewater Township hybrid meeting was proper

Thank you Cindy, I have forwarded your statement to the full Board for their review, and will include it in our next Board Packet under correspondence.

Respectfully,

Ron Popp  
Whitewater Township Supervisor  
5777 Vinton Road, P.O. Box 159  
Williamsburg, Michigan 49690  
231.267.5141 X 23  
supervisor@whitewatertownship.org

-----Original Message-----

From: **Cindy Wotila** <cindy@mwplegal.com>  
Sent: Wednesday, **December 9, 2020** 10:38 PM  
To: supervisor@whitewatertownship.org  
Subject: Whitewater Township hybrid meeting was proper

Dear Supervisor Popp,

This email is in support of the recent Whitewater Township hybrid meeting.

As an attorney representing municipalities in northern Michigan, I am increasingly frustrated by the misinterpretation of the MDHHS orders by local law enforcement, the MTA and the MML. The MTA and MML have published notices stating the MDHHS orders prohibit municipalities from in person meetings. These notices are predicated on literature published by the MDHHS. This is incorrect and violates the express requirements of the Open Meetings Act. The OMA, as recently amended, permits governing bodies to meet remotely for no reason through December 31, 2020. However, it does not REQUIRE they do so. In fact, the OMA requires meetings of a public body to be *open to the public, and if it so chooses, it may do so in person.*

Further, I have contacted the legislature with respect to the legislative intent on the amendments to the OMA and received confirmation that it was NOT the intent to prohibit in person meetings. Further, the legislature confirmed that the MDHHS orders are not a declaration of a state of emergency and do not provide the basis for remote meetings after December 31, 2020. I will also contact the Michigan State Police in Grand Traverse County as to the improper application of these rules.

Feel free to contact me if you would like to discuss this situation in greater detail.

Kind regards,

Cynthia Wotila  
McCurdy Wotila & Porteous, PC  
120 West Harris Street  
Cadillac, Michigan 49601  
phone: (231) 775-1391  
fax: (231) 775-0972  
email: cindy@mwplegal.com  
website: www.mwplegal.com

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**Cheryl A. Goss**

---

**From:** Michael Mix <themike.mix@yahoo.com>  
**Sent:** Thursday, December 10, 2020 8:11 PM  
**To:** clerk@whitewatertownship.org  
**Subject:** Meeting

Hi Cheryl, Thank you for standing up for the constitution at the township meeting, and thank the others that were there and didn't run when the trooper showed up. We need more citizens to stand up to public officials who violate our rights. Everything you told the trooper was correct and I was very happy to hear you tell him about his oath of office. I'm the supervisor of Colfax township in Wexford County. We will be having a board of review meeting on Tuesday and a township board meeting on the following Tuesday both meetings will be at the township hall. On line meeting are unconstitutional and the state legislature was wrong to allow these on line meeting to take place. Keep up the great work you are doing, timid citizens need to see what true patriots look like.

Thanks again Michael Mix=

**supervisor@whitewatertownship.org**

---

**From:** Jeff Goodwin [REDACTED]  
**Sent:** Thursday, December 10, 2020 9:33 PM  
**To:** supervisor@whitewatertownship.org  
**Subject:** In-Person Meeting

As a citizen of Whitewater Township, I am writing to indicate that I am appalled at the behavior of the Whitewater Twp. Board in meeting with some members in person on Tuesday. In particular, Clerk Cheryl Goss' comments to and about the trooper who responded were reprehensible. Please act like mature adults and follow the rules for meeting like the rest of us.

Jeff Goodwin  
[REDACTED]

**Cheryl A. Goss**

---

**From:** Sandra Rancourt <srancourt2020@yahoo.com>  
**Sent:** Friday, December 11, 2020 4:32 PM  
**To:** clerk@whitewatertownship.org  
**Subject:** From a Moscow Township Trustee

Dear Ms. Goss,

My name is Sandra Rancourt and I was recently elected as a Trustee for Moscow Township. I am not set up yet with email with Moscow Township and I began serving as a trustee a little earlier than a trustee would. One of the trustees did not want to finish out her term because of covid.

I just want to say how well you handled yourself at the town meeting where the state police came in. I was very disheartened to see many of the men just get up and walk away.

**That state trooper's FIRST obligation is to uphold the Constitution.** It has nothing to do with picking and choosing laws which he wants to enforce. If the rule is to violate the Constitution first, (which is what is done) and then ask questions later in court, then the Constitution is useless and so are the oaths.

I appreciate you standing your ground. We are going to have to stand our ground and others are going to have to grow a backbone at some point. Is it going to take the women to show the men? I hope not.

I just wanted to let you know, that I support you.

My phone number is [REDACTED] I know it is an Arizona number but I came to Michigan from Arizona in 2012 and I did not want to change the number.

Good going Cheryl!! God bless you

Sandra Rancourt.

December 11, 2020

Ron Popp  
Supervisor, Whitewater Township

I have learned of your disregard of the Michigan State Department of Health and Human Services meeting limitations at your December 8 meeting. I am extremely disappointed that you as individuals, elected to lead our township, would have so little regard for the health and well-being of our community members. As you know, if you have educated yourselves about our country's pandemic, COVID is transmitted person-to-person through exchange of air in which the virus can travel. You put all attendees at risk, and as leaders you role-modeled the wrong behavior. I can only say, shame on you!

If, following the report filed with the Michigan State Department of Health and Human Services, you are fined for non compliance, I do not want the fine paid with taxpayers money. You need to pay the fine out of your own pockets. You are responsible for your behavior.

You have soiled the reputation of Whitewater Township. Please follow all MDHHS requirements in the future.

Linda Frank

Linda Frank  
8358 Elk Lake Rd.  
Williamsburg, MI

The Record Eagle reported you attended  
"via online conference." as Supervisor,  
please direct your staff to do likewise  
in the future.

**From:** Cheryl A. Goss <clerk@whitewatertownship.org>  
**Sent:** Tuesday, December 15, 2020 4:34 PM  
**To:** Ardella Benak; Cheryl A. Goss; Heidi Vollmuth; Paul Hubbell; Ron Popp  
**Subject:** FW: Skegemog Point Repair - Letter dated 10/23/20 from Ron Popp, Township Supervisor  
**Attachments:** Skegemog Point Road repair\_102320.pdf

Today, John King, Skegemog Point resident, called my office to inquire about other information available on the proposed repair project. When he mentioned having gotten a letter from Ron Popp in October, I told him I hadn't seen it, and didn't think the rest of the board had either. He passed it along. See attachment.

*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](mailto: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:** John King [REDACTED]  
**Sent:** Tuesday, December 15, 2020 3:46 PM  
**To:** 'Cheryl A. Goss' <clerk@whitewatertownship.org>  
**Subject:** Skegemog Point Repair - Letter dated 10/23/20 from Ron Popp, Township Supervisor

Hi Cheryl,

Attached is a letter from Ron Popp discussing the Skegemog Point Repair that is on the agenda for tonight's Township Board meeting.

John King  
[REDACTED]



# WHITEWATER TOWNSHIP

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

October 23, 2020

“Williamsburg Resident –

The Township Board has commissioned the Grand Traverse County Road Commission to generate a Preliminary Opinion of Probable Cost for necessary repairs to that portion of Skegemog Point Road north of M-72. This process is in the very early stages and if it moves forward, your Board believes a strong line of communication will provide a superior project, and experience.

Below are some of the preliminary details that we wish to share and keep you informed of:

- 1) Approximately 150 residents and or parcels use this portion of Skegemog Point Road.
- 2) The road driving surface continues to deteriorate especially along the edges forcing traffic to the centerline, increasing the chance of collision.
- 3) Early 2020 Skegemog Point Road resident Dave Hauser submitted a letter titled Skegemog Point Road: A Fatality Waiting to Happen, which was supported by 110 other residents who use or live on the road.
- 4) Summer 2020 at the request of the Whitewater Township Board, Grand Traverse County Road Commission (GTCRC) has developed an Opinion of Probable Construction Cost that outlines a mix of fixes for Skegemog Point Road. Including 3' wide paved shoulders and valley curbing for stormwater runoff control and a wedge and cap for the driving surface from M-72 north to a point just beyond Samel's Farm. The remainder of the road would receive a complete crush and shape (rebuilding), 3' wide shoulders and extensive ditching between existing driveways to the north intersection of Fairview Avenue. The road end from Fairview Avenue to Elk Lake will receive some work to include a hammer head style turn around for the county maintenance trucks.
- 5) Summer 2020 using Geographic Information Systems (GIS) from Grand Traverse County, maps have been created depicting the approximate centerline and the limits of the road easement in which the proposed work will take place. These maps will be made available by email however, because of their large file size, special file sharing efforts will be needed. A Township Website link is also being looked at. We encourage everyone to view these maps, locate your property/address and learn firsthand how the proposed construction will affect your property.

Questions

Scope:

- tree removal
- ditches
- 2 revisions

(Page 2 - Skegemog Point Road Mailing list.)

- 6) The Opinion of Probable Construction Cost has returned at \$1,267,081.00. The Road Commission will contribute \$478,724.00 leaving the Township to find financing for \$788,357.00 from various sources.
- 7) Time is of the essence, according to Grand Traverse County Road Commission staff, bids for a project like this should be ready by February 2021 if the project is to be completed in 2021. This is a very aggressive schedule.
- 8) To help cope with the aggressive schedule, it would be very helpful to have your property address, mailing address (summer and winter) and email address on file for the sole purpose of communicating Skegemog Point Road information back and forth in a timely manner.

Please help your Board keep you informed by contacting me at [supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org) by November 10, 2020 to share your contact information as described above.

Respectfully,



Ron Popp

Supervisor, Whitewater Township

**From:** Dan Buron <danb@goodwillnmi.org>  
**Sent:** Wednesday, December 16, 2020 9:16 AM  
**To:** Dan Buron  
**Subject:** Sharing Good News  
**Attachments:** GoodwillNMI Selected for MacKenzie Scott Gift.pdf

Goodwill Supporters and Community Leaders:

Author and philanthropist MacKenzie Scott has announced that Goodwill Northern Michigan has been chosen to receive a one-time, unrestricted gift of \$5 million. From a potential pool of 6,490 organizations, she selected 384 nonprofits to receive a total of \$4.16 billion in "unsolicited and unexpected gifts given with full trust and no strings attached."

We are humbled and honored to be among this group of nonprofits from across all 50 states, Puerto Rico, and Washington DC. Like us, many recipients are filling basic needs in their communities: food banks, emergency relief funds, and support services for those most vulnerable. We believe we received the gift in large part due to the crucial support we receive from you, our donors and partners. I hope you might have time to read her moving [Medium post](#) about her gift.

Combined with the support we receive from our family of donors and from our community partners, we are in a position to play an enhanced regional role in contributing to a more vibrant community in which all people can flourish. As we work to fulfill our mission of reducing food insecurity and making homelessness a rare, brief, and one-time experience, we aim to move beyond symptoms to address root issues. We are grateful to MacKenzie Scott for believing in our organization, and to all of our donors and partners who join her in supporting Goodwill Northern Michigan.

MacKenzie Scott's gift is an amazing opportunity for the people we serve, our organization, our community, and — together with the other 383 gifts — for our country.

We recognize that with this great opportunity comes immense responsibility. We will be reaching out so that we can incorporate the thoughts, knowledge, and insights of our community and people with lived experience. We are determined to find the best way to invest this gift for the community. We are beginning our next strategic planning cycle, setting goals for the coming years. This effort will include development of a plan for use of these funds.

I look forward to having more conversation, celebrating this amazing opportunity, and getting down to the work of investing this gift for the greater good. Feel free to reach out to me with any questions or to discuss further at 616-291-7283 or email at [danb@goodwillnmi.org](mailto:danb@goodwillnmi.org).

Thank you,

Dan

***Dan Buron***  
**Executive Director**  
[Goodwill Northern Michigan](#)  
2279 S. Airport Road West  
Traverse City, MI 49684  
Bus 231.995.7710  
Fax 231.922.2053  
[Danb@goodwillnmi.org](mailto:Danb@goodwillnmi.org)



# **Goodwill**

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## **Northern Michigan**

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FOR IMMEDIATE RELEASE  
December 16, 2020

CONTACT

Dan Buron, Executive Director  
Goodwill Northern Michigan  
danb@goodwillnmi.org  
231-995-7710

Lindsay Raymond, Board Chair  
Goodwill Northern Michigan  
lraymond@darlawyers.com  
231-714-0161

**Goodwill Northern Michigan Selected as \$5 Million Gift Recipient by MacKenzie Scott**  
Local Nonprofit Among 384 Organizations Nationwide Receiving Unsolicited Major Gifts

TRAVERSE CITY MI—Goodwill Northern Michigan is pleased to announce a one-time, unrestricted \$5 million gift from author and philanthropist MacKenzie Scott. In the last four months, Scott has given unexpected gifts totaling \$4.2 billion to 384 organizations across all 50 states, Puerto Rico, and Washington DC. In a Medium post about her gift, she explained the rigorous “data-driven approach to identifying organizations with strong leadership teams and results” used in selecting Goodwill Northern Michigan and 383 others from a pool of 6,490 candidates. Goodwill Northern Michigan is privileged to be included in this select group of organizations working to alleviate suffering for those hardest hit by the pandemic.

"This gift is a great opportunity for Northern Michigan, and a great responsibility for our organization," said Goodwill Northern Michigan Executive Director Dan Buron. "Combined with the support we receive from our family of donors, we are in a position to play an enhanced regional role in fulfilling our mission to reduce food insecurity and make homelessness a rare, brief, and one-time experience. We're grateful to MacKenzie Scott for this demonstration of confidence in our organization, and to all of our donors who join her in supporting Goodwill Northern Michigan."

Scott, who was named on TIME's list of the 100 most influential people of 2020, has pledged to donate the majority of her fortune over her lifetime. In selecting gift recipients, according to her Medium post, Scott's "team sought suggestions and perspective from hundreds of field experts, funders, and non-profit leaders and volunteers with decades of experience. ... We do this research and deeper diligence not only to identify organizations with high potential for impact, but also to pave the way for unsolicited and unexpected gifts given with full trust and no strings attached."

Buron is excited about the possibilities this gift opens up for Northern Michigan. "Resources of all kinds are needed by organizations like ours, working to strengthen our communities, and all contributions matter," he said. "We work in strategic partnership with multiple community partners and donors at all levels to maximize the impact of their investments in providing food to neighbors in need and helping people find home. Every donor that supports Goodwill Northern Michigan with their time, resources, and energy makes an enormous difference in our ability to create a stronger community in which everyone can flourish."

Board Chair Lindsay Raymond noted the fortuitous timing of Scott's gift. "We are in the early stages of our next strategic planning cycle, setting goals for the next three to five years. How best to invest the resources with which we have been entrusted in order to strengthen the Northern Michigan community will be of primary importance and will involve consultation with community leaders, donors, and people with lived experience," said Raymond. "A gift of this magnitude allows us to reach further than we ever have before, and ensure that our community and those we serve have enduring support for years to come."

## **About Goodwill Northern Michigan**

Goodwill Northern Michigan is a 501c3 nonprofit organization, governed by a local board of directors, working to reduce food insecurity and end homelessness in Northern Michigan. Our mission programs bring nutritious food to people experiencing food insecurity, and help people experiencing homelessness find home. Store revenues and generous donors make it possible for Goodwill Northern Michigan to meet the basic needs of some of our most vulnerable neighbors. Programs include Food Rescue, the Goodwill Inn, Street Outreach, Patriot Place, and Good Meals. Goodwill Northern Michigan is an independent member organization of Goodwill Industries International, a network of 156 community-based organizations in the US, Canada, and 12 other countries.

###

**From:** Grand Traverse County Recyclesmart <[recyclesmart@grandtraverse.org](mailto:recyclesmart@grandtraverse.org)>  
**Sent:** Wednesday, December 16, 2020 2:29 PM  
**To:** [supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)  
**Subject:** Holiday Recycling Tips and More



December 2020

## Happy Holidays!

Recycle By City has a great list of ways to get creative with your holiday gift wrap this year. All of these ideas promote reusing items that you may already have. It's time to get creative with old paper bags, books, sheet music and even chip bags!



Click Here for [\*\*DIY Gift Wrap Ideas\*\*](#)



## Green Gifts in Traverse City

Follow 9&10 News anchor Melissa Smith to area stores for some great green gift ideas. And learn about recycling along the way!

[BAABAAZUZU](#)

[Green Island](#)

## Great Lakes Bath and Body

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### **\$10 TV Recycling!**

The Grand Traverse County RecycleSmart program is happy to announce that beginning October 1st, [Bay Area Recycling for Charities](#) (BARC) will be accepting your old TVs and Computer monitors, to be fully recycled, for just \$10 each. This program is for Grand Traverse County Residents only and is limited to 1 TV per household up to 500 TVs total. You must have proof of residency to get this great deal. For more information call BARC at 231-632-2272 or visit their website [here](#).



### **The Keystone Brush Site is closed for the season.**

The first day of the 2021 season will be Saturday, April 10th.

The Brush Site is now accepting Credit Cards as a form of payment.

Please note that the site is closed on all major holidays and for severe weather conditions.

Brush Site information and hours of operation can be found by clicking [here](#).



All 2020 HHW Events have been completed



Great job residents of Grand Traverse County!  
Because of your efforts we were able to reuse, recycle or properly dispose of  
98,502 pounds of Household Hazardous Waste and almost 60,000 pounds  
of Scrap Tires at our special collection events in 2020.

## HHW Event Dates for 2021

([Sign up](#) will be available online approximately one month before each  
event.) Appointments are required

Thursday, April 15th

Thursday, May 13th

Thursday, June 17th

Thursday, August 12th

Saturday, September 18th

Thursday, October 14th

What Can I Bring to a Household Hazardous Waste Event?

[Click Here.](#)

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# Grand Traverse County RecycleSmart



Have questions about  
where to recycle an  
item?

Click on the Take it  
Back Logo and you  
will be magically  
transported to the  
Take it Back  
Directory!

If you are unable to find a  
solution on the directory, please  
contact the Resource Recovery  
Department and we'll be sure to  
help you out!





## Smoke Alarm Drop Off Program

The GTC Resource Recovery Department and the Grand Traverse Metro Fire Department have teamed up to bring GTC residents a Smoke Alarm Drop Off program.

You may now bring your old smoke alarms to either the **Grand Traverse Metro Fire Administration at 897 Parsons Rd. in Traverse City** or the **Grand Traverse Metro Fire Station #11 at 3000 Albany Dr. in Traverse City** during their normal hours of operation.

The drop off containers are located just inside the main entry doors. It is recommended that smoke alarms be tested monthly, the batteries replaced bi-annually and whole units replaced every 10 years. Batteries can be brought to any of the 9 drop off locations (listed below) around GTC. Please contact the Resource Recovery Department if you have any questions.

## Recycle right or lose it

Illegal dumping at the Recycling Sites in Grand Traverse County will no longer be tolerated. Violators will be prosecuted.

Please spread the word. Items must never be left on the ground. If the sites continue to be misused, not only will the abusers be held accountable but we run the risk of losing these great assets to our community.

To learn more about what can and can't be recycled, please visit the link below.

**GUIDELINES AND EXCLUDED MATERIALS**





Looking for  
the latest  
episodes of  
the very  
popular  
9&10 News

**TV series "Talking Trash"?  
Look no further.  
Click this the picture above and you  
will be whisked away to the glorious  
land of responsible recycling!**

---

### Drop Off Battery Recycling

Some sites may be closed or have altered hours at this time.  
Thank you for understanding

**BE SURE TO TAPE ALL YOUR BATTERY TERMINALS  
(CLEAR MASKING TAPE PLEASE)**

Batteries from Grand Traverse County residents are accepted at any of the battery drop off locations. Batteries from commercial businesses or nonresidents are not accepted. Businesses may bring batteries to the Household Hazardous Waste Collection events.

Battery drop off boxes are at the following locations:

#### **Building / Location Address**

**Acme Township Hall**  
[6042 Acme Road](#)  
[Williamsburg, MI 49690](#)

**Blair Township Hall**  
[2121 County Road 633 Grawn, MI 49637](#)

**City of Traverse City / Grand Traverse County Building**  
[400 Boardman Avenue](#)

[Traverse City, MI 49684](#)

**Civic Center**

[1213 W Civic Center Drive](#)  
[Traverse City, MI 49686](#)

**Fife Lake True Value**

[119 East Lake Street Fife Lake, Mi. 49633](#)

**Grand Traverse County Public Service Building**

[2650 LaFranier Road](#)  
[Traverse City, MI 49686](#)

**Metro Emergency Services Building**

[897 Parson Road](#)  
[Traverse City, MI 49686](#)

**Traverse City Fire Department**

[500 W Front Street](#)  
[Traverse City, MI 49684](#)

**Whitewater Township Hall**

[5777 Vinton Road](#)  
[Williamsburg, MI 49690](#)



# KNOW IT BEFORE YOU THROW IT!



**RecyclingRaccoons.org**  | **EGLE**

Grand Traverse County RecycleSmart | 231-941-5555 | 2650 Lafrainer Rd. Traverse City, Mi. |  
[www.RecycleSmart.info](http://www.RecycleSmart.info)



Grand Traverse County Recyclesmart | 2650 Lafranier Rd, Traverse City, MI 49686

[Unsubscribe supervisor@whitewatertownship.org](mailto:unsubscribe_supervisor@whitewatertownship.org)

[Update Profile](#) | [About our service provider](#)

Sent by [recyclesmart@grandtraverse.org](mailto:recyclesmart@grandtraverse.org) powered by



**From:** Thomas Kachadurian <tom=habitatgtr.org@cmail19.com> on behalf of Thomas Kachadurian <tom@habitatgtr.org>  
**Sent:** Friday, December 18, 2020 12:11 PM  
**To:** Ron Popp  
**Subject:** Habitat - GTR December Newsletter



## Building Community

Habitat plans and builds home with the hope that we are creating a place where children can flourish and adults can feel a sense of belonging with their neighbors. At Halloween we visited Habitat's Depot Neighborhood to deliver treats. We saw what a community looks like. When we arrived, unannounced, a group of 10 or so children were playing and running together in the open area between the homes. They were no longer kids just living in their own homes, but a community where children from mixed backgrounds of various ages grow-up together. For those of us from a different era it was a reminder of the safe, happy places where we spent our childhoods.

At our newest builds, three homes in Williamsburg Estates, we are getting a preview of the community to come. Candace Jaruzel and her two daughters, Nyilee and Diamond have been working on their home since May. The certificates of occupancy are in hand and Candace will close on the home next week. Thirty yards across the street, Amanda Wolschon and her two sons, Peyton and Spencer are seeing their own home come to life. The two mothers have gotten to know each other throughout the build process of both of their homes. Last week Amanda gave Candace a lovely, wooden, hand-painted Christmas ornament. The ornament features abstractly recognizable figures of Nyilee, Candace and Diamond in front of their “Forever Home.”



In Habitat homes all over the area, it is going to be a Merry Christmas.

## Welcome New Board Members

Habitat GTR relies on our volunteer Board of Directors for leadership and guidance. Through the challenging COVID-19 pandemic our board has led us with wisdom and foresight, keeping us strong and focused on our mission. At their November meeting, our trustees welcomed four community leaders to our board of directors.

**Luciani**



**Haskin**



**Milliron**



**Thomas**



**Doug Luciani** has more than 30 years of business experience. Doug is Vice President at Cunningham-Limp Development Company. He has been a major force in the Grand Traverse Area since 2003 including serving as CEO of TraverseCONNECT – which includes the Traverse City Area Chamber of Commerce.

**Steve Haskin** is Vice President and Senior Portfolio Manager at Fifth Third Bank. He is responsible for the investments of high net worth individuals and institutional clients. His primary functions include investment management, client service and support of new business efforts.

**Chris Milliron** is the Chief Lending Officer at TBA Credit in Traverse City. He has been in banking for over 14 years. He served as the chair of the advisory board for Junior Achievement where he has been a classroom volunteer for ten years. He was drawn to Habitat for Humanity because of his previous volunteer work with Habitat.

**Jacquie Thomas** is the Clinical Administrator at Addiction Treatment Service where she has been since 2012. Before ATS, she managed the Community Outreach Program for Central United Methodist Church. She has experience and a passion for working with the low resourced populations.

“We are blessed to have the wise counsel and extensive experience of these volunteers as part of our organization,” said Wendy Irvin, executive director for our Habitat – GTR. “We owe the strength of our organization to volunteers in every capacity, and to all the supporters who make the work of Habitat possible.”

Luciani, Milliron and Thomas have accepted three-year terms on the Habitat Board and Haskin is finishing the final year of the three-year term of retiring trustee David Shooltz. They Join current Habitat – GTR board President Douglas DeYoung, Vice President Ryan McCoon, Treasurer Steven Crum, Secretary Frank Siepker, and trustees Janis Adams, William Fagan, and Ron Williamson.

## So What's the deal with the ReStore?

Your Habitat ReStore was established to create income for Habitat for Humanity Grand Traverse Region. All of our construction efforts, for both new homes and home repairs, require building supplies. From concrete for footings to the shingles on the roof, all of the materials are purchased. Often Habitat enjoys contractor discounts, but even at reduced prices there are significant material costs, including new appliances, HVAC, and fixtures.

Although all habitat homes are built with extensive volunteer labor, there are always expenses beyond the sort of building skills volunteers can provide. Many

steps in the building process must be completed by people in the skilled trades, sometimes with heavy equipment. Often, those skilled services providers will donate part of their fees, but there are always costs that must be paid. Habitat – GTR also has a construction manager on our staff to function as the building contractor.



Income from the ReStore covers about 30% of these and other operating costs. When you donate to ReStore you provide the inventory we have for sale. When you shop at the ReStore, you turn those donated items into cash that we can use to pay the expenses of building homes, providing education, and offering critical home repair. In a way, the Traverse City Habitat Restore is a magic device that turns your extra household and building items into a community housing ReSource.

## Your Donations at Work

Our 2020 Habitat partner families are excited to complete their builds and have a home of their own. Our new homeowners will gain the safety and security of their own home. These children will have their own bedrooms, usually for the first time in their lives. Many of us take these things for granted, but for these Habitat families, it is a life changing step. Studies show that adults and children that have secure housing are involved and contribute to their communities. Adults homeowners perform better in employment. Children in owned homes perform better in school and are more socially confident.



We are blessed to be working with three wonderful families building our 115th, 116th, and 117th homes. Candace Jaruzel and her two daughters, Nyilie and Diamond (center), will move into their new Williamsburg home by the end of this year. Amanda Wolschon and her sons, Peyton, and Spencer (right) are excited to complete their home this winter and will be across-the-street neighbors to Candace in Williamsburg. Finally, Megan Rokos (left) is completing her sweat equity hours working with Habitat on her completely renovated Habitat home in Traverse City, near Chums Corner.

Each of us at Habitat - Grand Traverse Region are grateful for your investment in helping people in need of safe, healthy, affordable housing. You have made a dramatic, positive impact on our partner families and their children. THANK YOU. Your support of our affiliate for the last 34 years has helped us build homes for 117 families and assist many others with home related support. We could not do the good work we do without you. If you have not yet made your 2020 gift, please consider doing so today.

*Please contact Sue Cronover, our Resource Development Manager at [scronover@habitatgtr.org](mailto:scronover@habitatgtr.org) or 231-941-4663, ext. 334 to learn more about Habitat for Humanity Grand Traverse Region*

**Donate to Habitat Now**

*We wish you a Happy and Healthy 2021!*

Habitat for Humanity - Grand Traverse Region  
PO Box 5412 Traverse City, MI 49696  
ReStore: 2487 Rice St.  
231-941-4663 | [www.habitatgtr.org](http://www.habitatgtr.org)

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## **COVID Impacts on Electronic Public Meetings – Emergency Order and Open Meetings Act Updates**

*December 23, 2020*

### ***MDHHS Updated Emergency Order***

The Michigan Department of Health and Human Services (MDHHS) issued an updated emergency order that took effect December 21, 2020. The new order allows for the reopening of lower risk entertainment and recreational facilities while maintaining the prohibition on all other non-residential indoor gatherings. It does not provide any exception that would allow public bodies to host indoor, in-person meetings. Instead, public bodies should host any meeting scheduled for between now and January 15, 2021 electronically, such as by Zoom or Microsoft Teams. The meeting platform must allow for two-way communications between the members of the public and the public body. These electronic meetings will be lawful under the Open Meetings Act under the amendment described below.

### ***Open Meetings Act***

Additionally, on December 22, 2020, Governor Whitmer signed into law Senate Bill 1246, which extends and updates certain Open Meetings Act regulations previously adopted in October (in PA 228 of 2020) permitting electronic meetings of public bodies. Specifically, the new revisions allow public bodies to conduct meetings electronically, in whole or in part, for any reason through March 31, 2021, extended from December 31, 2020. Beginning March 31, 2021 through December 31, 2021, public bodies may only meet electronically in those circumstances requiring accommodation of members absent due to (1) military duty, (2) a medical condition, or (3) a statewide or local state of emergency or state of disaster. The regulations for electronic meetings after December 31, 2021 remain unchanged (only allowed to accommodate members absent due to military duty).

With respect to meetings held due to circumstance (3) above, the Act adds states of disaster or emergency declared pursuant to local ordinance (in addition to those declared under law or charter) as a permitted circumstance to hold a meeting electronically. The Act also adds "chief administrative officer" as a person who may declare a local state of emergency or state of disaster in addition to a local official or governing body.

Finally, the act imposes regulations on meetings held in-person before April 1, 2021 requiring (1) adherence to social distancing and mitigation measures recommended by the CDC to prevent the spread of COVID-19, including the measure that an individual remain at least six feet away from anyone from outside the individual's household and (2) adoption of heightened standards of facility cleaning and disinfecting as well as protocols to clean and disinfect in the event of a positive COVID-19 case in the public body's meeting place.

The other requirements the legislature added to the Open Meetings Act under PA 228 of 2020 remain unchanged.

### ***Conducting an Electronic Meeting***

Each member of the public body attending the meeting remotely must make a public announcement at the outset of the meeting, to be included in the minutes, that he or she is doing so. A member attending remotely for a reason other than military duty must further specify the county, city, township, or village and state where he or she is physically located. A public body with an official internet presence must post advance notice of an electronic meeting on its website where the public can access it, either on or linked from its homepage, at least 18 hours before the start of the meeting. If an electronic meeting has an agenda, a public body with an official internet presence that includes regular updates of posted meeting agendas or minutes must make the agenda available to the public on the internet at least two hours before the start of the meeting.

If you have any questions or need assistance adopting/updating your community's remote participation procedures pursuant to these new amendments, please contact a [Foster Swift municipal attorney](#).

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Lansing

| Southfield

| Grand Rapids

| Detroit

| Holland

| St Joseph

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**Connect with us**



**From:** [Ardella M Benak](#)  
**To:** [Ron Popp](#); ["Cheryl Goss"](#); ["Paul Hubbell"](#); ["Lloyd Lawson"](#)  
**Subject:** Resignation from ZBA  
**Date:** Monday, January 4, 2021 3:24:30 PM

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Supervisor Ron Popp  
Fellow Board Members

As of the start of my new term, November 20<sup>th</sup> 2020, I am formally resigning from the Zoning Board of Appeals as the board appointed representative.

It has been a rewarding experience that has given me a unique insight into zoning that I don't feel I would have had and I believe has helped to prepare me for the Planning Commission if I am appointed. If I am not appointed to the planning commission it is still my intend to no longer serve on the ZBA.

Respectfully,

*Ardella M. Benak*

**Whitewater Township Treasurer**

231-267-5141 ext. 22

***DRAFT MINUTES*****Whitewater Township Board  
Minutes of Regular Meeting held December 8, 2020****Call to Order/Pledge of Allegiance**

Supervisor Popp called the meeting to order at 7:01 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance.

**Roll Call of Board Members**

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

Board Members present via Zoom: Trustee Hubbell, Popp

Board Members absent: None

Others present in person: 18

Others present via Zoom: Approximately 65

**Set/Adjust Meeting Agenda**

There were no adjustments.

**Declaration of Conflict of Interest**

None

**Public Comment (9:27)**

Tom Slopsema, 9693 Miami Beach Road, provided a 1-page document to the clerk and spoke in opposition to the marijuana ordinances.

Glenn Savage, 9833 Pineneedle Lane, spoke in opposition to the process for the marijuana ordinances.

Norm Bell, 6659 Cook Road, spoke in opposition to the marijuana ordinances.

John Nolan, 9933 Miami Beach Road, spoke in opposition to the repeal of Ordinance 55 and the marijuana ordinances.

Weston Hubbell, 10192 Munro Road, spoke in favor of allowing marijuana in the township.

Michael Corcoran, attorney on behalf of Northpoint Farms, 8055 Angell Road, spoke in favor of approving the marijuana ordinances.

Linda Slopsema, 9693 Miami Beach Road, spoke in opposition to the marijuana ordinances.

Eric Dean, 8778 Carns Road, spoke in favor of marijuana grows for farmers.

Chris Hubbell, 8055 Angell Road, spoke in favor of the marijuana ordinances and denied there was a conflict of interest.

Barbara Dean, 8778 Carns Road, spoke in favor of letting the farming community survive and diversifying the crops.

*DRAFT MINUTES*

Emily Bruce, 5070 N Broomhead Road, spoke in favor of the farmer's choice in agricultural crop, especially industrial hemp.

Dennis Dean, 8778 Carns Road, spoke in favor of allowing the farmer to utilize his land to its best ability to keep the farms going from generation to generation by allowing hemp or marijuana.

Alex Darrow, 8601 Church Street, provided correspondence and e-mails earlier and spoke in favor of the allowance of marijuana in the township.

Turning to Zoom participants, the following people commented:

Mark Taylor said he would like to reserve his public opinion after hearing from the road commission on the proposed Skegemog Point Road project.

Dee Prabhaker said his biggest concern regarding the marijuana ordinances is safety.

Rebants (male voice) said the board continues to not listen to the voice of the people through the survey process.

Dave Hauser would like to talk after Mr. Wayne Schoonover speaks later in the meeting.

Mary Ann Varley expressed that personally she is not for it, but she feels bad for the farmers and is hoping at some point maybe there can be some other way.

Richard Gold said he is here for the Skegemog Point Road discussion.

Vern Gutknecht spoke regarding the planning commission appointments and said Benak has a conflict of interest and bias; to avoid legal action, the board should elect Vollmuth.

Audrey Thomas said she feels sorry for the farmers but dislikes the marijuana stores and billboards in Traverse City. Hoping we do not have to have that sort of business in our township. If farmers can do it discreetly and not let it escalate into retail sales, it is okay with her.

Angela Kirby Buser, 8596 Church Street, said she and her husband support Ordinance 60; it will benefit the community and Williamsburg taxes as well.

John King, no comment on the marijuana; he is here to talk about Skegemog Point Road.

Don Bailey, Traverse City, spoke in opposition to allowing marijuana.

Dillon Thompson spoke in favor of allowing marijuana.

Bob Reider, 9435 Fairview Road, no comment on marijuana issue other than he would like to see another survey if possible.

*DRAFT MINUTES*

Charlene (last name not given) said she finds this very sad, uninformed, waiting for the next topic.

Mike Okma, 3303 Heiges Trail, said as a CBD user he can see both sides of the discussion but urged the board to take the pulse of the township residents one more time before they vote. If it passes, urged that zoning regulations be reviewed.

Corinne Prabhaker, 6925 Cook Road, urged the board to have discussion regarding the comments and said it seems the ordinance is not supported at this time by the majority of the public.

Jordan Travis asked those at the township hall who are on the board to identify themselves when they speak.

Sue McCraven said no comment, very interesting listening to both sides.

Bob Ziecina said the board knows his position, would like to see a new survey.

Gregory Buser, 8596 Church Street, spoke in favor of allowing marijuana and said representative democracy is not run by surveys.

Michigan State Police Trooper Andrew Sysko stated he is here on behalf of a call placed to his supervisor. He advised that new official guidelines state there are to be no public meetings in any township office; they have to be all virtual, and stated those present have to comply with that.

(A few of those present left the building.)

Discussion followed, with Goss asserting the Constitution's First Amendment right to peaceably assemble.

The Trooper replied no to Goss's question regarding making arrests but said he is asking that people be in compliance with the order. If people chose not to, that is within their right, but legally he has to send this to MDHHS.

Goss reiterated that the group is peaceably assembled, speculated the meeting will continue, and stated she swore an oath, as did the Trooper.

Board discussion followed.

At about 8:34 p.m., Vollmuth went outside the building and continued to participate via Zoom.

Board discussion continued.

Benak asked if there are more people online who want to comment and asked to get on with it.

*DRAFT MINUTES*

After further discussion, there was board consensus to continue with public comment.

Pat Laramie said she does not have any obvious objection to it if grow operations are all indoors.

All other Zoom participants declined comment.

Remaining in-person participants declined further comment.

**Public Hearing (1:46:34)**

None

**Reports/Presentations/Announcements/Comments (1:46:34)**

**County Board of Commissioners Report**

Gordie LaPointe said he scratched off all the items he had planned to report on, noted this is his last meeting, he has enjoyed representing Whitewater Township, and is sure that Darryl Nelson will do a fantastic job.

Board members thanked LaPointe for his work on behalf of Whitewater Township.

**Fire Department Report (1:48:04)**

Brandon Flynn gave the following report:

- There were 11 calls.
- They shut down in-person training about halfway through the month.

**Planning Commission Report (1:48:38)**

Popp noted the planning commission's last meeting was cancelled due to lack of quorum.

**Parks & Recreation Advisory Committee Report (1:49:00)**

Goss advised that the parks and rec committee does not meet again until next Monday; there is no report.

**Consent Calendar (1:49:17)**

Receive and File

1. Supervisor's Report for November 2020
2. Clerk/Parks & Recreation Administrator's Report for November/December 2020
3. Zoning Administrator's December 2020 Staff Report
4. Mobile Medical Response November 2020 Activity Reports
5. Fire Department November 2020 Report
6. Historical Society Reports for October 2020 (November 2020 not available)
7. Approved 10/12/2020 Parks & Recreation Advisory Committee Regular Meeting Minutes
8. Approved 10/14/2020 Historical Society Minutes
9. Approved 10/26/2020 Parks & Recreation Advisory Committee Special Meeting Minutes

*DRAFT MINUTES*

## Correspondence

1. Grand Traverse County Sheriff Department Statistics for November 2020 (not available)
2. Letter 11/05/2020 TCAPS re: 2021 Summer Tax Resolution
3. American Tower Communications
4. Grand Traverse County 2021 Recycle Dates
5. Networks Northwest 11/24/2020
6. E-mail Popp to Board and Others re: Ordinance 60 Needing Additional Review
7. E-mail 12/02/2020 Linda Slopsema re: Public Comment Marijuana Ordinances Linda Slopsema 12022020
8. E-mail 12/02/2020 Richard Hargreaves re: Marijuana Ordinance 55
9. E-mail 12/03/2020 John/Cathy Nolan re: Whitewater Township Marijuana Business Permits
10. E-mail 12/03/2020 Tom Slopsema re: Letter to Township Board re Marijuana Ordinance 3Dec2020
11. E-mail 12/03/2020 Alex Darrow re: Hobby to Craft: First Marijuana 'Microbusiness' License Awarded to Northern Michigan Man – [mlive.com](http://mlive.com)
12. E-mail 12/03/2020 Alex Darrow re: Michigan's Recreational Marijuana Industry Celebrates Birthday After 'Incredible' First Year – [mlive.com](http://mlive.com)

## Minutes

1. Recommend approval of 11/10/2020 regular meeting minutes and 11/17/2020 special meeting minutes

## Bills for Approval

1. Approval of Alden State Bank vouchers # 46045 through 46145
2. Approval of First Community Bank Miami Beach vouchers # (none)
3. Approval of First Community Bank WMDLS vouchers # (none)

## Budget Amendments (none)

Revenue & Expenditure Report – FY 2020/2021 – Revenue 09/30/2020/Expenditures 11/30/2020

**Motion by Goss to approve Consent Calendar items as presented; second by Benak. Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Popp, yes; Vollmuth, yes. Motion carried.**

Vern Gutknecht questioned a valid roll call when you can't see Mr. Hubbell.

**Unfinished Business (1:51:48)****Revised Whitewater Township Park Boat Launch/Entryway Improvement Plans - Set Public Hearing**

**Motion by Benak to conduct a public hearing on 01/12/2021 regarding the Whitewater Township Park Boat Launch/Entryway Improvement Project; second by Hubbell. Roll call vote: Goss, yes; Hubbell, yes; Popp, yes.**

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Vollmuth asked how the hearing would be held.

The motion was re-read.

Vollmuth again asked if the hearing would be held by Zoom only, (was told we do not know yet), then stated she was going to vote “present.”

Benak indicated she cannot do that.

Vollmuth then asked how many noes and yeses there had been.

Hubbell told Vollmuth this isn’t a wrestling match; she is supposed to be prepared for the meeting.

**Vollmuth, yes; Benak, yes. Motion carried.**

Brief discussion followed.

**(1:55:34)**

**Skegemog Point Road Q&A Session with Grand Traverse County Road Commission**

Wayne Schoonover from the Grand Traverse County Road Commission is present via Zoom.

Popp said there are questions about the proposed opinion of probable cost to rework Skegemog Point Road, and offered that board members could ask their questions first.

A few previous concerns were listed by Goss and Benak, as well as Goss’s repetition of concerns listed in the 11/10/2020 meeting minutes.

Schoonover provided information on how their process works, explained the proposal in more detail, and answered numerous questions.

Due to the number of Zoom participants who wish to speak on this issue, the idea of setting a special meeting was discussed.

There was board agreement that comments would be taken on this topic until 9:35 p.m.

Zoom participant comments raised the following issues:

- Is the township going to handle the cost, or will it be a shared expense. If shared, what is the expense to voters.
- Regarding 10-foot space for safety, if speed limit is lowered, can 10 foot be narrowed.
- Quality of life concern re: tree removal.
- What is process of the decision and how people pay.
- Where is existing travel way on north 1 mile and what is reflected in the opinion of costs.
- Very likely going to go to special assessment; don’t see project getting off the ground in 2021 if there is a special assessment.

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- Smoothing and widening encourages people to drive faster.
- Different county contribution on north and south sections; what is the criteria.
- Classification of road.

Due to the hour, there was consensus to set a special township board meeting on 12/15/2020 at 7:00 p.m. The sole agenda item will be Q&A session on Skegemog Point Road project.

**(2:52:15)**

**Proposed Ordinance No. 59 - Ordinance Authorizing and Permitting Commercial Medical Marijuana Facilities**

**Motion by Popp to table the adoption process of Proposed Ordinance 59 and Proposed Ordinance 60 for 6 months to allow for the creation of a new public survey regarding the possible future medical and adult use marihuana uses in Whitewater Township; second by Vollmuth.**

Vollmuth provided comments.

**Roll call vote: Hubbell, no; Popp, yes; Vollmuth, yes; Benak, no; Goss, no. Motion failed.**

Popp said his second motion, to have the planning commission generate a survey, is a motion to use the six months.

**Motion by Benak to adopt General Ordinance 59, Authorizing and Permitting Commercial Medical Marijuana Facilities; second by Goss.**

Board comments and discussion followed.

The motion was repeated.

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

**(3:28:05)**

**Proposed Ordinance No. 60 - Ordinance Authorizing and Permitting Adult-Use Marijuana Establishments**

Goss referred to page 9 of the proposed ordinance, e-packet page 202, paragraph 3, subparagraph B, 3rd line down, and suggested the insertion of "Township" in front of "Zoning Administrator" for consistency purposes.

There was no objection to the suggested change.

Popp referred to a missing item on page 136, an MMFLA or MRTMA label under co-location.

Popp confirmed the number of licenses is identical between the two ordinances.

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Referring to e-packet page 239, section 3, paragraph 4, Popp questioned whether we want to require the farmer to have two licenses.

Benak, Hubbell, and Goss agreed to removal of the paragraph cited by Popp.

Popp suggested we consult with Attorney Matt for his opinion as to whether it is legal.

Benak summarized that it is the board's intention to remove paragraph 4 if legal counsel says it is allowable with state regulations.

Popp noted that it reappears on e-packet page 249, section 6, paragraph 1, and said both paragraphs may have to be addressed by the attorney.

Discussion followed.

Benak, Goss, and Hubbell voiced agreement with the removal.

**Motion by Benak to adopt General Ordinance 60 authorizing and permitting adult use marijuana establishments as amended.**

Benak added that whatever the attorney says is legal is what we will do.

Popp, Hubbell, Vollmuth, and Goss agreed.

Goss commented on the proposed ordinance.

The motion was repeated.

**Second by Goss.**

Brief discussion followed.

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

**New Business (3:52:25)**

**2020/2021 Budgeted Transfers**

This agenda item will be postponed to January.

**(3:52:50)**

**Reappointment Recommendations - Various Boards and Committees**

Popp noted the Board of Review appointments are good until December 31st.

**Motion by Popp to confirm the recommendation of the supervisor appointing Heidi Vollmuth to a position on the Whitewater Township Planning Commission. The term shall**

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coincide with her elected term of office for Whitewater Township Trustee; second by Vollmuth.

Discussion followed.

**Roll call vote: Benak, no; Goss, no; Hubbell, no; Popp, yes; Vollmuth, yes. Motion failed.**

Popp stated other planning commission and PRAC appointments will be moved to the next meeting.

**Appointment of Township Board Representative to Planning Commission**

Benak listed her qualifications to serve on the planning commission.

Goss noted the board does not need a recommendation from the supervisor to appoint a representative to the planning commission, and stated it is a board decision.

Brief discussion followed.

**Motion by Goss to appoint Ardella Benak to the Planning Commission as the Township Board Representative; second by Hubbell.**

Discussion followed, with Hubbell expressing disappointment with the process and disagreement with Popp's statement that Vollmuth should automatically move into the position.

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

**Request to Purchase Fire Programs Software**

**Motion by Popp to permit Chief Flynn to purchase an annual subscription to Fire Programs incident reporting and records management software in the amount of \$2,359.00; second by Goss. Roll call vote: Hubbell, yes; Popp, yes; Vollmuth, yes; Benak, yes; Goss, yes. Motion carried.**

**Tabled Items (4:07:37)**

None

**Board Comments/Discussion (4:07:40)**

None

**Announcements (4:07:45)**

1. Next regular township board meeting 01/12/2021 at 7:00 p.m.
2. Special meeting on 12/15/2020 at 7:00 p.m.

*DRAFT MINUTES***Public Comment (4:08:08)**

Kim Mangus, 1214 Cerro Drive, Traverse City, said she is very discouraged with the way the board handled this issue; the general public was run out of the building after an hour and a half of public comment, and went on to levy additional criticism.

John Boucher, Clearwater Township, gave huge mega dittos to what Kim just said.

Goss noted there is still public present in the township hall.

Those present in person declined public comment.

**Adjournment (4:14:37)**

**Motion by Hubbell to adjourn; second by Popp. Roll call vote: Popp, yes; Vollmuth, yes; Benak, yes; Goss, yes; Hubbell, yes. Meeting adjourned at 11:08 p.m.**

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk

*DRAFT MINUTES***Whitewater Township Board  
Minutes of Special Meeting held December 15, 2020****Call to Order**

Supervisor Popp called the meeting to order at 7:01 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

**Roll Call of Board Members**

Board Members present in person: Treasurer Benak, Clerk Goss, Trustee Hubbell

Board Members present via Zoom: Trustee Vollmuth, Popp

Board Members absent: None

Others present in person: None

Others present via Zoom: Grand Traverse County Road Commission staff Wayne Schoonover and Rob Sullivan, approximately 42 others

**Set/Adjust Meeting Agenda**

There were no adjustments.

**Declaration of Conflict of Interest**

None

**Public Comment (7:25)**

The following Zoom participants made public comment:

John King, 9160 Skegemog Point Road, spoke of three features he is not in favor of: tree removal, the prominent drainage ditches, and the centerline revisions.

Glen Peterson, 8938 Skegemog Point Road, said he would hate to lose the canopy of trees and is in favor of reducing the speed limit at Samels farm to 25-35 miles an hour.

Gary Cramer, 8666 Skegemog Point Road, said he hates to lose the tree canopy, thinks the speed should be reduced, previous chip seal was done with the wrong rocks; asked if they make ditches on side of road 10 foot, what is going to happen with the mailboxes.

David Karmon, 8938 Skegemog Point Road, would like to maintain the canopy and reduce the speed limit.

Mark Taylor, 8057 Skegemog Point Road, said numerous residents are pushing back on the canopy of trees, ditches, and tax assessment; would like to investigate the speed limit; relayed his contact with Ron Rohloff regarding speed reduction process; would like to know process for funding of this improvement via grants and Pure Michigan monies.

Cliff Pixler, 9294 Skegemog Point Road, said his concern is the northernmost 1.2 miles; cited benefits of enhanced structural integrity and longevity, increased safety of drivers; cited negatives of higher short-term cost, destruction of trees, speeds will increase, increased potential

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for accidents. Asked if county will provide engineering costs, design, maintain, and provide construction observation even if the road is not designed to county road standards.

Karen Petersen, 8691 Skegemog Point Road, spoke of road being repaired once; road is in need of repair but is confused regarding the extent to which county and township want to do it; would like to just grade off the top and put a fresh coat on; doesn't understand why they have to go 10 feet on either side; road is very dilapidated and hazardous under the canopy of trees; said expense of residents and destruction of nature is not something she is in favor of.

Bob Campbell, 8886 Skegemog Point Road, said no one denies the need for major repairs, especially to last mile, and significant repairs to first two miles; wonders whether county would need to go to extent they are proposing if the speed limit was 25 mph instead of 55 mph; suggested vigorously and aggressively pursuing a speed limit reduction from the end of the farm to the northern extreme, perhaps by petition; would like to get a revised proposal from the road commission that would not do what the current proposal does to the canopy of trees.

Baiba Jensen, 8938 Skegemog Point Road, agreed with whoever has already spoken; her family has been part of Skegemog Point Road for over 50 years; haven't had anybody at low rate of speed crash into a tree; need to lower the speed limit; this is a local road that needs to be preserved for its beauty.

Chris Modrack, 8938 Skegemog Point Road, agreed with what has been said before; Campbell's idea to pursue changing the speed limit at end of point would make the most sense, to see if it is a viable alternative. She is part of Rice's resort, 10 families, rich ethic of preservation; it is a dead-end road; beauty of the canopy is amazing, wildlife protection.

Felicia Schulte, 8715 Skegemog Point, would like to see the canopy maintained and speed limit dropped all the way.

Jerry Blight, 8715 Skegemog Point Road, said if dropped speed limit is not enforced with sanctions, it is not going to do any good.

Richard Gold, 8541 Skegemog Point Road, said he agrees with what other folks have said; no discussion as to why the ramp down to the water has not been included. People who will wreak the most havoc on the southern two miles is the Elmer's pit with heaviest loads and highest traffic, an issue when it comes time to talk about who pays for this. If we have special assessment district, how does one get speed bumps.

Greta Dart, 8938 Skegemog Point Road, said she has been going to Rice's since about 1947. The thought of losing canopy is devastating to her; should try every avenue to maintain the trees.

Jill Kuznicki, 9139 Skegemog Point Road, said she supports everything that has been said; propane driver told her the road is the most dangerous in the county because it is so narrow. Having it widened to the point that it should be might help; need to look at another option for the final mile.

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Marianne Varley (buzzing and feedback)

Audrey Thomas, 9036 Skegemog Point Road, said she is on the north end, would like to see a slower speed limit and keep it narrow, the way it is, with a 5-foot gravel shoulder; raise the part that is low, chop it up and regrade it, crown the part that is low and crumbling and just repave it and leave the trees as they are, and put a slower speed limit.

Dave Hauser, 9240 Skegemog Point Road, said he has voiced his concerns in letters to Popp; supports a downscaled approach to the northern mile to preserve as many of the trees as possible and coming up with a way to pave parts of it. Most of the roughness is because of peeling off of skim coat done 15 or 16 years ago. In many parts of northern mile, pavement appears to be sound and could be paved over and be good for many years. He spoke of the rough surface of the northern mile and safety factors, distracted drivers, people falling/tripping, falling off bicycles, peaks of hills are dangerous, trucks straddling the centerline. Would like to try to find a way to compromise and protect as many of the trees as possible and improve pavement.

Katherine Lawrence, 9019 Skegemog Point Road, said she is in agreement with just about everybody; would be nice to have some improvements on the road; don't need 11 feet on either side and lose trees; a simpler repair would be good. Concerned about speeds, not in favor of improving launch at end of road.

Leslie Modrack, 8938 Skegemog Point Road, said she agrees with what everyone has said; we highly value conservation in our area; it is important to fix the road. She is interested to hear how this proposal came forward, widening the street 22 feet. It concerns her that there is any proposal to remove any trees, but fixing the road is critical. Maintaining conservation views and valuing safety, she thinks we can come to some kind of middle ground without compromising the trees.

Sue McCraven, 9435 Fairview Road, said she is on the dirt road at the northern extension of Skegemog Point Road. She supports what her neighbors say and is always concerned about saving trees, especially after the storm of 2015.

Marianne Varley, 9438 Fairview Road, posed a question to Chris Modrack about a nature preserve for the canopy of trees.

Chris responded.

Larry Varley, 9438 Fairview Road, said his family has been in this area for over 60+ years. To see the canopy being destroyed would be devastating. He spoke of improvements to Baggs Road and devastation. Spoke of beauty of northern mile, sand removal at Elmer's. Does not agree with speed bumps, concern for boat trailers, doesn't know how weight limits would be regulated. Agree about asphalt being fixed, but removing the canopy of trees even a slight amount would be devastating. Resurface it; leave the trees alone.

Ron Beitel, 8900 Skegemog Point Road, said Popp told him four or five years ago the road couldn't be fixed because of the water table on the north end; he needs to know what has

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changed from that and why that hasn't been brought up in this whole process. Asked if there is a calculation that the county and the township come up with; if it goes forward, is there a way to ask the county for more. Has owned a lot of homes; has never had anybody say I need you to pay for a road to get repaired. Trying to get some more answers.

Michael Kadian, 9035 Skegemog Point Road, said instead of a SAD based on parcel, can we do it based on amount of frontage on the road; thinks that will be an equal and fair assessment for everyone. Those with more frontage would pay more; those with less would pay less. Agrees that Elmer's would probably have to foot more of the bill since they are tearing up the road more and have more frontage. Proposed two speed limits, one on first couple miles and one in canopy area. Agrees with not getting rid of the canopy of trees but does like the idea of widening the road because it is narrow and not safe. Isn't sure he is for speed bumps or weight limits; always going to be big trucks. All for redoing it, but do it by frontage instead of by parcel.

Pat Laramie, 8580 Skegemog Point Road, said she would be an advocate for proceeding as soon as possible with requesting speed limits be set; would like to see a 25 mph speed limit for the north one mile because of narrowness, canopy, lack of visibility, and perhaps 40 mph for the first two miles. If we get another petition going and get a majority of signatures to approach the state police, she is more than happy to take that on. She is also for preserving the integrity of the north one mile. Would like to see some sort of compromise to rebuild road to where it will last a number of years, including establishing a drainage situation in the one low section of the road. She is not an advocate for speed bumps or on imposing a weight restriction for trucks.

Jan Becker, 7919 Skegemog Point Road, said she is in agreement of most of what has been said tonight; not in favor of speed bumps; have not had any significant maintenance on road for 10+ years, maybe 20, including filling of potholes; needs to be good maintenance so we are not in this situation in another 10 or 20 years. In favor of limiting the number of trees to be taken out and excessive widening of the road; would be in favor of the speed limits, 25 mph in the last mile, maybe 45 on first two miles off 72. No mention made regarding how residents on Drake and both portions of Fairview would be affected.

Eva Lenzini, 8077 Skegemog Point Road, said reduced speed on north mile would be great. South two miles need speed limit lowered as well. In favor of reduced scope in north mile. Not in favor of any repair on south two miles. Reduced scope would mean the county will not be kicking in any money if we don't do it their way. Would it end up to be higher cost for all residents on special assessment if county does not put any money in? How do we know the improvement is guaranteed for the life of the assessment?

Joe Volk, 8516 Skegemog Point Road, said he supports all his neighbors' wishes; hopeful by lowering speed limit a positive resolution can be reached with road commission on narrowing the road.

Bob Reider, 9435 Fairview Road, said it is a safety issue on north end with all the potholes; likes the tree canopy and would support any type of speed limit.

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Ed DeRosha, 9305 Skegemog Point Road, said he has concerns with safety, would like to see reduced speed limit; mixed feelings about the ramp; there is no parking there; concerned about restoring the ramp. White pine on his road is over 240 years old; hopes trees such as those will be preserved.

**Agenda Items as Listed in Special Meeting Notice (1:11:15)**

**Q&A Session on Skegemog Point Road Project**

Wayne Schoonover and Rob Sullivan from the Grand Traverse County Road Commission are present via Zoom.

Popp posed questions: How can we accomplish what you want to accomplish? How do we pave over what we have with zero widening and ditching?

Schoonover proceeded to explain the existing condition of the southern two miles and the north one mile, as well as a detailed explanation of their proposed fixes. He also explained their policies for reconstruction.

He also explained the road commission does not have the legal authority to change speed limits. They will collect data and submit to state police for consideration. Ron Rohloff looked at the number of access points, and Schoonover believes he forwarded that on to the township. If the northern one mile would fit within the section that allows for a 45-mph speed zone, that would take a supporting resolution from the township for the road commission to take it to the MSP. Speed limits are set by Michigan law at 55 mph.

Speed bumps would not be permitted on a public road; very dangerous for snowplowing.

The road commission has a local match contribution policy. Local match of 75% is required on all local road improvements. Match for wedging and chip sealing is 40% on the southern two miles. Northern section would be at 75%, but reduces to 70% if shoulders are paved at the same time. Estimates were given with and without paved shoulders.

Regarding lifespan of the roadway, when it is a reconstruction, they look at that they will be able to get 20+ years out of that. If you incorporate preventive maintenance operations, crack sealing at 5 years out, chip sealing at 7-10 years, you are able to greatly expand the lifespan of newly constructed and reconstructed roadways. Roads that are not reconstructed, like the southern two miles, are more subject to underlying conditions that have been covered with asphalt; those are a lot harder to identify the lifespan. He explained their policies on post-reconstruction and post wedge and chip seal issues.

The road commission's estimate includes the cost of a 2-inch overlay at the access to the lake at the end of Skegemog Point Road for ease of turnaround of road commission equipment.

In answer to Goss's questions, Schoonover stated the following:

- He does not believe there are any road repair options that would maintain all of the tree canopy. They are looking to have a 10-foot clear zone from the edge of the travel way. They would start out with an 11-foot drive lane, plus a 5-foot shoulder, combination of

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gravel and pavement, in order to provide multimodal shoulders and clear zones to AASHTO recommendations, and commented on considerations for ditch dimensions.

- He explained the consequences of not allowing water to drain off the road through lack of sunlight, ditching or paved shoulders, i.e., safety issue of water on the road, reduced lifespan.
- Addressing a concern as to how close the road commission's opinions of probable cost come to actual costs on projects as reflected by the bids, Schooner related that for two SADs which were ongoing in 2018, the bids were within 10% of the road commission estimates. He explained the process that would be followed if there was a decision to continue on. On their first shot, they try to be conservative.

Benak had no questions.

Vollmuth asked if they wanted to do portable speed bumps, would they have to fund them themselves.

Schoonover said they would not allow it.

In answer to Hubbell's question about the use of cement versus asphalt and longer life, Schoonover replied that concrete roadway upfront costs are probably 1.5 times more expensive. Lifespan depends on the type of traffic, the load of the traffic. They do last, but they are not maintenance free, and explained improvements in asphalt over the years.

Popp asked Schoonover to speak to how we might improve the driving surface while keeping 100% of the existing canopy.

Schoonover explained that in order to expend public dollars on this route, they do have to meet their standards and have to be addressing safety and drainage. If they forewent using public funds for a fix, then they would be looking at just repairs of what is there today, i.e., a 20-foot-wide road and 1 or 2 feet or, in some areas, virtually no shoulder area. That would basically get an asphalt cap over the existing. They would have to address adding gravel shoulders or something of that nature in order to prevent an edge drop off from the asphalt. That would be allowed under their permit process, or with the road commission overseeing that, that could happen. They would allow that as long as it was no less than what is there today.

Popp noted that option would not address any of the concerns on the last mile, but maybe the south two miles we could go with the proposed opinion of probable cost.

Schoonover agreed that is an option.

Popp asked Schoonover to talk about how the road commission might engineer, might write a specification, and might inspect the work done on that last mile if it were just a simple cap over.

Schoonover acknowledged that is a tough question, for the reason that the contractor can provide a good quality mix, which the road commission inspects. Contractor does quality control. Road commission does quality assurance. From that point on, because they are putting asphalt on an

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uneven surface, the thickness of asphalt could vary from 2” to 3” or less. When rolling it, you cannot get uniform density across it. He said there is no way he can say that if you put a cap over the top of this, you are going to get 20 years. He feels fairly assured that you are not going to have anything major for 5 or 10 years but cannot guarantee the strength of the underlying materials. Their asset management policy would be that they would not participate and spend public dollars on a fix that is substandard.

There were several other questions from board members.

There was discussion about the possibility of coming up with an alternative to the existing opinion of probable cost, the alternative being a cap over of some type of the last mile, and potentially using the suggested fix for the south two miles.

By show of hands, Zoom participants indicated a desire to pursue that option.

Schoonover indicated they could proceed under the agreement without the payment of additional monies. If there is no change with the southern two miles, they would continue with that. The northern mile, they would probably have more conversation to define exactly what the residents would like to see out there. They would make sure they are good with accepting that before they went further with any other redesign.

There were additional questions and comments from Skegemog Point Road residents.

There was board consensus that the people on the north section of Skegemog Point Road would like the road commission to provide a hybrid opinion of probable cost dealing with a cap over on the north one mile and leave the south two miles as it is currently proposed.

Schoonover asked for clarification. With this hybrid and with doing a cap over that northern one mile, are we looking at just doing the cap over the existing 20-foot road width, or is there any consideration or thought of trying to provide a minimum paved shoulder width in addition. Not doing any widening of any existing shoulder, but if there are areas with existing shoulder, utilizing some of that and pave some of that.

Popp said he would encourage the residents to look at adding some pavement outside of the white line, especially if we did not have to remove any trees to do it. He thinks that would be consensus of this group; even if it cost more, it would provide a longer lasting road surface. Also, maybe we want to take a look at more than just 2 inches.

Hubbell said he would push for having the road crushed and reshaped and put back down, and most certainly extending the sides of the road, to get more longevity and bang for the buck.

Discussion followed.

**Board Comments/Discussion (2:56:25)**

None

*DRAFT MINUTES***Public Comment (2:56:35)**

Four people spoke.

**Adjournment (3:04:50)**

**Motion by Hubbell to adjourn; second by Vollmuth. Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Popp, yes; Vollmuth, yes. Meeting adjourned at 9:59 p.m.**

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk

**Bills for Approval  
January 12, 2021**

<b>ALDEN STATE BANK</b>	<b>46146 - 46223</b>	
ACCTS PAYABLE 12/8	46146 - 46172	Grand Total \$16,127.42
VOID CKS 45076 & 45127 (2020 MAMC Dues/Late Fee)		Grand Total -\$150.00
PAYROLL 12/18	46173 - 46190	Gross Payroll \$7,894.44
ACCTS PAYABLE 12/22	46191 - 46202	Grand Total \$6,755.45
PAYROLL 12/31	46203 - 46223	Gross Payroll \$7,712.67

**FIRST COMMUNITY BANK - MIAMI BEACH**

**FIRST COMMUNITY BANK - WMDLS**

**ALDEN STATE BANK - MONEY MARKET**

# Check Register Report

Bills for Approval 01/12/2021

Date: 01/05/2021

Time: 2:37 pm

Page: 1

Whitewater Township

BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
<b>ALDEN STATE BANK Checks</b>								
46146	12/08/2020	Printed			AD ASSESS	AD ASSESSING INC	DEC. 2020	1,975.00
46147	12/08/2020	Printed			ALLIED	ALLIED 100 LLC	CPR TRAINING SUPPLIES	2,041.31
46148	12/08/2020	Printed			AMERICAN	AMERICAN WASTE	12/01-12/31/2020	32.00
46149	12/08/2020	Printed			APPLIED IM	APPLIED IMAGING	6 QTS. SHREDDER OIL	173.50
46150	12/08/2020	Printed			AT&T-CELL	AT&T MOBILITY	11/23-12/22/2020	47.32
46151	12/08/2020	Printed			BRANDON F	BRANDON FLYNN	DEC. 2020	40.00
46152	12/08/2020	Printed			BRICK HOUSE	BRICK HOUSE INTERACTIVE	RENEWAL OF WEBSITE HOSTING	235.00
46153	12/08/2020	Printed			CHARTER	CHARTER COMMUNICATIONS	12/01-12/30/2020	179.97
46154	12/08/2020	Printed			CHERRYLAND	CHERRYLAND ELECTRIC COOP	72 & SKEGEMOG PT RD.	49.85
46155	12/08/2020	Printed			CONSUMERS	CONSUMERS ENERGY	10/23-11/22/2020	53.83
46156	12/08/2020	Printed			DTE ENERGY	DTE ENERGY	10/22-11/20/2020	127.13
46157	12/08/2020	Printed			EFTPS	EFTPS	PAYROLL 12/04/2020	1,685.19
46158	12/08/2020	Printed			FAHEY	FAHEY SCHULTZ BURZYCH	SUBPOENA EETKO	5,021.50
					RHODES	RHODES	BLDRS/GOBER	
46159	12/08/2020	Printed			FICK & SON	FICK & SONS DIESEL GARAGE	ANNUAL SERVICE & DOT ENG.3	669.84
					INC.	INC.		
46160	12/08/2020	Printed			G.J.'S	G.J.'S RENTALS, INC	RENTED CANOPIES FOR	910.00
							ELECTION	
46161	12/08/2020	Printed			GILL-ROY	GILL-ROY'S HARDWARE 6737	SCREWS FOR WTP TRAIL SIGNS	35.98
46162	12/08/2020	Printed			GOURDIE	GOURDIE-FRASER & ASSOCIATES	SHUTDOWN OF SEPTIC SYSTEM	160.00
46163	12/08/2020	Printed			GTC TREAS	GRAND TRAVERSE CO	11/03/20 ELECTION CODING,	565.00
					TREASURER	TREASURER	TEST	
46164	12/08/2020	Printed			CULLIGAN	MCCARDEL CULLIGAN WATER	1 BOTTLE WATER AND DEC. 2020	41.50
					COND	COND		
46165	12/08/2020	Printed			MAMC	MICHIGAN ASSOCIATION OF	TERESE HOOPER DUES 2021	120.00
46166	12/08/2020	Printed			MUNSON OH	MUNSON OCCUPATIONAL	ANNUAL PHYSICAL DAVID TILLEY	270.04
					HEALTH	HEALTH		
46167	12/08/2020	Printed			PSI	PRINTING SYSTEMS, INC	I VOTED STICKERS & QVF	37.76
							MASTER	
46168	12/08/2020	Printed			QUAD FINAN	QUADIENT FINANCE USA, INC	PREPAID POSTAGE	1,000.00
46169	12/08/2020	Printed			TC RECORD	TC RECORD-EAGLE, INC.	LEGAL NTC-PUBLIC HRG.	116.40
46170	12/08/2020	Printed			THE COPY	THE COPY SHOP	5 REAMS COPY PAPER FOR	49.10
46171	12/08/2020	Printed			VERIZON	VERIZON WIRELESS	10/24-11/23/2020	40.01
46172	12/08/2020	Printed			VISA	VISA	TWP	450.19
							HALL/FIRE/PARK/ELECTIONS	
46191	12/22/2020	Printed			AFP SPEC	AFP SPECIALTIES, INC	ANNUAL FIRE SPRINKLER	175.00
46192	12/22/2020	Printed			ALLIED	ALLIED 100 LLC	EPIPEN AUTO INJECTION	29.85
46193	12/22/2020	Printed			ARDELLA	ARDELLA BENAK	09/22-12/09/2020 MILEAGE	149.50
46194	12/22/2020	Printed			CHARTER	CHARTER COMMUNICATIONS	11/30-12/29/2020	159.98
46195	12/22/2020	Printed			CONSUMERS	CONSUMERS ENERGY	11/12-12/10/2020	1,245.29
46196	12/22/2020	Printed			EFTPS	EFTPS	12/18/2020 PAYROLL	1,636.81
46197	12/22/2020	Printed			FIREPROG	FIREPROGRAMS	STATION MANAGER SOFTWARE	2,359.00
46198	12/22/2020	Printed			FUELMAN	FUELMAN	NOV. 2020 FUEL FOR FIRE EQUIP.	175.01
46199	12/22/2020	Printed			KIM FINCH	KIM FINCH	NOV. & DEC. 2020	200.00
46200	12/22/2020	Printed			QUAD LEAS	QUADIENT LEASING USA, INC	POSTAGE METER LEASE	322.89
46201	12/22/2020	Printed			SCI NET	SCI NETWORKS	12/14/2020-01/13/2021	218.52
46202	12/22/2020	Printed			WELLS F	WELLS FARGO FINANCIAL	COLOR COPIER LEASE	83.60

Total Checks: 39

Checks Total (excluding void checks):

22,882.87

Total Payments: 39

Bank Total (excluding void checks):

22,882.87

Total Payments: 39

Grand Total (excluding void checks):

22,882.87

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
<b>Fund: 101 GENERAL FUND</b>							
<b>Dept: 000</b>							
101-000-015	Prepaid Postage						
	QUADIENT FINANCE USA, LLC	WAMSBU0000011465695	PREPAID POSTAGE	46168	11/23/2020	12/08/2020	1,000.00
							<b>1,000.00</b>
<b>Total Dept. 000:</b>							<b>1,000.00</b>
<b>Dept: 101 Township Board</b>							
101-101-727	Office Supplies & Exp						
	VISA		TWP HALL/FIRE/PARK/ELECTI	46172	11/27/2020	12/08/2020	15.89
							<b>15.89</b>
101-101-940	Equipment Rental						
	QUADIENT LEASING USA, IN	N8624860	POSTAGE METER LEASE	46200	12/13/2020	12/22/2020	322.89
	WELLS FARGO FINANCIAL	5012957370	COLOR COPIER LEASE	46202	12/03/2020	12/22/2020	83.60
							<b>406.49</b>
<b>Total Dept. Township Board:</b>							<b>422.38</b>
<b>Dept: 195 Elections</b>							
101-195-727	Office Supplies & Exp						
	PRINTING SYSTEMS, INC	PC-216752	I VOTED STICKERS & QVF MA	46167	10/05/2020	12/08/2020	37.76
							<b>37.76</b>
101-195-728	Postage						
	G.J.'S RENTALS, INC	33812	RENTED CANOPIES FOR ELE	46160	09/22/2020	12/08/2020	910.00
							<b>910.00</b>
101-195-865	Meal/Lodging Expens						
	VISA		TWP HALL/FIRE/PARK/ELECTI	46172	11/27/2020	12/08/2020	155.62
							<b>155.62</b>
<b>Total Dept. Elections:</b>							<b>1,103.38</b>
<b>Dept: 209 Assessor</b>							
101-209-807	Assessing Services						
	AD ASSESSING INC		DEC. 2020	46146	12/01/2020	12/08/2020	1,975.00
							<b>1,975.00</b>
<b>Total Dept. Assessor:</b>							<b>1,975.00</b>
<b>Dept: 210 Attorney</b>							
101-210-801	Legal Services						
	FAHEY SCHULTZ BURZYCH	56170	MARIHUANA MATTERS	46158	12/01/2020	12/08/2020	2,038.50
	FAHEY SCHULTZ BURZYCH	56169	LOSSIE ROAD TRAIL	46158	12/01/2020	12/08/2020	2,767.50
	FAHEY SCHULTZ BURZYCH	56169	SUBPOENA EETKO BLDRS/GC	46158	12/01/2020	12/08/2020	215.50
							<b>5,021.50</b>
<b>Total Dept. Attorney:</b>							<b>5,021.50</b>
<b>Dept: 215 Clerk</b>							
101-215-727	Office Supplies & Exp						
	APPLIED IMAGING	581428-0	6 QTS. SHREDDER OIL	46149	12/01/2020	12/08/2020	173.50
	GRAND TRAVERSE CO TRE/	98496	11/03/20 ELECTION CODING, T	46163	12/01/2020	12/08/2020	565.00
							<b>738.50</b>
101-215-840	Dues and Membershi						
	MICHIGAN ASSOCIATION OF		CHERYL GOSS DUES 2021	46165	12/08/2020	12/08/2020	60.00
	MICHIGAN ASSOCIATION OF		,TERESE HOOPER DUES 2021	46165	12/08/2020	12/08/2020	60.00
							<b>120.00</b>
<b>Total Dept. Clerk:</b>							<b>858.50</b>

# INVOICE APPROVAL LIST BY FUND REPORT

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Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
101-253-860	Mileage Reimburseme ARDELLA BENAK		09/22-12/09/2020 MILEAGE	46193	12/14/2020	12/22/2020	149.50
							<b>149.50</b>
Total Dept. Treasurer:							<b>149.50</b>
Dept: 265 Township Hall & Groun							
101-265-740	Operating Expense & MCCARDEL CULLIGAN WATI		1 BOTTLE WATER FOR OCT. A	46164	11/01/2020	12/08/2020	20.75
	MCCARDEL CULLIGAN WATI		1 BOTTLE WATER AND DEC. 2	46164	12/01/2020	12/08/2020	20.75
	VISA		TWP HALL/FIRE/PARK/ELECTI	46172	11/27/2020	12/08/2020	75.37
							<b>116.87</b>
101-265-810	Janitorial Services KIM FINCH		NOV. & DEC. 2020	46199	12/22/2020	12/22/2020	200.00
							<b>200.00</b>
101-265-811	Waste Removal Servi AMERICAN WASTE	4013414	12/01-12/31/2020	46148	12/01/2020	12/08/2020	16.00
							<b>16.00</b>
101-265-851	Internet/Website BRICK HOUSE INTERACTIVE	120220WWT	RENEWAL OF WEBSITE HOST	46152	12/02/2020	12/08/2020	235.00
	CHARTER COMMUNICATION		11/30-12/29/2020	46194	11/30/2020	12/22/2020	49.99
							<b>284.99</b>
101-265-922	Electricity CONSUMERS ENERGY	201629526941	11/12-12/10/2020	46195	12/10/2020	12/22/2020	145.47
							<b>145.47</b>
101-265-923	Electric Heat CONSUMERS ENERGY	201629526942	11/12-12/10/2020	46195	12/10/2020	12/22/2020	429.61
							<b>429.61</b>
101-265-924	Telephone CHARTER COMMUNICATION		11/30-12/29/2020	46194	11/30/2020	12/22/2020	109.99
	SCI NETWORKS	1879279	12/14/2020-01/13/2021	46201	12/14/2020	12/22/2020	182.10
							<b>292.09</b>
Total Dept. Township Hall & Grounds:							<b>1,485.03</b>
Dept: 276 Cemetery							
101-276-922	Electricity CONSUMERS ENERGY	205990076245	11/12-12/10/2020	46195	12/10/2020	12/22/2020	28.85
							<b>28.85</b>
Total Dept. Cemetery:							<b>28.85</b>
Dept: 400 Planning Commission							
101-400-901	Publishing TC RECORD-EAGLE, INC.	11202055	LEGAL NTC-PUBLIC HRG.	46169	11/30/2020	12/08/2020	116.40
							<b>116.40</b>
Total Dept. Planning Commission:							<b>116.40</b>
Total Fund GENERAL FUND:							<b>12,160.54</b>

Fund: 203 ROAD FUND

Dept: 446 Road Right of Way

203-446-921	Street Lights						
	CHERRYLAND ELECTRIC CC		M72 & COOK RD	46154	11/24/2020	12/08/2020	2.53
	CHERRYLAND ELECTRIC CC		M72 & MOORE RD	46154	11/24/2020	12/08/2020	23.66
	CHERRYLAND ELECTRIC CC		M72 & SKEGEMOG PT RD.	46154	11/24/2020	12/08/2020	23.66

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
							49.85
							49.85
							49.85
Fund: 206 FIRE FUND							
Dept: 336 Fire Dept							
206-336-739	Fuel & Oil FUELMAN	52984094995401	NOV. 2020 FUEL FOR FIRE EQ	46198	12/07/2020	12/22/2020	175.01
							175.01
206-336-740	Operating Expense & FIREPROGRAMS VISA	20204166	STATION MANAGER SOFTWARE TWP HALL/FIRE/PARK/ELECTRIC	46197	12/10/2020	12/22/2020	2,359.00
				46172	11/27/2020	12/08/2020	130.18
							2,489.18
206-336-803	Medical Professional MUNSON OCCUPATIONAL HEALTH	00189035-00	ANNUAL PHYSICAL DAVID TILLY	46166	11/30/2020	12/08/2020	270.04
							270.04
206-336-804	Professional Services VERIZON WIRELESS	9867719806	10/24-11/23/2020	46171	11/23/2020	12/08/2020	40.01
							40.01
206-336-811	Waste Removal Services AMERICAN WASTE	4012807	12/01-12/31/2020	46148	12/01/2020	12/08/2020	8.00
							8.00
206-336-851	Internet/Website CHARTER COMMUNICATION		12/01-12/30/2020	46153	12/01/2020	12/08/2020	79.99
							79.99
206-336-880	Education & Training ALLIED 100 LLC ALLIED 100 LLC	1792240 1812092	CPR TRAINING SUPPLIES EPIPEN AUTO INJECTION	46147 46192	11/25/2020 12/15/2020	12/08/2020 12/22/2020	2,041.31 29.85
							2,071.16
206-336-920	Natural Gas DTE ENERGY		10/22-11/20/2020	46156	11/23/2020	12/08/2020	63.57
							63.57
206-336-922	Electricity CONSUMERS ENERGY	205990076244	11/12-12/10/2020	46195	12/10/2020	12/22/2020	259.78
							259.78
206-336-924	Telephone CHARTER COMMUNICATION		12/01-12/30/2020	46153	12/01/2020	12/08/2020	99.98
							99.98
206-336-925	Cellular Phone BRANDON FLYNN		DEC. 2020	46151	12/01/2020	12/08/2020	40.00
							40.00
206-336-930	Facility Repairs/Maintenance AFP SPECIALTIES, INC	8218	ANNUAL FIRE SPRINKLER	46191	12/15/2020	12/22/2020	175.00
							175.00
206-336-933	Vehicle Repair & Maintenance FICK & SONS DIESEL GARAGE	10864	ANNUAL SERVICE & DOT ENG	46159	12/03/2020	12/08/2020	669.84
							669.84
							6,441.56

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount	
							<b>Total Fund FIRE FUND:</b>	<b>6,441.56</b>
<b>Fund: 208 PARK FUND</b>								
<b>Dept: 756 Township Park</b>								
208-756-740	Operating Expense & GILL-ROY'S HARDWARE 673 VISA	2011-717530	SCREWS FOR WTP TRAIL SIG TWP HALL/FIRE/PARK/ELECTI	46161 46172	11/13/2020 11/27/2020	12/08/2020 12/08/2020	35.98 73.13	
							<b>109.11</b>	
208-756-812	Septic Services GOURDIE-FRASER & ASSOC	43	SHUTDOWN OF SEPTIC SYST	46162	11/30/2020	12/08/2020	160.00	
							<b>160.00</b>	
208-756-922	Electricity CONSUMERS ENERGY	204210303074	11/13-12/13/2020	46195	12/13/2020	12/22/2020	28.85	
	CONSUMERS ENERGY	204210303075	11/13-12/13/2020	46195	12/13/2020	12/22/2020	62.92	
							<b>91.77</b>	
208-756-924	Telephone SCI NETWORKS	1879279	12/14/2020-01/13/2021	46201	12/14/2020	12/22/2020	36.42	
							<b>36.42</b>	
208-756-925	Cellular Phone AT&T MOBILITY		11/23-12/22/2020	46150	11/22/2020	12/08/2020	47.32	
							<b>47.32</b>	
<b>Total Dept. Township Park:</b>							<b>444.62</b>	
<b>Total Fund PARK FUND:</b>							<b>444.62</b>	
<b>Fund: 209 RECREATION FUND</b>								
<b>Dept: 757 Recreation</b>								
209-757-727	Office Supplies & Exp THE COPY SHOP	21355533	5 REAMS COPY PAPER FOR	46170	11/25/2020	12/08/2020	49.10	
							<b>49.10</b>	
209-757-922	Electricity CONSUMERS ENERGY		10/23-11/22/2020	46155	11/22/2020	12/08/2020	53.83	
	CONSUMERS ENERGY	201629526940	11/12-12/10/2020	46195	12/10/2020	12/22/2020	30.02	
							<b>83.85</b>	
<b>Total Dept. Recreation:</b>							<b>132.95</b>	
<b>Fund RECREATION FUND:</b>							<b>132.95</b>	
<b>Fund: 210 AMBULANCE FUND</b>								
<b>Dept: 651 Ambulance</b>								
210-651-811	Waste Removal Servi AMERICAN WASTE	4012807	12/01-12/31/2020	46148	12/01/2020	12/08/2020	8.00	
							<b>8.00</b>	
210-651-920	Natural Gas DTE ENERGY		10/22-11/20/2020	46156	11/23/2020	12/08/2020	63.56	
							<b>63.56</b>	
210-651-922	Electricity CONSUMERS ENERGY	205990076244	11/12-12/10/2020	46195	12/10/2020	12/22/2020	259.79	
							<b>259.79</b>	
<b>Total Dept. Ambulance:</b>							<b>331.35</b>	
<b>Fund AMBULANCE FUND:</b>							<b>331.35</b>	

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Posting Date	Amount
<b>Fund: 750 PAYROLL CLEARING F</b>							
<b>Dept: 000</b>							
750-000-258	Accrued Payroll Tax:						
	EFTPS	270074390408202	PAYROLL 12/04/2020	46157	12/08/2020	12/08/2020	1,685.19
	EFTPS	270075765943527	12/18/2020 PAYROLL	46196	12/22/2020	12/22/2020	1,636.81
							<b>3,322.00</b>
<b>Total Dept. 000:</b>							<b>3,322.00</b>
<b>PAYROLL CLEARING FUND:</b>							<b>3,322.00</b>
<b>Grand Total:</b>							<b>22,882.87</b>

## MEMO

**To:** Whitewater Township Board

**From:** Cheryl A. Goss, Clerk

**Date:** 01/05/2021

**Re:** **Revised Whitewater Township Park Boat Launch/Entryway Improvement Plans**

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A public hearing will take place at the board's January 12th meeting to receive final public input on the revised Whitewater Township Park Boat Launch/Entryway Improvement Plans. Board members may have questions on the plans. David Capser and Andrew Filler from Fleis & VandenBrink plan to be present via Zoom to answer questions.

Several pages of public comment received through the township website from July through October is attached.

**An appropriate motion would be: Motion to approve the Revised Whitewater Township Park Boat Launch/Entryway Improvement Plans.**

**Second action requested: Motion to proceed to Final Design Engineering and Permitting as outlined in Professional Services Agreement between Whitewater Township and Fleis & VandenBrink.**

###

**Date/Time Submitted**

**Question: Are you a resident and/or taxpayer of Whitewater Township?**

**Question: Do you utilize the boat launch at Whitewater Township Park?**

**Comments**

10/13/2020 06:01am No Yes I love the expansion plans for the Whitewater Twp Park. I think this is a much needed addition to the park and would allow for easier access to the lake for residents and non-residents.

10/13/2020 06:28am No Yes "Redoing the main road in would be my suggestion. If paving is not an option, redoing it with limestone would work great.

Where I live, they replaced the gravel road with limestone and it almost turns to cement over time. Fewer potholes.

10/13/2020 06:31am No Yes Add more docks, possibly a wave breaker for when winds are blowing out of the north or south makes launching/loading very difficult with big waves. Add sandy area on shoreline/remove some rocks for beaching boats to avoid tying to dock with only a single dock there

10/13/2020 07:00am No Yes Any expansion to boat launches and parking are great! It would invite more visitors to the area to use the lake and spend money in your township. High school tournaments are expanding and always looking for places to hold weekend contests which bring in money to the area.

10/13/2020 10:51am No Yes "I would welcome improvement of the launch site, but I think the road from the black top to the launch needs to be paved. It felt like we were driving in about six inches of snow on September 12. Both my boat trailer and truck were covered with mud that seemed to stick to the wheels and rims of the trailers. Love this area of Michigan!

10/13/2020 01:16pm No Yes these seem like good improvements

10/13/2020 01:33pm No Yes I am in favor of the improvements.

09/11/2020 05:07am Yes Yes "I think this is going to be great for easing traffic congestion!

I was hoping a kayak launch would be part of this.change> Is that something you are going to do? We enjoy the camping and boating.

**Date Submitted 08/17/2020 06:00am**

Are you a resident and/or taxpayer of Whitewater Township? No

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: We have not used the launch in several years due to the short dock, when the wind is from the North it makes unloading / loading a challenge. We are very excited to see the expansion, as

well as the added length being considered in the plan. Also, like the second launch to reduce the backup that occurs regularly. The entire plan appears to be very well thought out and will be a great asset to the Township.

**Date Submitted 08/16/2020 06:33pm**

Are you a resident and/or taxpayer of Whitewater Township? No

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: I cannot wait for the additional boat launches and parking. Traffic flow will be an interesting hurdle to overcome.

Restrooms would be a welcome addition as well.

**Date Submitted 08/14/2020 05:57pm**

Are you a resident and/or taxpayer of Whitewater Township? No

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: Like the new plans and looks to be a workable plan. Might be beneficial to post some basic rules on entry to the launch. Seems that folks forget etiquette when they arrive for launch and entry.

Might want to consider some increase in the user fees to assist in the funding and payoff more quickly.

Consider when the new launch is created to clear out some of the rocks that exist within the south end of the launch area as on certain windy days it can be treacherous coming in to the dock on the far side as the wind/waves can catch you off guard.

Look forward to the improved facility and make it one of the nicest in the area. Thanks for your efforts in arranging for the improvements.

**Date Submitted 08/14/2020 05:27pm**

Are you a resident and/or taxpayer of Whitewater Township? Yes

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: The Elk Skegemog Lakes Association (ESLA) Board is aware of the proposed changes to Whitewater Township Park and would like to congratulate the Township Board for its inclusion of a boat wash station at the new park. Not only is it State law that boaters clean their watercraft and trailers when leaving a lake but is it extremely environmentally sound to do so. The introduction of

invasive species into our waterways is a problem that can be significantly stemmed by proper boat cleaning techniques. The new boat wash is a major step in that direction.

In an interview this month on behalf of our members, DNR fisheries management biologist Heather Hettinger said the main reason for the sharp reduction of whitefish in Elk Lake was the introduction of invasive zebra mussels in the early 1990s. Also, the invasive aquatic plants Eurasian milfoil and purple loosestrife are an ongoing issue that ESLA spends significant member dues fighting each year.

Our concern is that with the proposed expansion of the park (a doubling of parking sites to 80 and an increased availability of parking sites to accommodate campers with boats), the boating traffic would best be served by an additional boat wash station. The area is busy much of the summer and especially during peak times such as holiday weekends and essentially all summer weekends. There are also a growing number of fishing tournaments in the area that should be utilizing this service as they enter or depart the lake.

The proposed CD3 system allows the township to provide boat “wash” service without the need for a full time attendant. The reviews of the system are quite favorable. However, if an estimated time of 5 minutes (an optimistic estimate) per boat is used, only 12 boats per hour can be cleaned. This will not be adequate at such times as summer weekends, holidays, or tournaments. Many boaters may bypass the cleaning station to avoid high wait times. If this is the case, the whole intent of providing such systems will be lost. Not only are boaters breaking the law (Michigan’s Natural Resources and Environmental Protection Act (Act 451 of 1994) Part 413) but they are putting our waterways at risk.

Based on this month’s unanimous decision of the ESLA board, which includes eight members who live in Whitewater Township, we strongly encourage the Township to consider the addition of a second boat wash station when finalizing plans for the new Whitewater Township Park. We also strongly urge the addition of signage, as is found at state boat ramps, informing boaters of the law and its requirements. ESLA happily would help with securing proper signage from the Michigan Department of Environmental Quality.

Sincerely,  
Mary Beth Kazanski  
President, Elk Skegemog Lakes Association

**Date Submitted 08/14/2020 02:26pm**

Are you a resident and/or taxpayer of Whitewater Township? No

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: These plans look fantastic! This is a very well run launch and by adding additional launches and parking will certainly improve what is already a great place.

**Date Submitted 08/14/2020 01:28pm**

Are you a resident and/or taxpayer of Whitewater Township? No

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: we love the park and Elk Lake we have been coming for years, we live in East Bay Township.

The launch repair is long overdue the dock is unsafe I have seen MANY near accidents myself just 2 weeks ago I thought a man would going to be seriously injured!! Great staff just not the greatest parking. The traffic doesn't flow well. The launch is in serious disrepair

**Date Submitted 08/14/2020 01:13pm**

Are you a resident and/or taxpayer of Whitewater Township? No

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: To whom it may concern, first thanks for letting use comment on your upcoming project, I have been staying at your park for three years and will next year again,(seasonal renter) My family loves the park and the people that run it. I am a boater and am happy to see the improvements to come. The increased dock length it a big item for us, since know to launch about half the boat is past the end of the dock, then once I pull the trailer out I can pull boat closer to the shore, the additional parking is great also because on busy weekends I park my trailer at my site put then have to walk down which isn't a big deal for me to walk put it slows down traffic in and out of the water. I don't see the need for the boat trailer short term tie down area, most guys have them off, or take them off when in line, the new rules that were implemented this year(buy wood from you guys, i personally think that was a good idea) again thanks for asking are opinion . best of luck with project.

Dale Poellet

**Date Submitted 08/13/2020 06:15pm**

Are you a resident and/or taxpayer of Whitewater Township? No

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: I do use the launch occasionally to launch my kayak. Might be nice to have a smaller launch off to the side for non-motorized watercraft to stay out of the way of power boaters. Thanks.

**Date Submitted 08/13/2020 05:27pm**

Are you a resident and/or taxpayer of Whitewater Township? Yes

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: With the planned boat ramp expansion (doubling ramps and parking availability) at Whitewater Township Park, it is critical that we do our part to educate boaters to follow the law and prevent introduction and spread of aquatic invasive species which could further negatively impact Elk Lake and other Michigan waterways. We have already experienced significant impacts from invasive species in Elk Lake (Zebra mussels, Eurasian milfoil, Purple loosestrife).

I appreciate it that the preliminary project plans have included a CD3 Waterless Cleaning Station as part of the outbound traffic flow (size 65' x 14'). This system includes wet/dry vacuum, air blower, and tethered hand tools to facilitate cleaning, draining, and drying boats prior to transport which meets the requirements of the State of Michigan law. Per CD3 Systems, the estimated time to clean each boat is 3 to 7 minutes using their equipment.

As the launch capacity doubles to 80+ boats per day (plus boats from the 55 campsites), it is critical that we have sufficient boat cleaning station capacity to meet the surge needs particularly on holidays and summer weekends such that boaters are not tempted to bypass boat cleaning and thus expose our lakes to more invasive species.

Using an average clean time of 5 minutes, that would mean the current planned capacity is 12 boats per hour. I would say that that is likely not sufficient for summer weekends and holidays based on my observations at the launch. In discussions with CD3 systems on this proposed project (so I could better understand the equipment), a minimum of 2 cleaning stations should be specified given the new capacity.

Any data available on pull out or put in surges would be helpful in further confirming the quantity of cleaning stations needed.

In addition, adding substantial signage/pavement marking to funnel people to the "Free Boat Cleaning Station" is critical to ensure utilization. Signage stating State of Michigan law on boat cleaning would also be helpful to educate boaters regarding their responsibility and the impact of invasive species.

CD3 Systems offers free consultation on traffic flow, signage, and placement of boat cleaning stations to assure ease of use. I recommend the township take full advantage of this resource to assure a successful project.

Thank you for your consideration and commitment to protecting Elk Lake and the chain of lakes from invasive species.

Linda Slopsema  
9693 Miami Beach Rd  
Williamsburg, MI 49690

Below is the State of Michigan law for reference:

Michigan's Natural Resources and Environmental Protection Act (Act 451 of 1994) Part 413 has been amended with changes for boaters and anglers that are in effect as of March 21, 2019. The changes are intended to strengthen protection for Michigan waterways against the introduction and spread of aquatic invasive species.

In the past, Michigan law only required that a person not place watercraft or trailers in the waters of Michigan if an aquatic plant is attached. In addition to this requirement, the new changes require all of the following prior to transporting any watercraft over land:

- Removing all drain plugs from bilges, ballast tanks, and live wells.
- Draining all water from any live wells and bilges.
- Ensuring that the watercraft, trailer, and any conveyance used to transport the watercraft or trailer are free of aquatic organisms, including plants.

This means that after trailering boats, and before getting on the road, boaters must pull plugs, drain water, and remove plants and debris.

Violation of the law is a state civil infraction and violators may be subject to fines up to \$100.

Reference: [https://www.michigan.gov/invasives/0,5664,7-324-68071\\_91899---,00.html](https://www.michigan.gov/invasives/0,5664,7-324-68071_91899---,00.html)

**Date Submitted 07/12/2020 09:14am**

Are you a resident and/or taxpayer of Whitewater Township? Yes

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment: June 12, 2020

To: Whitewater Township Board

From: Jim and Shelly Rybarsyk

9543 Palaestrum Road

Re: Proposed Township Park Changes

We are writing to address our concerns about the expansion and proposed changes to Whitewater Township Park. We live just south of the park on Elk Lake.

Numerous discussions have occurred regarding these proposed changes. Although we agree with adding one additional boat ramp and additional parking, the idea of adding any floating docks is inconceivable. This idea is hazardous and unsafe as proven during recent storms where dock sections have been lost and boats have come off boat lifts. We question where the responsibility of

insurance and liability would lie.

Recently we have experienced numerous storms coming from the east/southeast that have damaged established shorelines, shorelines protected with rocks. These shorelines have been undercut and have required repair this year. The present Township beach area is well established and protected. If this area is moved, major excavation work would occur, damaging the natural shoreline. This change would also require continual repair as well as continual expense.

Boat wash stations are now required by law. A minimum of two wash stations would be required in order to expedite traffic flow. We don't foresee boaters waiting in long lines and we certainly don't want anyone to neglect using the wash station. A park employee would be needed to monitor these stations.

Whitewater is a beautiful township park, truly a gem. We are asking that minimal changes be made to ensure the integrity of the lake as well as the park.

Sincerely,  
Jim and Shelly Rybarsyk  
231-632-9788  
srybarsyk@yahoo.com

**Date Submitted 07/10/2020 02:29pm**

Are you a resident and/or taxpayer of Whitewater Township? Yes

Do you utilize the boat launch at Whitewater Township Park? No

Comment: The plans, even for conceptual are lacking in so many ways. Existing and proposed park amenities are poorly defined, if at all. No visual/spatial references between the two can be made. Is there a verbal description of the project including symbol or color-coding legends used on the renderings? Interpretation of the offered material is difficult to comment on.

Sheet C2 appears to use color coding (greyed out areas) to define the end of gravel and the beginning of hot mix asphalt (HMA). Another greyed out area begins in front of the proposed expanded parking area. Is that going to gravel?

If the color code is meant to differentiate between new construction and existing, then other sheets are not consistent.

It is stated the new plans address safety concerns caused by increased traffic. What are the identified safety concerns and how/where are they addressed on the plans?

The expansion doubles the number launch users, is to one or two weekends a year?

Additional parking is part of the proposal. How many new spaces are there, and what percent increase will this number represent?

As we become more aware of invasive species and new regulation surrounding this topic, the one boat wash station might create a choke point. Could a foundation be constructed now near the proposed "Boat and Trailer Tie Down Area" for a future second wash station?

The boat wash station is directly next to the sewage collection area? Can boats be serviced there too?

Previous comments to the township talk of a beach relocation. Is this on the plans?

For substantive comments or conclusion, a scope of the project needs to be presented, with supporting renderings visually aiding in identification of the new vision.

Can the comment button be located closer to the invitation area? Even with the provided direction it was difficult to locate the "Main Menu of this Page". I almost emailed this response.

**Date Submitted 07/10/2020 01:14pm**

Are you a resident and/or taxpayer of Whitewater Township? Yes

Do you utilize the boat launch at Whitewater Township Park? Yes

Comment To: The Whitewater Township Board

Subject: Whitewater Township Park Improvements Project

From: Janet Garvey, 9525 Palaestrum Road, Williamsburg

I understand that the Whitewater Township Park improvements will be discussed at the June 9, 2020 Township Board Meeting. I will not be able to attend the Zoom meeting, but would like to pass along a few comments.

I question the value of moving the beach. The current beach is not heavily used and is in a protected location. The new proposed location is not at lake level - it will require a lot of excavation work and will ruin the natural shoreline. In addition, the proposed location will be battered by waves from the west. Living on the west shore myself, my neighbors and I have firsthand knowledge of the damage that can occur. Already this year, numerous individuals have had shoreline work done to repair places where the sandy shoreline has badly eroded, with sand 'disappearing' in the water and leaving a damaged shoreline. Even areas with rock fortification have required repairs - the wave action has gone under and around the rocks, leaving gaps in the lake bottom contour/shoreline. The lots I have seen have only small 'beaches' to allow people and small water vessels (kayaks, SUPs) to get in and out of the water. A large beach will require annual, costly maintenance.

I would suggest that with doubled expansion of the boat ramps, two boat wash stations would be required to keep up with the demand when the boat launch is busy. It is now State law to have clean boats before entering lakes. If the boat wash station is the bottleneck, people will likely not wait in a

line-up to use it either entering or leaving the lake. Has anyone studied the amount of time it would take to use the boat wash station vs the amount of time it takes to launch or remove a boat? The two systems need to be able to hand similar demands.

It wasn't clear what road improvements were included with the project. If we are expecting a lot of boat traffic, the road will be in worse shape than it is now. Many of the people that use the boat launch have large boats and vehicles. Road improvements should be a priority.

One last comment deals with future improvements. On one set of drawings, boat docks/marinas were included. If you look around the lake, all riparians use boat hoists due to the rough waters we often see on Elk Lake. You don't see docks/marinas in unprotected areas. Along the west shore, boats/docks would get battered. This seems like it would be a big liability issue for the Township. I would strongly recommend against docks/marinas for the park.

Respectfully,  
Janet Garvey  
989-859-6216

## **PROFESSIONAL SERVICES AGREEMENT**

**FLEIS & VANDENBRINK ENGINEERING, INC.**  
603 Bay Street, 1st Floor, Traverse City, MI 49684  
P: 231.932.8600 F: 231.932.8700

This Professional Services Agreement ("PSA") is entered into between Fleis & VandenBrink Engineering, Inc. ("Engineer") and **Whitewater Township**, whose address is **5777 Vinton Road, PO Box 159, Williamsburg, MI 49690**, ("Owner") where Engineer agrees to provide services for Owner and Owner agrees to pay Engineer, all in accordance with the terms of this PSA.

**DESCRIPTION OF PROJECT AND SCOPE OF SERVICES:** The description of the Project ("Project") and the scope of services ("Services") provided under this PSA is as follows: **Whitewater Township Park – Final Engineering for Waterways Grant Improvements**

**AGREEMENT DOCUMENTS:** All obligations covered under this PSA are governed by the Agreement Documents, which specifically include this PSA and all of the following documents, which are all incorporated herein by reference: **Engineer's proposal / letter dated November 5, 2019.**

**COMPENSATION OF ENGINEER:** This contract is a Lump Sum Fee contract in the amount of **\$52,165.00**, billed monthly based on the percentage of Work completed. Authorized additional services will be provided on an hourly basis plus 1.1 times reimbursable expenses unless otherwise negotiated.

Owner shall Pay Engineer for all Services and reimbursable expenses on a monthly basis or as otherwise stated herein which shall be due and payable within fifteen (15) calendar days of presentation of the invoice. Invoices shall be past due fifteen (15) calendar days after presentation and shall then incur interest at the rate of 7% per annum, or the highest rate permitted by law, whichever is lower. Reimbursable expenses include the cost of subconsultants.

**PAYMENT.** If Owner fails to make any payment when due, Engineer shall provide Owner with written notice of such failure to pay. If Owner fails to make the required payment within fifteen (15) calendar days after receiving such notice, Engineer may suspend performance of Services hereunder until all past due amounts and accrued interest are paid. Engineer shall have no liability of any type as a result of suspension of services caused by Owner's failure to pay. The suspension of Services shall not limit any other remedy available to Engineer.

If Owner objects to any portion of an invoice, Owner shall notify Engineer in writing within seven (7) calendar days of presentation of the invoice. Owner shall identify the disputed charges and shall pay when due that portion of the invoice not in dispute. If the disputed amount of the invoice is resolved in Engineer's favor and not paid by the invoice due date, interest as stated in the agreement shall not be paid by Owner on the disputed amount from the original due date unless the Owner disputed the invoice or portion thereof in bad faith.

The Owner's Payment of Engineer's invoices shall be due regardless of suspension or termination of this Agreement by either party.

**OWNER REPRESENTATIVE.** The Owner's primary representative for this Project shall be the **Township Clerk** who shall have actual authority on behalf of the Owner and its governing body to make decisions in connection with the PSA. However, the **Township Board** must approve any decisions related to the PSA that entail an expenditure of \$2,500.00 or more, or any decisions that, in the opinion of the Engineer, would constitute a substantial change from the Description of the Project and/or the Scope of Services. The Township Board, understanding its obligation, will act in due diligence to schedule any special meetings necessary to facilitate a timely completion of the Project.

**OWNER RESPONSIBILITIES.** The Owner shall timely furnish, at the Owner's expense, all information, requirements, reports, data, surveys and instructions required by this Agreement. The Engineer may use such information, requirements, reports, data, surveys and instructions in performing its services and is entitled to rely upon the accuracy and completeness thereof. The Engineer shall not be held responsible for any errors or omissions that may arise as a result of erroneous or incomplete information provided by the Owner and/or the Owner's Engineers and contractors, except to the extent that such errors or omissions are also attributable in whole or in part to Engineer's negligence. If errors or omissions are caused in part by Engineer, Engineer's responsibility is limited to Engineer's percentage of fault.

**CHANGES.** For all services that were completed due to changes to the Description of the Project and/or the Scope of Services, Engineer shall be paid by Owner on an hourly basis at Engineer's customary hourly rates, plus 1.1 times reimbursable expenses, unless otherwise negotiated. If the construction period extends beyond the contracted period in the Scope of Services or the contracted completion date, all services of Engineer thereafter shall continue to be performed and shall be paid by Owner on an hourly basis plus 1.1 times reimbursable expenses. Owner understands and accepts that field techniques and analytical capabilities are evolving and that the standards and regulations are subject to rapid change such that currently acceptable investigative approaches and techniques may become superseded after the time of the signing of this PSA. Such changes will constitute changed conditions requiring adjustment in the Services and Engineer's Compensation.

**DELAYS.** Engineer shall not be responsible to Owner for any delay of any type or kind unless caused in whole or in part by Engineer. If delays are caused in part by Engineer, Engineer's responsibility is limited to Engineer's percentage of delay.

**CONSULTANTS.** Engineer may engage Consultants and subcontractors to perform, in its sole discretion, all or any portion of the Services.

**COST ESTIMATES.** Engineer has no control over the costs of labor and material for construction or over competitive bidding and market conditions. All cost estimates provided by Engineer are based on Engineer's experience and are considered opinions of probable cost. Engineer does not warrant the accuracy of any cost estimate. If project costs exceed the Owner's expectations and the Owner decides to re-design or re-bid any or all portions of the Work, all re-design, re-bid or other services provided by Engineer shall be paid by Owner on an hourly basis at Engineer's customary hourly rates, plus 1.1 times reimbursable expenses.

**PERFORMANCE STANDARDS.** The Engineer shall perform its services consistent with the professional skill and care ordinarily provided by other engineers performing similar services in the same or similar locality under the same or similar circumstances. The Engineer shall perform its services as expeditiously as is consistent with such skill and care and the orderly progress of the Project.

**MUNICIPAL ADVISOR.** Engineer's services do not include (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission, or (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances.

**LIMITATION OF LIABILITY.** Engineer shall not be liable for any claim, damage, cost, expense or other liability not caused by negligent acts, errors or omissions or wrongful acts of Engineer. The total liability of Engineer under any legal theory whatsoever, in the aggregate, as well as any claimed liability of Engineer's officers, directors, employees, or agents or consultants, for any claims arising out of the PSA, shall not exceed \$2.0 Million.

Engineer warrants that the Services under the PSA will meet the Performance Standards as described herein and will materially satisfy the specifications set forth in the Engineer's proposal/letter dated November 5, 2019. Aside from these warranties, Engineer makes no warranties, express or implied, with respect to the Services under the PSA, and disclaims any liability for implied warranties of any type or kind, including but not limited to implied warranties of fitness or merchantability. Within these limitations, Engineer shall not be liable in any way for errors, omissions or negligence unless caused in whole or in part by the negligence of Engineer or an intentional wrongful act of Engineer. To the extent that Engineer may be found liable under the terms of this paragraph, and only to such extent, Engineer's liability shall not exceed the percentage share of Engineer's responsibility.

**INSURANCE.** Upon Owner's request, Engineer will furnish Owner with a written statement of insurance coverage. If further verification of insurance coverage is requested by Owner, Engineer shall furnish a copy of the insurance policy to Owner. No oral representations regarding insurance shall be binding.

**SITE ACCESS.** Owner shall be solely responsible for obtaining all site access, easements, and permission from third party property owners for Engineer to access the site to perform the Services herein. Owner is solely responsible for any claims arising from the disturbance of surface or subsurface soil or water conditions caused by the performance of Engineer's Services, excepting damages caused in whole or in part by the negligence of Engineer or an intentional wrongful act of Engineer. Engineer will take reasonable precautions to avoid damage to underground structures and utilities. Owner shall provide Engineer with a list of all known hazardous substances on site and a list of protective measures in case of exposure, all in compliance with the current Federal, State and Local Right to Know laws and Federal Hazard Communication Standards.

**SHOP DRAWINGS AND SUBMITTALS.** If shop drawing or submittal review is part of the Services Engineer provides, Engineer will review the shop drawings and submittals only for conformance with the design concept of the project and compliance with the Contract Documents. Unless specifically indicated in writing, this PSA does not include the preparation of record drawings.

**REJECTION OF WORK.** In the event that the Scope of Services includes construction phase services in the form of site observation, then Engineer shall have the authority to reject any work which is not, in the judgment of the Engineer, in conformance with the Contract Documents, Plans and Specifications. Neither this authority nor Engineer's good faith judgment to reject or not reject any work shall subject Engineer to any liability or cause of action to any contractor, subcontractor, supplier, or Owner on the Project.

**SPREAD OF CONTAMINATION.** Owner understands and agrees that Engineer shall not be responsible for any claims or damages which may arise as a result of or from the spread of contamination caused by drilling, sampling or any other activity unless such spread or contamination is caused in whole or in part by the negligence of Engineer or an intentional wrongful act of Engineer. To the extent that Engineer may be found liable under the terms of this Paragraph, and only to such extent, Engineer's liability shall not exceed the percentage share of Engineer's responsibility.

**FAILURE TO ENCOUNTER HAZARDOUS MATERIALS.** Owner understands that the failure to discover hazardous materials does not guarantee that: (1) hazardous materials do not exist at the project site, and/or (2) that a non-contaminated site may later become contaminated. Although Engineer will use reasonable care and a level of skill ordinarily exercised by members of the profession currently practicing in the city, municipality or political subdivision where the Project is located under similar conditions, Owner agrees that Engineer shall not be responsible for the failure to detect the presence of hazardous materials through techniques and practices commonly used for those purposes, except to the extent that such failure to detect hazardous materials is attributable in whole or in part to a negligent act or omission of Engineer.

**PERMITS AND APPROVALS.** Unless otherwise specifically stated in the Scope of Services, obtaining permits and approvals for the Project is the responsibility of the Owner. For an additional fee, Engineer may assist the Owner provided the assistance shall consist of completing and submitting forms as to the results of certain work included in the Scope of Services and the assistance does not include special studies, special research, attendance at meetings with public authorities, special testing or special documentation not normally required for similar projects. If Engineer participates in any way with any permitting process, Engineer provides no guaranty or warranty that any permits or approvals will be provided. Owner shall pay Engineer for all fees and reimbursable expenses under this PSA regardless of the outcome of approval or denial of permits or other approvals.

**ADA AND CODE COMPLIANCE.** The Americans with Disabilities Act ("ADA") provides that alterations to a facility must be made in such a manner that, to the maximum extent feasible, the altered portions of the facility are accessible to persons with disabilities. The Owner acknowledges that the requirements of the ADA will be subject to various and possibly contradictory interpretations. To the extent applicable, the Engineer will use its reasonable professional efforts and judgment to interpret applicable ADA requirements and other federal, state and local laws, rules, codes, ordinances and regulations as they may apply to the Project. The Engineer does not warrant or guarantee that the Project will comply with all interpretations of the ADA requirements and/or the requirements of other federal, state and local codes, rules, laws, ordinances and regulations as they may apply to the Project. Owner shall pay Engineer its customary hourly fees plus 1.1 times reimbursable expenses for any design changes made necessary by newly enacted laws, codes and regulations, or changes to any existing laws, codes or regulations after the date that this PSA is last signed by the parties.

**WAIVER.** No delay on the part of any party hereto in the exercise of any right or remedy shall operate as a waiver of such right or remedy and a waiver on any one (1) occasion shall not be construed as a bar to or a waiver of any subsequent breach of the same or any other provision of the agreement on a future occasion. No waiver by Engineer of any breach by Owner of a provision of this PSA shall be deemed a waiver of any other provision hereof or of any subsequent breach by Owner of such provision. No waiver by Owner of any breach by Engineer of a provision of this PSA shall be deemed a waiver of any other provision hereof or of any subsequent breach by Engineer of such provision.

**ENFORCEABILITY.** This agreement shall be binding upon the parties hereto and their respective successors and assigns.

**SEVERABILITY.** In the event that any one (1) or more provisions contained in the agreement shall be declared invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of the agreement shall not be affected or impaired.

**OWNERSHIP OF INSTRUMENTS OF SERVICE.** Engineer's documents prepared pursuant to this PSA, including those in electronic format, are instruments of service. All reports, plans, specifications, computer files, field data, notes and other documents prepared by Engineer as instruments of service shall remain the property of Engineer. Engineer shall retain all common law, statutory and other reserved rights, including the copyright thereto and all other intellectual property rights. Engineer shall grant Owner nonexclusive license to the use of all reports, plans, specifications, computer files, field data, notes and other documents prepared by Engineer, which such license shall survive the termination or expiration of this Agreement. Such license further includes the right of duplication as needed by Owner to maintain such documents for its files. Owner shall not use or permit the use of said documents on any other project. Owner accepts full responsibility for the use of the documents on any project other than the intended project.

**TERMINATION:** This PSA may be terminated by either party upon seven (7) calendar days' written notice. Upon termination, Engineer shall be paid by Owner for all Services performed up to the notice of termination.

**DISPUTE RESOLUTION:** In the event of a dispute arising out of or relating to this Agreement or the services to be rendered hereunder, the Owner and the Engineer agree to attempt to resolve such disputes in the following manner: First, the parties agree to attempt to resolve such disputes through direct negotiations between the appropriate representatives of each party. Second, if such negotiations are not fully successful, the parties agree to attempt to resolve any remaining dispute through mediation using a mediator agreed upon between both parties. Owner and Engineer agree to participate in the mediation process in good faith. The process shall be conducted on a confidential basis, and shall be completed within 120 days. If such mediation is unsuccessful in resolving a Dispute, then the parties may (1) mutually agree to a dispute resolution of their choice, or (2) either party may seek to have the Dispute resolved by a court of competent jurisdiction. The venue for a court resolution will be Grand Traverse County, Michigan.

**NO THIRD PARTY BENEFICIARIES.** There are no third party beneficiaries to this PSA and the Services provided herein are exclusively for the direct benefit of the Owner indicated above. Owner shall ensure that all other agreements relating to this project reflect that there are no third party beneficiaries to this PSA.

**ASSIGNMENT.** This is a professional services contract and is non-assignable without the express written consent of the non-assigning party.

**MISCELLANEOUS.** No additional or contrary terms, whether contained in an order, acknowledgment, or other document from Owner, shall be binding upon Engineer unless agreed to in writing signed by an authorized representative of Engineer, and Engineer expressly rejects all such additional or contrary terms as may be contained in Owner's documents. The terms in this PSA will have precedence over any other terms expressed by the Owner's authorization process such as a purchase order. Engineer's performance is conditioned on Owner's unmodified consent exclusively to this PSA. Engineer shall have the right to correct any errors, whether clerical or mathematical, which are contained in this PSA. Unless otherwise specifically indicated in writing or otherwise required by law and paid for by Owner, there are no Performance or Payment bonds required on this Project. This PSA shall be binding upon and shall inure to the benefit of the parties hereto and their successors and permitted assigns. This PSA shall be governed by the laws of the State of Michigan. This contract sets forth the entire agreement between Engineer and Owner. This is a fully integrated contract.

**ELECTRONIC/FACSIMILE SIGNATURES.** The signatures on this PSA shall be deemed to be original signatures when transmitted electronically or by facsimile machine or by any other medium. No party shall be required to produce a PSA with an original signature in order to enforce any provision of this PSA.

IN WITNESS WHEREOF, the parties hereto have made and entered into this PSA. To be valid, this PSA must be signed by an authorized representative of Fleis & VandenBrink Engineering, Inc.

OWNER  
WHITEWATER TOWNSHIP

ENGINEER  
FLEIS & VANDENBRINK ENGINEERING, INC.

By: As Board Attend.  
Ray Papp  
Red Papp

By: [Signature]  
John DeVol

Title: Township Supervisor 12-16-2019

Title: Vice-President of Operations

By: Cheryl A. Lass

By: [Signature]

Title: Township Clerk

Title: Project Manager

Date: 12-17-2019

Date: November 5, 2019

## **ADDITIONAL PROVISIONS - CONSTRUCTION OBSERVATION**

### **1. DEFINITIONS.**

- 1.1. Contract Documents shall mean construction agreement(s) between Owner and Contractor(s), including plans, specifications, addenda and change orders.
- 1.2. Contractor shall mean the person or entity providing construction services to Owner, as defined in the Contract Documents.

### **2. SITE OBSERVATION.**

- 2.1. The Engineer shall visit the site as defined in the Scope of Services to become generally familiar with the progress and quality of the portion of the Work completed, and to determine, in general, if the Work observed is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents. However, the Engineer shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. On the basis of the site visits, the Engineer shall keep the Owner reasonably informed about the progress and quality of the portion of the Work completed. Engineer will not be responsible for the means, methods, techniques, and procedures of construction observed during such visits. Engineer will not be responsible for the Contractor's failure to perform the work in accordance with the Contract Documents.
- 2.2. Based solely on Engineer's on-site observations and Engineer's review of the Contractor's applications for payment, Engineer will recommend in writing to Owner payment to the Contractor. Such recommendations of payment to constitute a representation to Owner, based solely on such observation, review and the data comprising such applications, that to the Engineer's knowledge, information and belief, the work has progressed to the point indicated and that to the Engineer's knowledge, information and belief the quality of the work is generally in accordance with the Contract Documents.
- 2.3. Engineer will conduct, in company with Owner, a final review of the Project for conformance with the design concept of the Project, and compliance with the information given by the Contract Documents, and recommend, in writing, payment to the Contractor, on the same basis as set forth above.

### **3. OWNER RESPONSIBILITIES.** Owner will:

- 3.1. Provide full information as to his requirements for the Project. Assist Engineer by placing at Engineer's disposal all available information pertinent to the Project, including previous site reports and any other data relative to the design or construction of the Project.

### **4. SITE SAFETY PROGRAMS AND PRECAUTIONS.**

- 4.1. Owner acknowledges that the Contractor, not Engineer, is responsible for initiating, maintaining and supervising all safety programs and all safety precautions in connection with the work.
- 4.2. Engineer shall neither have control over, nor be responsible for, safety programs and precautions in connection with the work, since these are solely the responsibility of the Contractor.
- 4.3. Neither the professional activities of the Engineer, nor the presence of the Engineer or its employees at the site, shall impose any duty on the Engineer, nor relieve the Contractor of its responsibility for jobsite safety.

November 5, 2019

Ms. Cheryl Goss - Clerk  
Whitewater Township  
P.O. Box 159  
5777 Vinton Rd  
Williamsburg, MI 49690

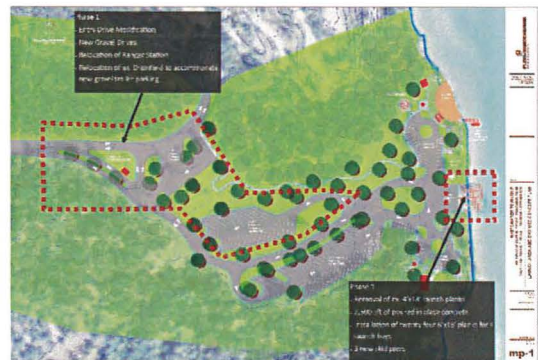
**RE: Whitewater Township Park – Final Engineering for Waterways Grant Improvements**

Dear Cheryl:

To further develop Whitewater Township Park to draw a wider number and range of visitors, the Parks Staff, community stakeholders and Township Board has worked with Fleis and VandenBrink Engineering to develop a multi-phase plan for the park's growth with launch and entry / circulation improvements as its initial phase. These Phase 1 improvements will assist in providing additional future operational and capital resources.

The proposed improvements under the Michigan Department of Natural Resources ( MDNR) Waterways grant awarded in September of 2019 for a total project cost of \$400,000 include a revised entry drive, additional trailer parking, new boat wash facility, relocation of the existing drainfield and improved boat launch ramp.

By constructing an expanded launch for boats and a parking lot for vehicles and trailers, rerouting traffic and access away from the campground ranger station via a new access road, the goal is to alleviate the congestion at the park entry / ranger station and expedite the launch and retrieval of boats. The improvements will make a safer campground and more enjoyable recreational experience for visitors, thereby increasing the usage of the parks and drawing tourists into the park.



**Master Plan**

### SCOPE OF SERVICES:

Based on our understanding of the project, we have developed the following program of phases and task as part of the phasing and grant assistance process:

#### **A) TOPOGRAPHIC SURVEY**

- 1) Gather basic topographic survey data to aid with planning of improvements for the proposed drainfield, entry drive, trailer parking area and the boat launch area.

#### **B) GEOTECHNICAL ANALYSIS**

- 1) Obtain a total of three 10-foot borings from areas of proposed drainfield, trailer parking area and the lake bottom in the dock area to characterize the soils in those areas.

**C) PRELIMINARY PLAN REFINEMENT**

- 1) Refine parking area layout, entry drive, drainfield and boat launch with the conceptual plan submitted as part of the MDNR Waterways Grant to serve as the starting point. Key to this refinement will be evaluating the relationship of additional trailer parking to the existing campsites.
- 2) Attend one design refinement charrette with Township Board and Park Staff.
- 3) Refine construction cost estimates.

**D) FINAL DESIGN ENGINEERING & PERMITTING**

- 1) Prepare final layout, grading/utility and construction details for site improvements outlined in the Waterways grant application.
- 2) Specifications for site improvements as outlined in the Waterways grant application.
- 3) Prepare MDEQ/USACE Joint Permit application for the boat launch.
- 4) Prepare Health Department Permit for new drainfield.
- 5) Submit plans and specifications for Township and MDNR reviews. Revise per any comments.
- 6) Refine construction cost estimates.

**E) BIDDING & CONSTRUCTION ENGINEERING**

- 1) Distribute bidding documents to trade organizations, suppliers and potential bidders, when requested. Maintain a record of plan holders.
- 2) Prepare and distribute addenda to plan holders of record, if necessary
- 3) Attend bid opening, prepare tabulation and make recommendation for contractor selection and bid tabulation approval to the Township and MDNR.
- 4) Upon award, prepare contract documents and submit to MDNR Waterways Program and Township for final approval
- 5) Schedule and attend the pre-construction meeting with the contractor, Township and utility companies. Prepare and distribute meeting minutes.
- 6) Provide project engineering consultation, as needed, throughout the construction period. Answer RFIs prepared by the contractor, review shop drawings for conformance to the construction documents, and track construction progress.
- 7) Schedule and preside at periodic progress meetings with the contractor, Township and utility companies.
  - a. Prepare and distribute meeting minutes.
  - b. Review contractor pay applications and provide recommendation to the Township for payment. Prepare up to three (3) MDNR reimbursement requests for Township approval and submittal.
  - c. Prepare contract change orders, if necessary, and provide to the Township for approval.
- 8) Provide a project representative during construction with the following responsibilities:
  - a. Perform on-site observation during construction of the project. We have budgeted part-time on-site observation based on our estimate of twelve weeks of construction and an average of eight hours per week. Our hours on site will be adjusted week to week based on work activities with an overall budget of 96 total hours. We anticipate construction will begin in the fall of 2020 and be completed in the spring of 2021.
  - b. Provide record keeping of construction activities based on site visit observations. Report defective work immediately to the Township.
- 9) Conduct final "walk-thru" of the contractor's work with the Township and Contractor. Prepare a final punch list of remaining work items. Provide follow-up to ensure that the punch list items have been completed. Sign final project completion and payment application for MDNR approval.
- 10) Provide copies of all field reports, MDNR related documents and as-built drawings to Township to retain for their files. Contractor to provide all approved plumbing and electrical permits and final acceptance by reviewing agencies.

### PROFESSIONAL FEES:

Based on our understanding of the project our services will be provided for the above tasks A-E for the lump sum fees as listed below:

Task	Description	Fee
Task A	Topographic Survey	\$5,500
Task B	Geotechnical Analysis	\$2,800
Task C	Preliminary Plan Refinement	\$3,700
Task D	Final Design Engineering	\$24,165
Task E	Bidding & Construction Engineering	\$16,000
Total Fee		\$52,165

Under Task E, we have included construction engineering services at this time. Once the project scope and schedule are better defined as the engineering plans progress, we can review the services associated with Task E with the Township. As an alternative for your consideration, we are able to offer a comprehensive single-source design / construction approach through our sister company F&V Construction. We feel we will develop an excellent understanding of the project's objectives through the planning and preliminary design services phase. We also believe that through those services, we will gain a unique understanding of your goals and objectives and the process of delivering a seamless delivery for your project.

We believe as design professionals taking the lead for the design, bidding, and construction of the project that we can provide you with a high-quality product and value since the design professional would be leading the project and would be responsible from start to finish. We strongly believe that no one understands the project's challenges and objectives better than the design team. We also will bond the work and warrantee the project upon completion. If the Township would like to explore this option further, we would be happy to discuss this with staff.

### ANTICIPATED SCHEDULE:

Below is the anticipated schedule submitted in the MDNR grant application for the project:

Phase / Task	Schedule
Township Approves PSA	November 2019
Topographical Survey & Geotechnical	November 2019
Preliminary Plan Refinement	December 2019
Final Design and Permitting	February 2020
Bidding and Construction Engineering	TBD – Construction anticipated Fall 2020 / Spring 2021

We will work to maintain this schedule, however, several of the steps require input from the Township, and we will work with MDNR Waterways Program division to adjust as needed.

Authorization to proceed with the work outlined above can be given by returning a copy of our Professional Services Agreement included with this letter. We look forward to working with you on this project. Please feel free to contact us with any questions.

Sincerely,

FLEIS & VANDENBRINK



David Capser, PE  
Project Engineer



Rick Stout, LA  
Landscape Architect



## WHITEWATER TOWNSHIP

# Memo

To: Board Members

From: Ardella M. Benak, Treasurer

Date: January 4, 2021

Re: Updated Covid-19 Preparedness Plan

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As per instructed, all red-line changes and additions have been made. Any additional or future modifications to the following plan will need to be board approved.

When the Supreme Court ruled that Governor Whitmer had overstepped her authority and all previous executive orders no longer applied, it was the board's option that the preparedness plan did not need to be updated. Since that time the Michigan Department of Health Human Services (MDHHS) has implemented new rules that are coincidentally very similar to the old executive orders. We have not talked about this at the board level. I took it upon myself to complete the previously agreed upon changes. The completed document is for your review. Only the changes/redline changes have been made. This plan will need to be updated with the correct MDHHS implementation dates.

What would the board like to do? If no changes occur at this meeting, I will be printing copies for all employees as is stated in the plan.

# **Whitewater Township**

## **COVID-19 PREPAREDNESS AND RESPONSE PLAN**

**Adopted by the Whitewater Township Board on**

**Adopted by the Whitewater Township Board on June 9, 2020**

**Amended September 8, 2020**

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#### Reference documents:

Families First Coronavirus Response Act

Protecting workers who stay home, stay safe – Executive Order 36

OSHA Publication 3990

## INTRODUCTION

Coronavirus Disease 2019 (COVID-19) is a respiratory disease caused by the SARS-CoV-2 virus. To reduce the impact of COVID-19 outbreak conditions on businesses, workers, customers, and the public, it is important to plan now for COVID-19. Employers who have not prepared for pandemic events should prepare themselves and their workers as far in advance as possible of potentially worsening outbreak conditions. Lack of continuity planning can result in a cascade of failures as employers attempt to address challenges of COVID-19 with insufficient resources and workers who might not be adequately trained for jobs they may have to perform under pandemic conditions.

Any business or operation that requires its employees to leave their home or place of residence for work is subject to the rules on workplace safeguards in Executive Order 2020-114 or any order that may follow from it.

Whitewater Township is committed to providing a safe and healthy workplace for all our workers, citizens and guests. With guidance from Centers for Disease Control and Prevention (CDC), Grand Traverse County Health Department (GTCHD), Federal OSHA, and State of Michigan Executive Orders 2020-114 and 115, we have developed the following [COVID-19](#) Preparedness and Response Plan. As the employer and business operator, the Whitewater Township Board is responsible for maintaining and implementing this plan. Our goal is to mitigate the potential for transmission of COVID-19 in our workplaces and community, which will require full cooperation among our workers, management, citizens and customers. Only through this cooperative effort can we establish and maintain the safety and health of our workplaces and community.

## About COVID-19 - Symptoms

Infection with SARS-CoV-2, the virus that causes COVID-19, can cause illness ranging from mild to severe and, in some cases, can be fatal. Symptoms typically include fever, cough, and shortness of breath. Some people infected with the virus have reported experiencing other non-respiratory symptoms. Other people, referred to as asymptomatic cases, have experienced no symptoms at all.

According to the CDC, symptoms of COVID-19 may appear in as few as 2 days or as long as 14 days after exposure.

The CDC website provides the latest information about COVID-19 transmission:

[www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads](https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads)

## Implement Workplace Controls

Occupational safety and health professionals use a framework called the “hierarchy of controls” to select ways of controlling workplace hazards. In other words, the best way to control a hazard is to systematically remove it from the workplace, rather than relying on workers to reduce their exposure. During a COVID-19 outbreak, when it may not be possible to eliminate the hazard, the most effective protection measures are (listed from most effective to least effective): engineering controls, administrative controls, safe work practices (a type of administrative control), and PPE. There are advantages and disadvantages to each type of control measure when considering the ease of implementation, effectiveness, and cost. In most cases, a combination of control measures will be necessary to protect workers from exposure to SARS-CoV-2.

In addition to the types of workplace controls discussed below, CDC guidance for businesses provides employers and workers with recommended SARS-CoV-2 infection prevention strategies to implement in workplaces: [www.cdc.gov/coronavirus/2019-ncov/specific-groups/guidance-business-response.html](https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/guidance-business-response.html).

## Engineering Controls

Engineering controls involve isolating employees from work-related hazards. In workplaces where they are appropriate, these types of controls reduce exposure to hazards without relying on worker behavior and can be the most cost-effective solution to implement. Engineering controls for SARS-CoV-2 include:

- Installing high-efficiency air filters.
- Increasing ventilation rates in the work environment.
- Installing physical barriers, such as clear plastic sneeze guards.
- Installing a drive-through window for customer service.
- Specialized negative pressure ventilation in some settings, such as for aerosol generating procedures (e.g., airborne infection isolation rooms in healthcare settings and specialized autopsy suites in mortuary settings).

## Administrative Controls

Administrative controls require action by the worker or employer. Typically, administrative controls are changes in work policy or procedures to reduce or minimize exposure to a hazard. Examples of administrative controls for SARS-CoV-2 include:

- Encouraging sick workers to stay at home.
- Promote remote work to the fullest extent possible.
- Post signs outside of entrances informing customers not to enter if they are or have recently been sick.
- Encourage or require patrons to wear face coverings.
- Prohibit gatherings of any size in which people cannot maintain six feet of distance from one another.
- Minimizing contact among workers, clients, and customers by replacing face-to-face meetings with virtual communications, implementing telework, and use of PPE, if feasible.
- Provide visual indicators of appropriate spacing for employees outside the building in case of congestion.
- Post signs about the importance of personal hygiene.
- Signage promoting call in or curbside services for reservations and appointments to reduce congestion at facility entrances or registration areas.
- Signage indicating restrooms are in use/unavailable.
- Restrict business-related travel for employees to essential travel only.
- Discontinuing nonessential travel to locations with ongoing COVID-19 outbreaks. Regularly check CDC travel warning levels at: [www.cdc.gov/coronavirus/2019-ncov/travelers](https://www.cdc.gov/coronavirus/2019-ncov/travelers)
- Establishing alternating days or extra shifts that reduce the total number of employees in a facility at a given time, allowing them to maintain distance from one another while maintaining a full onsite work week.
- Developing emergency communications plans, including a forum for answering workers' concerns and internet-based communications, if feasible.
- Providing workers with up-to-date education and training on COVID-19 risk factors and protective behaviors (e.g., cough etiquette and care of PPE).
- Training workers who need to use protecting clothing and equipment how to put it on, use/wear it, and take it off correctly, including in the context of their current and potential duties. Training material should be easy to understand and available in the appropriate language and literacy level for all workers.

- Employers must maintain a record of the requirements set forth in Executive Order 2020-114 Sections 1(c) Training Records, (d) Self Entry Checklist Records, and (k) confirmed cases.

## Safe Work Practices

Safe work practices are types of administrative controls that include procedures for safe and proper work used to reduce the duration, frequency, or intensity of exposure to a hazard. Examples of safe work practices for SARS-CoV-2 include:

- Providing resources and a work environment that promotes personal hygiene. For example, provide tissues, no-touch trash cans, hand soap, alcohol-based hand rubs containing at least 60 percent alcohol, disinfectants, and disposable towels for workers to clean their work surfaces at least twice daily.
- Adopt protocols to limit the sharing of tools and equipment to the maximum extent possible and to ensure frequent and thorough cleaning and disinfection of tools, equipment, and frequently touched surfaces.
- Require face coverings in shared spaces, including during in-person meetings and in restrooms and hallways.
- Requiring regular hand washing or using of alcohol-based hand rubs. Workers should always wash hands when they are visibly soiled and after removing any PPE.
- Post handwashing signs in restrooms.
- Adopt any additional infection-control measures that are reasonable in light of the work performed at the worksite and the rate of infection in the surrounding community.

## Personal Protective Equipment (PPE)

While engineering and administrative controls are considered more effective in minimizing exposure to SARS-CoV-2, PPE may also be needed to prevent certain exposures. While correctly using PPE can help prevent some exposures, it should not take the place of other prevention strategies.

Examples of PPE include: gloves, goggles, face shields, face masks, and respiratory protection, when appropriate. During an outbreak of an infectious disease, such as COVID-19, recommendations for PPE specific to occupations or job tasks may change depending on geographic location, updated risk assessments for workers, and information on PPE effectiveness in preventing the spread of COVID-19. Employers should check the OSHA and CDC websites regularly for updates about recommended PPE.

All types of PPE must be:

- Selected based upon the hazard to the worker.
- Properly fitted and periodically refitted, as applicable (e.g., respirators).
- Consistently and properly worn when required.
- Regularly inspected, maintained, and replaced, as necessary.
- Properly removed, cleaned, and stored or disposed of, as applicable, to avoid contamination of self, others, or the environment.
- Employers are obligated to provide their workers with PPE needed to keep them safe while performing their jobs. The types of PPE required during a COVID-19 outbreak will be based on the risk of being infected with SARS-CoV-2 while working and job tasks that may lead to exposure.
- Workers, including those who work within 6 feet of patients known to be, or suspected of being, infected with SARS-CoV-2 and those performing aerosol-generating procedures, need to use respirators:

- National Institute for Occupational Safety and Health (NIOSH)-approved, N95 filtering face piece respirators or better must be used in the context of a comprehensive, written respiratory protection program that includes fit-testing, training, and medical exams. See OSHA’s Respiratory Protection standard, 29 CFR 1910.134 at [www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134](http://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134).
- When disposable N95 filtering face piece respirators are not available, consider using other respirators that provide greater protection and improve worker comfort. Other types of acceptable respirators include: a R/P95, N/R/P99, or N/R/P100 filtering face piece respirator; an air-purifying elastomeric (e.g., half-face or full-face) respirator with appropriate filters or cartridges; powered air purifying respirator (PAPR) with high-efficiency particulate resistance (HEPA) filter; or supplied air respirator (SAR).
- Use a surgical N95 respirator when both respiratory protection and resistance to blood and body fluids is needed.
- Face shields may also be worn on top of a respirator to prevent bulk contamination of the respirator. Ensure that the face shield does not prevent airflow through the respirator.
- Consider factors such as the type of exposure and the transmission pattern, function, fit, ability to decontaminate, disposal, and cost. OSHA’s Respiratory Protection eTool provides basic information on respirators such as medical requirements, maintenance and care, fit testing, written respiratory protection programs, and voluntary use of respirators, which employers may also find beneficial in training workers at: <https://www.osha.gov/SLTC/etools/respiratory/> Also see NIOSH respirator guidance at: <https://www.cdc.gov/niosh/topics/respirators/www.cdc.gov/niosh/topics/respirators>.
- Respirator training should address selection, use (including donning and doffing), proper disposal or disinfection, inspection for damage, maintenance, and the limitations of respiratory protection equipment.

## Follow Existing OSHA Standards

Existing OSHA standards may apply to protecting workers from exposure to and infection with SARS-CoV-2. While there is no specific OSHA standard covering SARS-CoV-2 exposure, some OSHA requirements may apply to preventing occupational exposure to SARS-CoV-2. Among the most relevant are:

- OSHA’s Personal Protective Equipment (PPE) standards (in general industry, 29 CFR 1910 Subpart I), which require using gloves, eye and face protection, and respiratory protection. See: [www.osha.gov/laws-regs/regulations/standardnumber/1910#1910\\_Subpart\\_I](http://www.osha.gov/laws-regs/regulations/standardnumber/1910#1910_Subpart_I).
- When respirators are necessary to protect workers or where employers require respirator use, employers must implement a comprehensive respiratory protection program in accordance with the Respiratory Protection standard (29 CFR 1910.134). See: <https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134>
- The General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health (OSH) Act of 1970, 29 USC 654(a)(1), which requires employers to furnish to each worker “employment and a place of employment, which are free from recognized hazards that are causing or are likely to cause death or serious physical harm.”
- OSHA’s Bloodborne Pathogens standard (29 CFR 1910.1030) applies to occupational exposure to human blood and other potentially infectious materials that typically do not include respiratory secretions that may transmit SARS-CoV-2. However, the provisions of the standard offer a framework that may help control some sources of the virus, including exposures to body fluids (e.g., respiratory secretions) not covered by the standard. See: <https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1030>

The OSHA COVID-19 webpage provides additional information about OSHA standards and requirements, including requirements in states that operate their own OSHA-approved State Plans, recordkeeping requirements and injury/illness recording criteria, and applications of standards related to sanitation and communication of risks related to hazardous chemicals that may be in common sanitizers and sterilizers. See:

<https://www.osha.gov/SLTC/covid-19/standards.html>

## Classifying Worker Exposure to SARS CoV-2

The township board shall examine every department and employee's job description according to the worker exposure risk to COVID-19 Risk Pyramid developed by OSHA.

Worker risk of occupational exposure to SARS-CoV-2, the virus that causes COVID-19, during an outbreak may vary from very high to high, medium, or lower (caution) risk. The level of risk depends in part on the industry type, need for contact, repeated or prolonged contact within 6 feet of people known to be, or suspected of being, infected with SARS-CoV-2. To help employers determine appropriate precautions, OSHA has divided job tasks into four risk exposure levels: very high, high, medium, and lower risk. The Occupational Risk Pyramid shows the four exposure risk levels in the shape of a pyramid to represent probable distribution of risk. Most American workers will likely fall in the lower exposure risk (caution) or medium exposure risk levels.

## Occupational Risk Pyramid for COVID-19

The Township will provide the appropriate Personal Protection Equipment to employees based on the individual occupational risk. The following risk categories have been identified in Whitewater Township as of 6-12-2020:

### **Very High Exposure Risk** - Fire Department employees, contracted ambulance service employees

Very high exposure risk jobs are those with high potential for exposure to known or suspected sources of COVID-19 during specific medical, postmortem, or laboratory procedures. Workers in this category include:

- Healthcare workers (e.g., doctors, nurses, dentists, paramedics, emergency medical technicians)
- Healthcare or laboratory personnel collecting or handling specimens from known or suspected COVID-19 patients (e.g., manipulating cultures from known or suspected COVID-19 patients).
- Morgue workers performing autopsies, which generally involve aerosol-generating procedures, on the bodies of people who are known to have, or suspected of having, COVID-19 at the time of their death.

### **High Exposure Risk** – Contracted ambulance service employees

- High exposure risk jobs are those with high potential for exposure to known or suspected sources of COVID-19. Workers in this category include:
- Healthcare delivery and support staff (e.g., doctors, nurses, and other hospital staff who must enter patients' rooms) exposed to known or suspected COVID-19 patients. (Note: when such workers perform aerosol-generating procedures, their exposure risk level becomes very high.)

- Medical transport workers (e.g., ambulance vehicle operators) moving known or suspected COVID-19 patients in enclosed vehicles.
- Mortuary workers involved in preparing (e.g., for burial or cremation) the bodies of people who are known to have, or suspected of having, COVID-19 at the time of their death.

## How to Protect Very High and High Exposure Risk Employees

In workplaces where workers have high or very high exposure risk, employers should implement control measure described in this section and follow the guidance for “Steps All Employers Can Take to Reduce Workers’ Risk of Exposure to SARS-CoV-2,” on page 7 of OHAS Publication 3990. Provided below and [here](#) as a link.

## Engineering Controls

- Ensure appropriate air-handling systems are installed and maintained in healthcare facilities. See “Guidelines for Environmental Infection Control in Healthcare Facilities” for more recommendations on air handling systems at: [www.cdc.gov/mmwr/preview/mmwrhtml/rr5210a1.htm](http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5210a1.htm).
- CDC recommends that patients with known or suspected COVID-19 (i.e., person under investigation) should be placed in an airborne infection isolation room (AIIR), if available.
- Use isolation rooms when available for performing aerosol-generating procedures on patients with known or suspected COVID-19. For postmortem activities, use autopsy suites or other similar isolation facilities when performing aerosol-generating procedures on the bodies of people who are known to have, or suspected of having, COVID-19 at the time of their death. See the CDC postmortem guidance at: [www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-postmortem-specimens.html](http://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-postmortem-specimens.html). OSHA also provides guidance for postmortem activities on its COVID-19 webpage: [www.osha.gov/covid-19](http://www.osha.gov/covid-19).
- Use special precautions associated with Biosafety Level 3 when handling specimens from known or suspected COVID-19 patients. For more information about biosafety levels, consult the U.S. Department of Health and Human Services (HHS) “Biosafety in Microbiological and Biomedical Laboratories” at [www.cdc.gov/biosafety/publications/bmbl5](http://www.cdc.gov/biosafety/publications/bmbl5).

## Administrative Controls

If working in a healthcare facility, follow existing guidelines and facility standards of practice for identifying and isolating infected individuals and for protecting workers.

- Develop and implement policies that reduce exposure, such as co-horting (i.e., grouping) COVID-19 patients when single rooms are not available.
- Post signs requesting patients and family members to immediately report symptoms of respiratory illness on arrival at the healthcare facility and use disposable face masks.
- Consider offering enhanced medical monitoring of workers during COVID-19 outbreaks.
- Provide all workers with job-specific education and training on preventing transmission of COVID-19, including initial and routine/refreshers training.

- Ensure that psychological and behavioral support is available to address employee stress.

## Safe Work Practices

Provide emergency responders and other essential personnel who may be exposed while working away from fixed facilities with alcohol-based hand rubs containing at least 60% alcohol for decontamination in the field.

## Personal Protective Equipment (PPE)

Most workers at high or very high exposure risk likely need to wear gloves, a gown, a face shield or goggles, and either a face mask or a respirator, depending on their job tasks and exposure risks. Those who work closely with (either in contact with or within 6 feet of) patients known to be, or suspected of being, infected with SARS-CoV-2, the virus that causes COVID-19, should wear respirators. In these instances, see the PPE section beginning on page 14 of this booklet, which provides more details about respirators. For the most up-to-date information, also visit OSHA's COVID-19 webpage: [www.osha.gov/covid-19](https://www.osha.gov/covid-19). PPE ensembles may vary, especially for workers in laboratories or morgue/mortuary facilities who may need additional protection against blood, body fluids, chemicals, and other materials to which they may be exposed. Additional PPE may include medical/surgical gowns, fluid-resistant coveralls, aprons, or other disposable or reusable protective clothing. Gowns should be large enough to cover the areas requiring protection. OSHA may also provide updated guidance for PPE use on its website: [www.osha.gov/covid-19](https://www.osha.gov/covid-19).

**NOTE:** Workers who dispose of PPE and other infectious waste must also be trained and provided with appropriate PPE. The CDC webpage "Healthcare-associated Infections" ([www.cdc.gov/hai](https://www.cdc.gov/hai)) provides additional information on infection control in healthcare facilities.

**Medium Exposure Risk** - Treasurer and Deputy Treasurer, Clerk and Deputy Clerk, Park Rangers, contracted Assessor, contracted Zoning Administrator

Medium exposure risk jobs include those that require frequent and/or close contact with (i.e., within 6 feet of) people who may be infected with SARS-CoV-2, but who are not known or suspected COVID-19 patients. In areas without ongoing community transmission, workers in this risk group may have frequent contact with travelers who may return from international locations with widespread COVID-19 transmission. In areas where there is ongoing community transmission, workers in this category may have contact with the general public (e.g., schools, high-population-density work environments, some high-volume retail settings).

## How to Protect Medium Exposure Risk Employees

In workplaces where workers have high or very high exposure risk, employers should implement control measure described in this section and follow the guidance for "Steps All Employers Can Take to Reduce Workers' Risk of Exposure to SARS-CoV-2," on page 7 of OHAS Publication 3990. Provided below and [here](#) as a link. Jobs Classified at Medium Exposure Risk: What to Do to Protect Workers

## Engineering Controls

- Install physical barriers, such as clear plastic sneeze guards, where feasible.

## Administrative Controls

- Consider offering face masks to ill employees and customers to contain respiratory secretions until they are able leave the workplace (i.e., for medical evaluation/care or to return home). In the event of a shortage of masks, a reusable face shield that can be decontaminated may be an acceptable method of protecting against droplet transmission. See CDC/NIOSH guidance for optimizing respirator supplies, which discusses the use of surgical masks, at: [www.cdc.gov/coronavirus/2019-ncov/hcp/respirators-strategy](http://www.cdc.gov/coronavirus/2019-ncov/hcp/respirators-strategy)
- Keep customers informed about symptoms of COVID-19 and ask sick customers to minimize contact with workers until healthy again, such as by posting signs about COVID-19 in stores where sick customers may visit (e.g., pharmacies) or including COVID-19 information in automated messages sent when prescriptions are ready for pick up.
- Where appropriate, limit customers' and the public's access to the worksite, or restrict access to only certain workplace areas.
- Consider strategies to minimize face-to-face contact (e.g., drive-through windows, phone-based communication, telework).
- Communicate the availability of medical screening or other worker health resources (e.g., on-site nurse; telemedicine services).

## Personal Protective Equipment (PPE)

When selecting PPE, consider factors such as function, fit, decontamination ability, disposal, and cost. Sometimes, when PPE will have to be used repeatedly for a long period of time, a more expensive and durable type of PPE may be less expensive overall than disposable PPE. Each employer should select the combination of PPE that protects workers specific to their workplace.

- Workers with medium exposure risk may need to wear some combination of gloves, a gown, a face mask, and/or a face shield or goggles. PPE ensembles for workers in the medium exposure risk category will vary by work task, the results of the employer's hazard assessment, and the types of exposures workers have on the job.

**Lower Exposure Risk (Caution)** - Trustees, Supervisor, Historical Society Director, Planning Commission Members, Park and Recreation Advisory Committee Members, Zoning Board of Appeals Members, Board of Review Members, Abandoned Building Hearing Officer.

- Lower exposure risk (caution) jobs are those that do not require contact with people known to be, or suspected of being, infected with SARS-CoV-2 nor frequent close contact with (i.e., within 6 feet of) the general public. Workers in this category have minimal occupational contact with the public and other coworkers.

## How to Protect Lower Exposure Risk Employees

In workplaces where workers have lower exposure risk, employers should implement control measure described in this section and follow the guidance for "Steps All Employers Can Take to Reduce Workers' Risk of Exposure to SARS-CoV-2," on page 7 of OHAS Publication 3990. Provided below and [here](#) as a link.

For workers who do not have frequent contact with the general public, employers should implement control measures described in this section.

## **Engineering Controls**

Additional engineering controls are not recommended for workers in the lower exposure risk group. Employers should ensure that engineering controls, if any, used to protect workers from other job hazards continue to function as intended.

## **Administrative Controls**

Monitor public health communications about COVID-19 recommendations and ensure that workers have access to that information. Frequently check the CDC COVID-19 website: [www.cdc.gov/coronavirus/2019-ncov](https://www.cdc.gov/coronavirus/2019-ncov).

- Collaborate with workers to designate effective means of communicating important COVID-19 information.

## **Personal Protective Equipment**

Additional PPE is not recommended for workers in the lower exposure risk group. Workers should continue to use the PPE, if any, that they would ordinarily use for other job tasks.

## **Workers Living Abroad or Travelling Internationally – Omitted**

## **Workplace Coordinator**

This Plan designates the following persons as Township Workplace Coordinators to oversee and implement the policies of this Plan:

- Emergency Services Building: Fire Chief Brandon Flynn
- Whitewater Township Hall: Township Supervisor Ron Popp & Treasurer Ardella Benak
- Whitewater Township Park/Hi Pray Park: Township Clerk Cheryl Goss

## **Health Screening Measures and Policies**

Workers have been informed of and encouraged to self-monitor for signs and symptoms of COVID-19. The following policies and procedures are being implemented to assess workers' health status prior to entering the workplace and provide guidance for workers when they are sick or experiencing symptoms.

At one workplace entry in each facility, i.e., Whitewater Township Hall, Emergency Services Building, and Whitewater Township Park, a health screening area will be set up. Employees must first report to the health screening area and complete the self-assessment checklist. The health screening area will have:

- A self-assessment checklist of health screening questions
- Alcohol-based hand sanitizer

**The self-assessment checklist will consist of the following health screening questions  
In the past 24 hours, have you experienced?**

- Cough:
- Shortness of breath or difficult breathing
- Fever higher than 100.4
- Chills
- Muscle pain
- Sore throat
- New loss of taste or smell
- Nausea, vomiting, or diarrhea
- Have you had close contact in the last 14 days with an individual diagnosed with COVID-19?
- Have you engaged in any activity or travel within the last 14 days which fails to comply with current executive orders?
- Have you been directed or told by the local health department or your healthcare provider to self-isolate or self-quarantine?
- If you answer “yes” to any of these questions, please do not report to your work station. Report your affirmative response to your department head. Exit the facility and call your healthcare provider or health department. Do not call 911 unless other medical conditions warrant.
- Self-quarantine at home for 14 days or as directed by your healthcare provider.
- An employer will allow employees with a confirmed or suspected case of COVID-19 to return to the workplace only after they are no longer infectious according to the latest guidelines from the Centers for Disease Control and Prevention (“CDC”) and they are released from any quarantine or isolation by the local public health department pursuant to Executive Order 2020-114.
- If you answer “no” to all questions, you can begin working.

**If workers are sick or experiencing symptoms while at home or have household members who are experiencing a cough, shortness of breath or difficult breathing, fever, chills, muscle pain, sore throat, new loss of taste or smell, nausea, vomiting, or diarrhea or who have tested positive for COVID-19:**

- Do not report to the workplace.
- Inform your department head by phone, text, or email as soon as symptoms appear.
- Department heads will go through the health screening questions remotely
- You should isolate at home for a minimum of 14 days since symptoms first appear.

**If you answer “yes” to any of the health screening questions, call your healthcare provider or health department.  
Do not call 911 unless other conditions warrant.**

- Inform your department head of your status by phone, text, or email
- Self-quarantine at home for 14 days or as directed by your healthcare provider.
- An employer will allow employees with a confirmed or suspected case of COVID-19 to return to the workplace only after they are no longer infectious according to the latest guidelines from the

Centers for Disease Control and Prevention (“CDC”) and they are released from any quarantine or isolation by the local public health department pursuant to Executive Order 2020-114.

**If workers or guests are sick or experiencing symptoms while at work or on township grounds, immediately isolate sick person(s) from co-workers and other guests, have suspected sick person(s) don face shield, mask and/or other PPE for containment and make arrangements for them to be sent home. Call your health care provider or 911 as needed.**

- Inform your department head of your status by phone, text, or email.
- Self-quarantine at home for 14 days or as directed by your healthcare provider.
- Contact your department head as described above upon successful completion of 14-day self-quarantine period for a possible return to work date.
- An employer will allow employees with a confirmed or suspected case of COVID-19 to return to the workplace only after they are no longer infectious according to the latest guidelines from the Centers for Disease Control and Prevention (“CDC”) and they are released from any quarantine or isolation by the local public health department pursuant to Executive Order 2020-114.

**If positive COVID cases on township grounds are found, workers in that facility will immediately elevate their job risk classification to Very High and implement workplace safeguards consistent with that classification. (See Page 7 of this manual) And:**

- Immediately isolate sick person(s) and issue face masks/shield combination and other appropriate PPE from jump bag for containment, notify Grand Traverse County Health Department and follow their directions. Do not handle any patient related items, for any reason.
- Isolate yourself, decontaminate (wash, shower, change clothes) don PPE from jump bag (gloves, face mask, face shield, coverall), as appropriate. Contaminated clothing and PPE must be placed in a durable leak proof container properly labeled with the universal biohazard symbol and disposed of with other contaminated waste or decontaminated before reuse.
- Evacuate and close to the public the affected building and grounds area until a complete cleaning and disinfecting can be accomplished.
- Hand washing protocols must be rigorously followed when donning and doffing PPE.
- Once the situation is contained complete an incident report.
- Notify coworkers and other guests within 24 hours as required by Executive Order 2020-114 they have been exposed to a person with COVID-19 at their workplace. However, the specific health status and health information of the individual is Protected Health Information under the Health Insurance Portability and Accountability Act (HIPAA) and will not be shared.
- Workplace Coordinator will contact 3<sup>rd</sup> party vendor for facility cleaning and disinfecting.

## **Basic Infection Prevention Measures**

Basic infection prevention measures are being implemented at our workplaces at all times. Those measures include:

## **Handwashing:**

- Workers are instructed to wash their hands for at least 20 seconds with soap and water frequently throughout the day, but especially at the beginning and end of their shift, prior to any mealtimes, and after using the toilet. Hand-sanitizer dispensers (that use sanitizers of greater than 60% alcohol) will be made available for hand hygiene in place of soap and water.

## **Respiratory Etiquette:**

- Disposable masks will be provided for workers. Workers and customers are encouraged to wear masks when in an enclosed public space.
- Workers and customers are encouraged to cover their mouth and nose with their sleeve or a tissue when coughing or sneezing and to avoid touching their face, in particular their mouth, nose and eyes, with their hands. They should dispose of tissues in the trash and wash or sanitize their hands immediately afterward.

## **Social Distancing:**

- Social distancing is being implemented in workplaces and vehicles in the following ways:
- In all buildings, a minimum of 6' will be maintained between work stations, meeting tables, and/or chairs through the use of ground markings, signs, and physical barriers, as appropriate to the worksite.
- A minimum of 6' will be maintained between workers and customers at all times.
- Barriers and face shield will be utilized where the 6' minimum distance is difficult to achieve. A reusable face shield that can be decontaminated may be an acceptable method of protecting against droplet transmission.
- Use of contactless drop boxes/bins for pickup or delivery of items will be instituted to the extent feasible.

## **Personal Protective Equipment**

- Disposable masks will be provided for all workers. Workers are encouraged to wear masks when in an enclosed public space.
- Disposable gloves will be provided for all workers. Workers are encouraged to wear gloves for transactions with customers that involve paper money or coins. The policy for the wearing of gloves by medical first responders will be as prescribed by the Fire Chief.
- A limited supply of disposable masks will be available to the public.

## Housekeeping

- Increased housekeeping practices as required by Executive Order 2020-114 are being implemented, including routine cleaning and disinfecting of work surfaces, equipment, tools and machinery, delivery vehicles and areas in the work environment, including restrooms, break rooms, lunch rooms, meeting rooms, and drop-off and pick-up locations. Staff is encouraged to conduct more frequently cleaning and disinfecting in high-touch areas, such as desk surfaces, phones, keyboards, screens, controls, door handles, light switches, railings, copy machines, fax machines, postage machine, check and credit card readers, delivery equipment, etc.
- At the Whitewater Township Hall, a contracted cleaning service will provide weekly cleaning and disinfecting services of all offices and common areas. Workers are encouraged to perform more frequent cleaning and disinfecting of high-touch areas in their own work spaces, such as desk surfaces, phones, keyboards, touch screens, door handles, and light switches.
- At the Emergency Services Building, Fire Chief Flynn will provide weekly cleaning and disinfecting of all offices and common areas. Workers are encouraged to perform more frequent cleaning and disinfecting of high-touch areas in their own work spaces, such as desk surfaces, phones, keyboards, touch screens, door handles, and light switches.
- At the Whitewater Township Park Ranger Station, workers will perform at least twice daily cleaning and disinfecting of work surfaces, especially high-touch areas such as the customer counter, cash register, Square terminal, phone, laptop computer, door/drawer/closet handles, light switches, etc.
- At the Whitewater Township Park Restrooms and Showers, workers will perform cleaning and disinfecting of all areas on a 3-times-per-day schedule. Restrooms will not be open to customers during cleanings. The schedule of cleanings will be posted outside the restrooms for the convenience of customers.
- At the Whitewater Township Park Boat Launch portable toilets, workers will perform cleaning and disinfecting of all areas on a 3-times-per-day schedule. Portable toilets will not be open to customers during cleanings. The schedule of cleanings will be posted outside the portable toilets for the convenience of customers.
- At the Hi Pray Park Restrooms, workers will perform cleaning and disinfecting of all areas on a once per day schedule. Restrooms will not be open to customers during cleanings. The schedule of cleanings will be posted outside the restrooms for the convenience of customers.
- EPA-approved cleaners and disinfectants will be utilized in all areas.

## Training

**Executive Order 2020-114 Section 1, C, provide COVID-19 training to employees that covers, at a minimum**

- Training in the use of cleaners and disinfectants will be provided. The training will consist of a 1-hour long seminar produced by KSS Enterprises entitled, "Are You Prepared for a New Level of Clean in Your Facilities? Cleaning Beyond the COVID-19 Crisis." The seminar is accessible at <https://www.youtube.com/watch?v=QyNlcAivKWl>.

- Workplace infection-control practices.
- The proper use of personal protective equipment.
- Steps the employee must take to notify the business or operation of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19.
- How to report unsafe working conditions.

## Public Interaction Plan

- Zoom or other suitable electronic or telephonic meeting platforms will be utilized as necessary to facilitate two-way, ADA complaint, Open Meetings Act compliant public body meetings.
- Social distancing will be maintained between board, commission, or committee members, workers and the public at all times.
- Where social distancing cannot be maintained, barriers may be utilized, such as clear plastic sneeze guards, or a reusable face shield that can be decontaminated may be an acceptable method of protecting against droplet transmission where feasible.
- 

## Train employees who interact with patrons (e.g., staff, park rangers) on how to

- Monitor and enforce compliance with the facility's COVID-19 protocols.
- Help guests/patrons who become symptomatic as described in Positive Case on Township Grounds
- The public will maintain social distancing among themselves.
- A limited supply of disposable masks will be available to the public.

## Families First Coronavirus Response Act ("FFCRA"): Employee Paid Leave Rights

The FFCRA requires the Township to provide employees with paid sick leave or expanded family and medical leave for certain reasons related to COVID-19. Employees are entitled to the following benefits provided by the FFCRA:

- *Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or*
- *Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a*

substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and

- *Up to an additional 10 weeks of **paid expanded family and medical leave** at two-thirds the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19."*

An employee may choose to substitute any accrued vacation leave, personal leave or medical/sick leave for the first two weeks of partial paid leave. Although notice of leave is not required, employees are encouraged to inform the Workplace Coordinator if leave is foreseeable.

#### A. Qualified Reasons for Leave.

The FFCRA provides the following qualifying reasons for leave

1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. Has been advised by a health care provider to self-quarantine related to COVID-19;
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. Is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. Is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

#### B. Duration of Leave

**For reasons (1)-(4) and (6):** A full-time employee is eligible for 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.

**For reason (5):** A full-time employee is eligible for up to 12 weeks of leave (two weeks of paid sick leave followed by up to 10 weeks of paid expanded family & medical leave) at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

#### C. Calculation of Pay.

**For leave reasons (1), (2), or (3):** employees taking leave are entitled to pay at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

**For leave reasons (4) or (6):** employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

**For leave reason (5):** employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period).

## Communications

This Preparedness and Response Plan will be provided to all workers. Instructions will be communicated to customers about how drop-off, pick-up and delivery, will be conducted to ensure social distancing between customers and workers. Department heads will monitor the effectiveness of the plan and make adjustments as necessary. Management and workers will work through this plan together and update the training as necessary.

This COVID-19 Preparedness and Response Plan has been adopted by the Whitewater Township Board and posted at all the workplaces. It will be updated as necessary.

## Reporting Unsafe Conditions

Don't hesitate to report unsafe working conditions. Executive Order 2020-114 Section 1, c (4) requires employees to be trained on how to report unsafe working conditions. Workers have a right to report **Unsafe Working Conditions** during a Pandemic. OSHA reminds employers retaliation against whistleblowers is illegal.

Best practices during the coronavirus pandemic include frequent cleaning and disinfection of high-touch surfaces as well as proper personal protective equipment for workers. The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) reminds employers that it is illegal to punish workers who report unsafe and unhealthful working conditions during the coronavirus pandemic.

Workers have the right to file a whistleblower complaint online with OSHA (or call 1-800-321-OSHA) if they believe their employer has retaliated against them for exercising their rights under the whistleblower protection laws enforced by the agency.

OSHA's Whistleblower Protection Program webpage provides valuable resources on worker rights, including fact sheets on whistleblower protections for employees in various industries and frequently asked questions. For more information on whistleblower protections, visit OSHA's Whistleblower Protection Programs webpage.

# Memo

**To:** Whitewater Township Board

**From:** Ron Popp, Supervisor

**CC:** None

**Date:** 1.04.2021

**Re:** Review Lossie Road Trail – Draft Confidential Legal Opinion

---

Board Members,

Mr. Chris Patterson was asked to provide insight on how to convey transferable motorized vehicle access to adjacent land owners of the Lossie Road Nature Trail (LRNT). The initial communication included the detailed GIS map of the area and because of the large file size, was transferred via google drive to him near the end of October 2020. The written part of that communication and request are included for your review. The Draft Confidential Legal Opinion will be emailed to each of your email addresses and is NOT SUBJECT to FOIA and should NOT be shared with anyone.

It is my impression, the questions posed are more complicated than the Board anticipated and Mr. Paterson is looking to have additional Board direction on how it wishes to proceed.

How would the Board like to proceed?

Respectfully submitted,



Ron Popp

Supervisor, Whitewater Township

Mr. Patterson –

Because of attachment file size I am transmitting this correspondence via Gmail and Google drive.

In the early 1990's Whitewater Township petitioned the Grand Traverse County Road Commission to relinquish a section of the Lossie Road right of way which was part of a March 7, 1934 taking under Public Act 283 of 1909. The portion of right of way requested by the Township was never improved to become a road and existed from 1934 until the early 1990s as an unmarked two tracked used year round by off road vehicles and pedestrian traffic alike.

Sometime after the right of way was relinquished to the Township, it became part of the park system we see today as a 66' wide by some 9,000 foot linear walking park named the Lossie Road Nature Trail (LRNT) and like all the other parks in Whitewater Township is non-motorized. Over the years, there has been various reports of ATV/ORV use, followed by periods of stricter enforcement to stop it. LRNT is located in a low area encompassed by even lower (swampy) area to the north, with some upland to the south. It incorporates a small foot bridge to cross the Battle Creek at a section of the creek with multiple fingers. These elements are likely why the easement was never developed as a road and precisely why many enjoy it as a nature trail. A few months ago, you drafted some agreements involving Westerly portion of the LRNT and the Miami Beach Road Association. To clarify, we are talking about the entire trail for this exercise.

Recently and in response to trail damage observations caused by ATV/ORV usage, Non-Motorized Only signs were installed at both the west and east entrances of the park. The signs have created quite the stir with adjacent land owners. In one case, Mr. Rolland Oosterhouse, (see his attorney's letter attached) has plans of building on his land and claims to need the park (trail) as his driveway.

The Whitewater Township Board met on 10.13.2020 to discuss the most recent sign developments and heard commentary by a couple of additional adjacent land owners disenchanted with the signs. I suspect an equal or greater number of comments will arise from supporters of the non-motorized designation as we move through this process. The Board shares a consensus with the adjacent land owner's about their property rights to the land under the easement and agree they should have unrestricted access. I also believe the consensus extends to this access being transferable including land division. I recommended a sort of easement agreement to convey, or in this case solidify access rights that may already exist to LRNT not enjoyed by the general public. The Board was not supportive in creating new deeds for the adjoining property owners so, they would be left to make any changes to their existing deeds referencing whatever conveyance method you recommend.

I think it important for all involved to look forward a few generations to see the possible impact transferable, land division access and the development it could foster may have on LRNT and its eventual end as a nature trail. While none of the current adjoining landowners have development aspirations to that extent, or want to negatively impact the park, future owners may eye something a bit more robust. An agreement without limits could certainly bring about the end to quiet enjoyment of the public land.

To help draw a better picture, I will attempt to share two google drive files too large to send via email. One file is an overhead image created by Grand Traverse County GIS and does a great job at depicting current adjacent landowners and how the LRNT impacts their land. The second is a soils map that aids in delineating the low and uplands of the area. The file containing the business item discussed at our 10.13.2020 Township Board Meeting (NB 2 – Lossie Road Trail Review NonMotorized Designation Update) includes a site inspection report of Mr. Oosterhouse's property by Zoning Administrator Bob Hall, and a letter from Mr. Oosterhouse's attorney, Mr. Joseph R. Zayaz dated October 1, 2020.

Please provide the Township with any insight and recommendations for granting/confirming motorized access for the adjoining lands. For questions, please feel free to contact me at 231-267-5141 Ext. 23 or by cell phone at 231-409-5059.

Thank you,

**From:** Christopher Patterson <cpatterson@fsbirlaw.com>  
**Sent:** Thursday, December 3, 2020 2:34 PM  
**To:** supervisor@whitewatertownship.org  
**Cc:** Stacy Parrish  
**Subject:** RE: Lossie Trail  
**Attachments:** 2020.12.02 Whitewater Twp\_Draft Legal Op re Lossie Road.pdf

Ron:

Here is the final letter raising the issues we discussed.

Please let me know if you have any questions or concerns or if I misunderstood anything. I can make any changes to the letter and send it back.

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](mailto:cpatterson@fsbirlaw.com)

4151 Okemos Road, Okemos, MI 48864 USA

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

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**From:** Christopher Patterson  
**Sent:** Thursday, December 3, 2020 12:22 PM  
**To:** supervisor@whitewatertownship.org  
**Cc:** Stacy Parrish <sparrish@fsbirlaw.com>  
**Subject:** RE: Lossie Trail

Ron:

Not a problem. I already had the final draft finished and staff is formatting it for me. I should be able to send it today.

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](mailto:cpatterson@fsbirlaw.com)

4151 Okemos Road, Okemos, MI 48864 USA

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

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**From:** [supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org) <[supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)>  
**Sent:** Thursday, December 3, 2020 12:15 PM  
**To:** Christopher Patterson <[cpatterson@fsbrlaw.com](mailto:cpatterson@fsbrlaw.com)>  
**Cc:** [supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)  
**Subject:** Lossie Trail

Good afternoon Chris, I hope all is well! When possible if you could supply a status update on the Lossie Road Trail issue that would be great. I was hopeful to get the issue before the Board again for additional direction in January 2021.

Many thanks,

Ron Popp  
Whitewater Township Supervisor  
5777 Vinton Road, P.O. Box 159  
Williamsburg, Michigan 49690  
231.267.5141 X 23  
[supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp  
**CC:**  
**Date:** 1-04-2021  
**Re:** Board of Review Reappointment

---

Colleagues,

I am recommending:

Connie Rountree, 5413 Glendenning Trail, Williamsburg, Michigan 49690 to a position on the Whitewater Township Board of Review in accordance with Public Act 206 of 1893 Section 28 (1) MCL 211.28 (1). The term will end on December 31, 2022. If the recommendation for appointment is confirmed, the Appointee shall pledge the Oath of Office as administered by the Township Clerk within ten (10) business days as required by Public Act 206 of 1893 MCL 211.28 (1) as amended.

An appropriate motion might be:

A motion to confirm the recommendation of the Supervisor appointing Connie Rountree to a two (2) term on the Whitewater Township Board of Review. The term will end on December 31, 2022.

Roll Call Vote – Electronic Meeting Recommendations

Respectfully submitted,



Ron Popp  
Whitewater Township Supervisor

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp  
**CC:**  
**Date:** 1-04-2021  
**Re:** Board of Review Appointment

---

Colleagues,

I am recommending:

Brenda Welch Baker, 5982 Cook Road, Williamsburg, Michigan 49690 to a position on the Whitewater Township Board of Review in accordance with Public Act 206 of 1893 Section 28 (3) MCL 211.28 (3). The term will end on December 31, 2022. If the recommendation for appointment is confirmed, the Appointee shall pledge the Oath of Office as administered by the Township Clerk within ten (10) business days as required by Public Act 206 of 1893 MCL 211.28 (1) as amended.

An appropriate motion might be:

A motion to confirm the recommendation of the Supervisor appointing Brenda Welch Baker to a term on the Whitewater Township Board of Review. The term will end on December 31, 2022.

Roll Call Vote – Electronic Meeting Recommendations

Respectfully submitted,



Ron Popp  
Whitewater Township Supervisor

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp  
**CC:**  
**Date:** 1-04-2021  
**Re:** Board of Review Re-Appointments

---

Colleagues,

I am recommending:


Eric Sanborn, 7905 Cook Road, Williamsburg, Michigan 49690 to a position on the Whitewater Township Board of Review in accordance with Public Act 206 of 1893 Section 28 (1) MCL 211.28 (1). The term will end on December 31, 2022. If the recommendation for appointment is confirmed, the Appointee shall pledge the Oath of Office as administered by the Township Clerk within ten (10) business days as required by Public Act 206 of 1893 MCL 211.28 (1) as amended.

An appropriate motion might be:

A motion to confirm the recommendation of the Supervisor appointing Eric Sanborn to a two (2) term on the Whitewater Township Board of Review. The term will end on December 31, 2022.

Roll Call Vote – As recommended by Electronic Meetings

Respectfully submitted,



Ron Popp  
Whitewater Township Supervisor

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp  
**CC:**  
**Date:** 11-25-2020  
**Re:** Park & Recreation Advisory Committee Appointments

---

Board Members,

Due to the passing of Mr. Dennis Leach, longtime member of the Park & Recreation Advisory Committee (PRAC), and at the request of Linda Slopsema, current alternate member of PRAC:

I am recommending Linda Slopsema, 9693 Miami Beach Road, Williamsburg Michigan 49690 to fill a vacant full membership on the Whitewater Township Parks & Recreation Advisory Committee with term ending the same as Mr. Leach's December 31, 2021.

An appropriate motion might be:

A motion to confirm the recommendation of the Supervisor appointing Linda Slopsema to a partial 3-year Post on the Whitewater Township Parks and Recreation Advisory Committee. The term will end on December 31, 2021.

Roll Call – as recommended by Electronic Meeting Rules

Ron Popp.

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp  
**CC:**  
**Date:** 11-27-2020  
**Re:** Park & Recreation Advisory Committee Re-appointments

---

Colleagues,

I am recommending:

Thomas Cosgrove, 10300 Miami Beach Road, Williamsburg, Michigan 49690 to a position on the Whitewater Township Parks and Recreation Advisory Committee. The term will end on December 31, 2023.

An appropriate motion might be:

A motion to confirm the recommendation of the supervisor appointing Thomas Gosgrove to a 3 year position on the Whitewater Township Parks and Recreation Advisory Committee. The term will end on December 31, 2023.

Roll Call Vote as recommended by Electronic Meeting Rules

Ron Popp.

# Memo

**To:** Whitewater Township Board

**From:** Ron Popp

**CC:**

**Date:** 11-25-2020

**Re:** Zoning Board of Appeals

---

Board Members,

Due to the resignation of Mr. Kim Halstead, longtime member of the Zoning Board of Appeals, and with approval from Roberto Garza, current alternate member of the Zoning Board of Appeals:

I am recommending Roberto Garza, 8705 Angell Road, Williamsburg Michigan 49690 to fill a vacant full membership on the Whitewater Township Zoning Board of Appeals with term ending the same as Mr. Halstead's December 31, 2021.

An appropriate motion might be:

A motion to confirm the recommendation of the Supervisor appointing Roberto Garza to a partial 3-year seat on the Whitewater Township Zoning Board of Appeals. The term will end on December 31, 2021.

Roll Call – as recommended by Electronic Meeting Rules

Ron Popp.

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp  
**CC:**  
**Date:** 1-04-2021  
**Re:** Planning Commission Appointments – Tim Arends

---

Colleagues,

I am recommending:

Tim Arends, 10180 Elk Lake Trail, Williamsburg, Michigan 49690 to a vacant partial 3-year position ending December 31, 2022 on the Whitewater Township Planning Commission. This recommendation is in accordance with Public Act 33 of 2008, MCL 125.3815 Section 15 and Whitewater Township General Ordinance Number 42, Section 102.

An appropriate motion may look like:

A motion to confirm the recommendation of the supervisor appointing Tim Arends to a vacant partial 3-year term position on the Whitewater Township Planning Commission. The term shall end December 31, 2022.

Roll Call Vote – Electronic Meeting Recommendations

Respectfully submitted,



Ron Popp  
Whitewater Township Supervisor



# WHITEWATER TOWNSHIP

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

## APPLICATION FOR APPOINTMENT

**Date of Application:** 11-25-2020

**Name:** Arends Timothy J  
Last First Middle Initial

**Address:** 10180 Elk Lake Trail **City:** Williamsburg **Zip:** 49690

**Telephone:** (Home) \_\_\_\_\_ (Cell) 231.499.5391

**E-Mail Address:** tarends226@gmail.com

### What Committees and/or Boards are you interested in?

(Select as many as you like)

Board of Review: \_\_\_\_\_ Park & Recreation Advisory Committee: \_\_\_\_\_

Planning Commission: X Zoning Board of Appeals: \_\_\_\_\_

**Are you a Whitewater Township Resident?** Yes X No \_\_\_\_\_

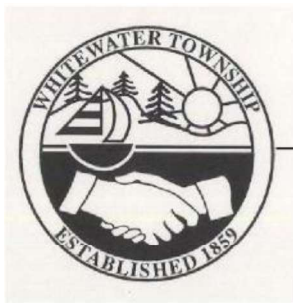
**Are you a Land Owner in Whitewater Township?** Yes \_\_\_\_\_ No X

**Are you a Qualified Elector of the Township?** Yes X No \_\_\_\_\_

As defined by the 1963 Michigan Constitution, as amended by the 26<sup>th</sup> Amendment of the U.S. Constitution

Please describe your interest in the selected committee/board and how you feel your expertise and contribution would benefit the group:

Have been employed by the City of Traverse City for the past 31 years. Eighteen years in the  
Treasurers Office as Deputy Treasurer/Asst. Finance Director. From there spent 5 years as the  
Controller at Traverse City Light & Power; for the past 8 years and currently as its Executive  
Director. I believe this relative governmental experience could bring benefits to the residents of  
the township on its Planning Commission.



# WHITEWATER TOWNSHIP

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267-5141 • FAX (231) 267-9020

Please provide any other information you wish to share.

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**Complete, sign, and return this application to:**

**Whitewater Township Supervisor  
P.O. Box 159, 5777 Vinton Road,  
Williamsburg MI 49690,  
Fax 231-267-9020**

**[Email: supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)**

Tim Arends (electronic)

**Applicant Signature**

11-25-2020

**Date**

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp  
**CC:**  
**Date:** 1-04-2021  
**Re:** Park & Recreation Advisory Committee Re-appointments

---

Colleagues,

I am recommending:

Brandon Hubbell, 8365 Park Road, Williamsburg, Michigan 49690 to a position on the Whitewater Township Parks and Recreation Advisory Committee. The term will end on December 31, 2023.

An appropriate motion might be:

A motion to confirm the recommendation of the supervisor appointing Brandon Hubbell to a 3 year position on the Whitewater Township Parks and Recreation Advisory Committee. The term will end on December 31, 2023.

(Voice Vote)

Ron Popp.

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp  
**CC:**  
**Date:** 1-04-2021  
**Re:** Park & Recreation Advisory Committee Re-appointments

---

Colleagues,

I am recommending:

Melissa Melton, 5044 Vinton Road, Williamsburg, Michigan 49690 to a position on the Whitewater Township Parks and Recreation Advisory Committee. The term will end on December 31, 2023.

An appropriate motion might be:

A motion to confirm the recommendation of the supervisor appointing Melissa Melton to a 3 year position on the Whitewater Township Parks and Recreation Advisory Committee. The term will end on December 31, 2023.

(Voice Vote)

Ron Popp.

## **MEMO**

**To:** Whitewater Township Board

**From:** Cheryl A. Goss, Clerk

**Date:** 01/05/2021

**Re: Legal Opinion re: Appointment of Township Board Representative to Planning Commission**

---

In December 2020, a legal opinion was sought and received from Attorney Chris Patterson regarding the issue of the appointment of the township board's ex officio member to the planning commission.

The legal opinion has been sent under separate cover to all board members but does not appear in the 1/12/2021 board packet, as is the customary practice for attorney-client privileged legal opinions.

The legal opinion describes the duties of the supervisor in making this type of appointment. Based on the opinion, a recommendation could be brought by the supervisor at the 1/12 meeting to fill this position.

Also attached is an e-mail from Treasurer Benak indicating her willingness to serve in this role.

###

**From:** [Ardella M Benak](#)  
**To:** [Ron Popp](#); ["Cheryl Goss"](#); ["Lloyd Lawson"](#); ["Paul Hubbell"](#)  
**Subject:** Second request for PC appointment  
**Date:** Monday, January 4, 2021 3:24:29 PM

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Supervisor Ron Popp  
Fellow Board Members

I respectfully request to be appointed to the Planning Commission to fill the vacancy by the outgoing board member Lloyd Lawson.

I feel I have the experience needed to step into this position. I have served for 11 years on the ZBA. The experience from those 11 years will be of benefit to the Planning Commission as a whole. My 12 years on the Township Board gives me the unique perspective of the township's policies, procedures and zoning regulations. My outlook on growth for our community is one of managed growth through thoughtful planning.

I had considered staying on the ZBA this term but reconsidered as I believe my efforts would be better suited and served at the Planning Commission. As you know, I'm a 38 year resident of Whitewater Township. I've raised my family here. My children have all attended school here in the township. My roots are here! I have a vested interest in our community and that is what is driving me to join the Planning Commission.

I am requesting that my appointment be added to the agenda for January 12, 2021 for consideration.

Respectfully Submitted,

*Ardella M. Benak*

**Whitewater Township Treasurer**

231-267-5141 ext. 22

## **CLERK'S MEMO**

**To:** Whitewater Township Board  
**From:** Cheryl A. Goss, Clerk  
**Date:** 01/05/2021  
**Re:** 2020/2021 Fiscal Year Budgeted Transfers

---

The following budgeted transfers were planned for in the 2020/2021 fiscal year and are recommended for approval at this time:

**TRANSFER \$5,000 to ROAD FUND:**

An appropriate motion would be: Motion to transfer \$5,000 from the General Fund to the Road Fund.

**TRANSFER \$50,000 TO ROAD REPAIR/REPLACEMENT FUND:**

An appropriate motion would be: Motion to transfer \$50,000 from the General Fund to the Road Repair/Replacement Fund.

**TRANSFER \$20,000 TO RECREATION FUND:**

An appropriate motion would be: Motion to transfer \$20,000 from the General Fund to the Recreation Fund.

**TRANSFER \$65,000 TO AMBULANCE FUND:**

An appropriate motion would be: Motion to transfer \$65,000 from the General Fund to the Ambulance Fund.

**TRANSFER \$50,000 TO PUBLIC IMPROVEMENT FUND:**

An appropriate motion would be: Motion to transfer \$50,000 from the General Fund to the Public Improvement Fund.

**TRANSFER \$10,000 TO FIRE CAPITAL IMPROVEMENT FUND:**

An appropriate motion would be: Motion to transfer \$10,000 from the General Fund to the Fire Capital Improvement Fund.

###

**To:** Whitewater Township Board  
**From:** Cheryl A. Goss, Parks & Recreation Administrator  
**Date:** 01/05/2021  
**Re:** Whitewater Township Park 2021 Dates and Rates

---

### **2021 DATES**

The following recommendations are made with respect to the opening, closing, and free camping weekend dates for 2021:

- Park to open on Friday, May 7
- Free camping weekend to take place May 7 through May 9 – two nights of free camping in exchange for picking up debris on sites
- Park to close on Sunday, October 2

**An appropriate motion would be: Motion to designate the 2021 opening, closing, and free camping weekend dates as recommended by the Clerk.**

### **2021 CAMPING RATES**

The following camping rates are recommended for 2021:

- Off-peak season rate - \$27 per night (May 9 through June 16)
- Peak season rate - \$32 per night (June 17 through September 5)
- Additional adult sleeping units - \$15 per night
- Seasonal sites - \$29 per night

### **2021 MISCELLANEOUS RATES:**

The following miscellaneous rates are recommended for 2021:

- Reservation fee \$8 per reservation, nonrefundable
- Ice \$2 per bag
- Wood \$7 per bundle
- Boat launch \$5 daily, \$5-10 camper, \$20 annual resident, \$40 annual non-resident
- Pavilion \$100 per day
- Dump station \$10 (non-campers)
- Garbage \$1 per bag
- Storage \$5 per night (per storage policy)
- Cancel/change booking - \$10 per booking

**An appropriate motion would be: Motion to approve 2021 Camping and Miscellaneous Rates as recommended by the Clerk.**

## **MEMO**

**To:** Whitewater Township Board

**From:** Cheryl A. Goss, Clerk

**Date:** 01/05/2021

**Re:** Cherry Capital Connection Request for Presentation on 02/09/2021

---

Per the attached e-mail, Tim Maylone, CEO of Cherry Capital Connection, is requesting some time on the board's February 9th agenda to make a presentation concerning their ability to deliver "Gig level service associated with high-speed Internet and telephone services in Grand Traverse County and Whitewater Township."

Mr. Maylone made a similar request last year for time on the board's agenda but was denied the opportunity to do so by Supervisor Popp.

We have a real need in Whitewater Township to expand Internet service to more of our residents and taxpayers. I think it would be well worth the board's time to hear a short presentation (20 minutes) from Mr. Maylone to more fully understand what their company is capable of doing for our residents.

**An appropriate motion would be: Motion to schedule a 20-minute presentation by representatives of Cherry Capital Connection at the township board's 02/09/2020 regular meeting.**

###

## Cheryl A. Goss

---

**From:** tim@cherrycapitalconnection.com  
**Sent:** Tuesday, December 15, 2020 6:14 PM  
**To:** supervisor@whitewatertownship.org  
**Cc:** clerk@whitewatertownship.org; jmaylone@cherrycapitalconnection.com; sales@cccfiber.com  
**Subject:** Whitewater Township - Grand Traverse county

Cherry Capital Connection (CCC) has expressed interest in presenting our plans for delivering Gig level service associated with High Speed Internet and telephone services in Grand Traverse county and Whitewater township.

The delay in presenting was do to our application with the FCC under the RDOF funding model. There was strict order not to discuss. Since the result shave been made public we are able to discuss and share our plans.

We can discuss aspects of our plan that are public. After January 27 we can discuss all aspects of our plans.

CCC a Whitewater township based telephone company is pleased to announce that we are one of 180 companies nationwide and one of 13 companies in Michigan awarded support during round 1 of RDOF.

The image below represents the areas we have been awarded within Grand Traverse county.

The following links will provide details regarding the results of RDOF round 1.

<https://www.fcc.gov/reports-research/maps/rdof-phase-i-dec-2020/>

Map

<https://auctiondata.fcc.gov/public/projects/auction904>

Lots of data

I would like an opportunity to review our plans in detail during your February 2021 meeting.

If you have any questions please do not hesitate to contact me.

The purples line is fiber we installed during 2020

During 2020 we placed fiber in Leelanau, Grand Traverse, Antrim, Charlevoix, Crawford, Roscommon, Cheboygan and Presque Isle.

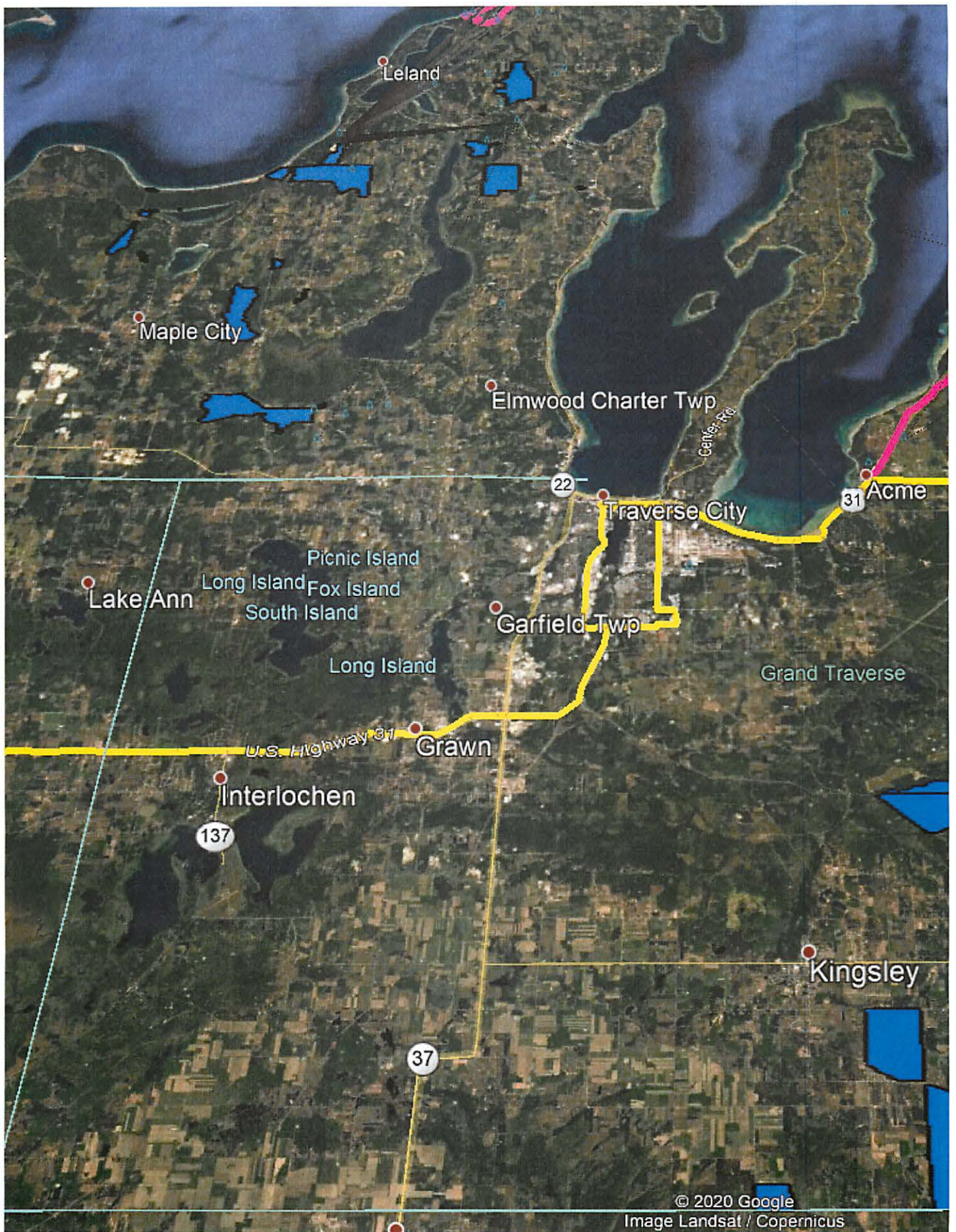
This included 3 neighborhoods associated with just under 500 households enabling Fiber to the home.

RDOF round 1 we were awarded areas in Manistee, Benzie, Leelanau, Grand Traverse, Wexford, Missaukee, Roscommon and Cheboygan counties.

These are the blue shaded area where we have committed to the FCC to deliver Gig level services.

The yellow line is CCC available fiber under agreement with multiple parties.

Please let me know if there is available time on the February calendar for a discussion. Before this meeting we will be distributing an document that outlines our plans. This will be on our after January 27<sup>th</sup> 6:00pm.



Kind Regards,



Tim Maylone

CEO and Managing Member, Cherry Capital Connection, LLC

DBA: Cherry Capital Communications

A modern Michigan Telephone Company

<https://cherrycapitalcommunications.com>

231-264-9970 Ext: 1004



231-735-0451 (cell)

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp, Supervisor  
**CC:** Skegemog Point Road Residents  
**Date:** 1-04-2021  
**Re:** Letter of Interest to GTB re Sewer Williamsburg Area

---


Board Members,

A few years ago, development interests in the Williamsburg and Crisp Road areas of the Township sparked interest in a collaborative clean water initiative effort in areas of Williamsburg. The Township approached Grand Traverse Band of Ottawa and Chippewa Indian Tribal Council with a concept of water protection that interested them and would greatly benefit areas of Williamsburg experiencing septic disposal issues. The development interests have now move to the next level and as in the past clean water concerns are at the forefront in the process. To accomplish this goal and assist with development, a letter of interest needs to be submitted to the Tribal Council for further action. Attached is a draft version of such a communication. Once a final count of residence and possible business locations has been established the letter would be submitted to Tribal Council.

Please feel free to make any comments and or corrections as the Board may see fit and they will be included.

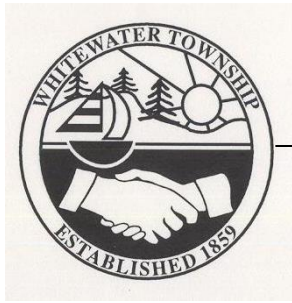
At this point, a simple Board consensus to proceed should be appropriate to determine interest in the initiative, and if there is, I am sure additional documentation will be required and addressed at the appropriate time.

Thank you for reading!



Ron Popp

Supervisor, Whitewater Township



# WHITEWATER TOWNSHIP

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

December 17, 2020

Grand Traverse Band of Ottawa and Chippewa Indian Tribe  
2605 N. West Bay Shore Drive  
Peshawbestown, Michigan 49682  
Lansing, Michigan 48909

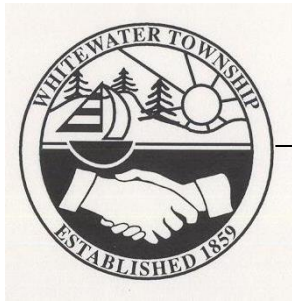
ATTN: Joe Huhn, Director of Public Works, Grand Traverse Band of Ottawa and Chippewa  
Indian Tribe

Re: Utility Expansion

Mr. Huhn,

Water quality and clean water initiatives is a topic on the minds and in the hearts of many. Whitewater Township Board of Trustees shares many of these views and is concerned about protecting water quality. Increases in development pressures and aging onsite septic systems, the Township has a number of small creeks and tributaries to Elk Lake and the Chain of Lakes watershed that could become a high-risk threat to the water quality goals. As part of a collaborative effort between Tip of the Mitt Watershed Council and the Watershed Center of Grand Traverse Bay, Elk River Chain of Lakes (ERCOL) Water First meetings, have helped educate and draw attention to the importance of a properly treated wastewater stream to the overall water quality of Antrim, Charlevoix, Grand Traverse and Kalkaska Counties.

To begin addressing water quality issues in Whitewater Township, more specifically along the environmentally sensitive Bissel Pond and Williamsburg Creek corridor, exploring the feasibility of constructing water and sewer utilities to this underserved becomes clear. The area of highest priority are those existing homes in the immediate area of the Pond and Creek along with a future development site near the intersection Williamsburg and Crisp Roads. Currently there are 000 dwelling units directly adjacent to the Bissel Pond/Williamsburg Creek Corridor and a proposed 50-unit development that could benefit from an infrastructure project of this nature.



# WHITEWATER TOWNSHIP

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(Page 2 – Utility Expansion)

Funding for a project of this nature will rely heavily on grant dollars. Working together with Tribal Governments, Local Units of Governments, agencies, and groups, to serve a regional goal, greatly improves the ability to secure grants and is paramount for this effort. Other grant factors needing consideration include, ownership, and operation of the future infrastructure. Given the vast number of grant and economic development funding opportunities available, ownership covenants may apply in certain scenarios, while the operations and maintenance items could employ a fee-based agreement.

In closing, if you believe a project similar to described above is within your facilities capacity, and may be of some interest to the Tribal Council, please assist me in arranging a gathering of the proper personnel to further the discussion.

Respectfully submitted,

Ron Popp  
Supervisor  
Whitewater Township  
Grand Traverse County, Michigan

## MEMO

**To:** Whitewater Township Board

**From:** Cheryl A. Goss, Clerk

**Date:** 01/05/2021

**Re:** Budget Work Session Dates

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Since the next regular meeting of the township board is February 9, 2020, and because calendars fill up quickly, it is important that the board set some budget work session dates at the January 12th meeting.

In 2020, the first budget work session date was February 4th. The Fire Fund and Fire Capital Improvement Fund budgets were reviewed on that date. I would suggest that we need to start looking now for budget work session dates in February and determine which funds will be addressed on which dates.

**An appropriate motion would be: Motion to schedule budget work session dates in February 2021.**

###