

WHITEWATER TOWNSHIP BOARD
AGENDA FOR REGULAR MEETING – FEBRUARY 8, 2022
9:00 a.m. at the Whitewater Township Hall and via Zoom
5777 Vinton Road, Williamsburg, MI 49690
Phone 231-267-5141/Fax 231-267-9020

Zoom access has been implemented by the Township Board for the public through 12/31/2022.

Join Zoom Meeting

<https://us06web.zoom.us/j/89866103133?pwd=RTJDSHZ4SDhPZkhjdURXZnVZTkVQUT09>

Meeting ID: 898 6610 3133 Passcode: 929698

One tap mobile

+13126266799,,89866103133#,,, *929698# US (Chicago)

Dial by your location

+1 312 626 6799 US (Chicago)

Meeting ID: 898 6610 3133 Passcode: 929698

Find your local number: <https://us06web.zoom.us/j/89866103133?pwd=RTJDSHZ4SDhPZkhjdURXZnVZTkVQUT09>

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 x24 at least 5 days in advance of the meeting.

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

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

- 1. Comments shall be directed to the board, with questions directed to the chair.
- 2. Any person wishing to address the board shall speak from the lectern.
- 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 (none)
- 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 February 2022
- 2. Clerk/Parks & Recreation Administrator's Report for January/February 2022
- 3. Zoning Administrator Staff Report January 2022

4. Trustee February 2022 Report
5. Mobile Medical Response January 2022 Activity Reports
6. Fire Department January 2022 Monthly Report
7. Historical Society Report for January 2022 (not available)
8. Approved 10/28/2021 Zoning Board of Appeals Minutes
9. Approved 12/13/2021 Parks & Recreation Advisory Committee Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for January 2022
2. Grand Traverse County Conservation District Newsletter
3. EGLE – January is Radon Gas Action Month
4. MTA April Meeting and ARPA Funds
5. Michigan Environmental Digest – Radon Gas
6. EGLE Classroom Newsletter January 2022

Minutes

1. Recommend approval of 01/11/2022 regular meeting minutes, 01/13/2022 special meeting minutes, 01/13/2022 closed session minutes, and 01/20/2022 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers #47438 through 47504

Budget Amendments (none)

Revenue & Expenditure Report (none)

I. Unfinished Business

1. Discuss/Award Arborist Quotes
2. Risk Management ARPA Funds
3. Moratorium on SLUP Permits 2022
4. Roland Oosterhouse – Lossie Road Nature Trail

J. New Business

1. Appointments ZBA, BOR
2. Resolution #22-02 – Rates for Cemetery Services
3. Resolution #22-03 – Intent to Oppose Incorporation as Charter Township
4. Resolution #22-04 – Poverty Exemption Guidelines and Application Packet
5. ARPA Funds and Broadband
6. Temporary Delay in Acceptance of MMFLA/MRTMA Applications
7. Review/Approve Additional Activities Compensation Program
8. Township Hall ARPA Meeting from 01/13/2022 New Rules Just Released
9. Set March Budget Work Session and Budget Public Hearing Dates

K. Tabled Items (none)

L. Board Comments/Discussion

M. Announcements

1. Budget Work Session 02/09/2022 @ 9:00 a.m.
2. Budget Work Session 02/17/2022 @ 9:00 a.m.
3. Budget Work Session 02/23/2022 @ 9:00 a.m.
4. Township Board Regular Meeting 03/08/2022 @ 9:00 a.m.

N. Public Comment

O. Adjournment

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To: Township Board Members

From: Cheryl A. Goss, Township Clerk

Date: 02/02/2022

Re: **Consent Calendar for 02/08/2022 Township Board Meeting**

Receive and File

1. Supervisor's Report for February 2022
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3. Zoning Administrator Staff Report January 2022
4. Trustee February 2022 Report
5. Mobile Medical Response January 2022 Activity Reports
6. Fire Department January 2022 Monthly Report
7. Historical Society Report for January 2022 (not available)
8. Approved 10/28/2021 Zoning Board of Appeals Minutes
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5. Michigan Environmental Digest – Radon Gas
6. EGLE Classroom Newsletter January 2022

Minutes

1. Recommend approval of 01/11/2022 regular meeting minutes, 01/13/2022 special meeting minutes, 01/13/2022 closed session minutes, and 01/20/2022 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers #47438 through 47504

Budget Amendments (none)

Revenue & Expenditure Report (none)

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

Roll call vote required.

Whitewater Township Supervisor's Report

January 2022

1) Investigate citizen observations:

- A. Angel Scroggins – Noted a spring type leg trap in the Whitewater Township Camping Park while walking her dog. The device was near camping site 16 and just a few feet away from a normally traveled area. Pictures have been forwarded the Park Administrator for further follow up. Meanwhile, if using the parks and or trails, be cautious until the matter can be resolved.

2) Office duties:

A. Meetings:

- 1) Participated in the first meeting kicking off a needs study for the Township. The study will focus on possible water sewer infrastructure along the Williamsburg Creek Corridor and if there are any workable building scenarios for updating the Township Hall and expanding the Emergency Services Building. Results of this limited study will serve as baseline information for the Master Plan Update and future public townhall information gathering sessions.
- 2) No time was devoted to developing ethics standards this month.
- 3) January begins budget season, a great deal of time has been put forth by all members of the Board. A special thanks to Fire Chief Brandon Flynn for being the first to present his requests on February 9, 2022 at 9:00 AM. Please feel free to join us in person or via Zoom.
- 4) Met with Trustee Heidi Vollmuth to continue research on Board actions about the Lossie Road Nature Trail. We are currently looking at year 2002.
- 5) Computer and software training for board and commission members continue. While many of the programs we use at the Township are commonplace, everyone's familiarity with them varies. Getting some practice in when time allows is beneficial for all.
- 6) Attended the monthly Supervisor's meeting. The main topic of discussion centered on Grand Traverse County's omission of townships in regards to ARPA funds. Recently the County circulated a list of groups they were interested in meeting with as an advisory capacity when discussing the expenditure of these funds. To correct this oversight, the local MTA Chapter headed by Supervisor Beth Friend, sent an invitation to the County Administrator, Nathan Alger and his Deputy, Christopher Forsyth, to attend the April MTA meeting. More on this matter as it develops.

Another subject of great interest was listening to supervisors from Green Lake and Long Lake describe construction issues and cost overruns in this current economic environment. Both agree construction management is their greatest mountain to climb and the need to use different companies for design and construction is imperative. Cost overruns of 20% appear to be commonplace today.

- 7) An on-going lawsuit regarding marihuana uses in the Township consumed significant resources this month including a special meeting of the Board with closed session. As the process moves through the courts the demands is expected to increase.

- 8) Webinar highlights for January Include:

Advancing Inland Lake Stewardship – Information presented looks at shoreline management as a tool to preserve water quality. EGLE's part 301 and 303 were discussed at length as these rules regulate lakefront erosion control measures. Please visit EGLE's website at https://www.michigan.gov/egle/0,9429,7-135-3313_71520_24403---,00.html for more information.

Dive into the Gene Pool: Using environmental DNA to detect invasive species – This webinar was very interesting with a lite look at using known DNA markers of more than 20,000 fish DNA samples on file to detect if that species is in a lake or stream. The Webinar also provided a simplified explanation of qPCR testing, a process currently in limited use to look for sources of contamination that close our beaches and swimming areas on a more frequent basis.

FEMA – Disaster Recovery, Managing Community Floodplains – This webinar was geared more towards county emergency managers and bolstered their communication and documentation process used when an event takes place.

Senator Debbie Stabenow part of Michigan State University's Webinar regarding the infrastructure bill that was recently passed. The webinar highlighted many of funding opportunities that are now available to communities. The presenters rapidly touted the various programs available to Michigan to a point of information overload. The amount of money the Federal Government has set aside could be considered harmful to our unborn great grand children that will be enslaved by it.

3. Other Items of Interest:

- 1) Worked on getting updated applications for appointments on file. The Township is in need of folks who want to serving their community. Currently we have openings on the Board of Review and Park and Recreation Advisory Committee. If you have any desire to serve the community in this way, please contact the Supervisor's Office at 231.267.5141 ext. 23 for more information.
- 2) Participated in a file search for an editable copy of the Zoning Ordinance posted on the website. As computers get replaced not all information gets transferred to the same location providing several hurdles to overcome. In the end, the documents were located and are now in use.
- 3) The U.S. Treasury has released its final rule regarding American Recovery Act Plan (ARPA) funds expenditures. Review of the information created many more questions about the process, and possible documentation required as part of the post expenditure audit process. This topic appears elsewhere in the 2.08.2022 agenda in more detail.

- 4) No time was allotted to verify the legal description of the N- Industrial Zoning District.
- 5) No time was directed to the MuniCode manuscript review. Currently a couple of sections are not useable as they exist. Work will resume as time allows.
- 6) Mr. Don Glenn stopped by the Township Hall to introduce himself. Mr. Glenn has secured the Republican nomination for the vacant Trustee post on the Whitewater Township Board. The deadline for folks wishing to get on the ballot as non-partisan is fast approaching. If you have interest in becoming a Board Member, please schedule a visit with the Clerk for an information packet.

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 January/February 2022

To: Whitewater Township Board and Community

From: Cheryl A. Goss, Township Clerk

Date: 02/02/2022

This report details activity in the Clerk's office since my last report dated 01/06/2022.

Meetings Attended (in addition to Township Board meetings):

1. 01/12/2022 Mobile Medical Response Advisory Board
2. 01/20/2022 C2AE Architect Dennis Jensen
3. 01/24/2022 Parks & Recreation Advisory Committee Rescheduled Regular Meeting

Elections: Preparations for the May 3rd election are under way. Absent voter ballot applications will be mailed to the permanent AV list in early March.

Trustee Vacancy: The deadline for candidates to file qualifying petitions to run without party affiliation passed on 2/2 with no petitions filed. The local Republican Party nominated township resident Don Glenn, and Mr. Glenn accepted the nomination and filed all of the necessary paperwork for his name to appear on the ballot. The Democrat Party did not submit a nomination. Write-in candidates have until 4/22 at 4:00 p.m. to file their declaration of intent.

Recodification of General/Zoning Ordinances: No update.

Whitewater Township Park: The bid package for the boat ramp/entryway improvement project is currently being reviewed by the DNR. Phone call and e-mail inquiries about the upcoming camping season are picking up, as well as pavilion reservation requests.

In January, a trap was found by a local resident and pictures were sent to my office. I reported this to the DNR and provided contact information for the resident as the DNR wishes to recover the trap and make contact with its owner. A question was raised regarding what the trapping rules are at the park. There are no local ordinances regarding hunting or trapping. However, the issue of whether the township could prohibit hunting on park grounds was addressed by the township attorney in an opinion dated 08/18/1987. The opinion looked at state law and a 1976 Attorney General Opinion on the Recreational Trespass Act. The township attorney's opinion concludes with, "In summary, the important aspect of the above is that the Township is not empowered to pass any ordinances that attempt to limit or prohibit hunting within their municipality. To do so would be in direct conflict with State Legislation. Therefore, the control is made by way of the exercising of any private individual's rights under the Recreational Trespass Act to limit and prohibit entry upon their lands." Basically, the opinion suggested that a resolution could be passed "that the park area be posted to prohibit hunting and trapping in the area." Further research will be required to determine whether the suggested resolution was indeed adopted by the township board.

Whitewater Township Park (continued)

On a heartbreaking note, Kinzie Gallo, one of our part-time park rangers during the 2020 and 2021 seasons, recently passed away from complications of COVID. She was 21 years old. Many township residents know her from her job at Swanny's. This past summer, she left there and went to work at Ginop's. Kinzie was an extremely hard working, spunky, and well-liked employee at the park and at Ginop's. Her family is devastated. Godspeed, Kinzie.

Hi Pray Park/Battle Creek Natural Area/Lossie Road Nature Trail/Petobego Natural Area:

After obtaining an engineered drawing for the wood dugouts planned for Hi Pray Park, I will be submitting a revised building permit application to Construction Code. Since the last meeting, there has been some additional interest in cleaning up the trails at BCNA and LRNT. Parshall Tree Care submitted a sealed bid. Phil Schaub, whose son is a logger, dropped off an unsealed bid. I also talked with Jim Wade of Wade Logging since the last meeting and got some information from him on the process he would follow. See agenda item Discuss/Award Arborist Quotes.

Roland Oosterhouse – Lossie Road Nature Trail Prescriptive Easement Claim

On 1/11, I received a call from Mr. Oosterhouse. He inquired about the outcome of the "Lossie Road Committee" and requested to be on the 2/8 agenda.

Recreation Plan 2021-2025

The township board adopted the 2021-2025 plan by resolution on 12/14/2021. At their January rescheduled regular meeting, the Parks & Recreation Advisory Committee addressed the township board's 12/14/2021 input on the draft plan. Several changes were made and the plan was finalized. The final Whitewater Township Recreation Plan 2021-2025 was submitted to the DNR MiGrants website on 01/29/2022, along with the required notices, resolutions, minutes, etc. It will likely be a couple months before we hear back from the DNR whether the plan is approved or will require modifications. The new plan has been posted to the township website.

January FOIA Requests:

1. Linda Slopsema, copy of marihuana permit application, checklists, work instructions. Status is completed.
2. Linda Slopsema, detailed accounting of money spent on marihuana since 08/2020. Status is in progress.

Request for Road Repairs on Skegemog Point Road

The Grand Traverse County Road Commission has invited township supervisors to a cost sharing meeting on 03/01/2022.

Township Hall Painting/Flooring

No update.

Other News: None.

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Whitewater Township January 2022 Report

While the physical development of Whitewater Township (as well as other communities) goes into semi-hibernation for a short while during the winter, don't let the lull fool you. The phone line as well as my email box remains constantly busy with inquiries focused primarily on the possibility of various commercial, or medium / maximum-density residential development.

Community development in Whitewater Township will be guided in the near term by the documents currently in place – the Master Plan and Zoning Ordinance. We cannot discriminately 'pick-and-choose', and it is usually unwise to attempt to mend these documents for short term purposes.

We're off to a productive start with the Master Plan and I would make every effort (as a Township) to instill a sense of urgency in its completion within the timeframe mention by planner Grobbel. Master Plans are not meant to sit on the shelf, and zoning ordinances are not intended to be a static document; the master Plan is intended to 'guide' zoning ordinance as the implementation tool for the development of Whitewater Township.

The **Planning Commission** certainly has a full agenda at their meetings.

The **Zoning Board of Appeals** conducted their 'annual meeting' on the 27th of January, 2022. There was an election of officers and a review of the current bylaws. Additionally, there was discussion regarding past cases and follow-up on ZBA decisions. The Zoning Administrator distributed several articles relevant to training, and the ZBA engaged in continuing discussions revolving around site inspections, staff reports, ex`parte communication, and the over-all expectations at a public hearing.

Staff will continue to keep the Township apprised of any potential development activity inquiries that arise to the level of an application. ***It is not at all unusual for a 'potential' developer to request and expect a certain degree of anonymity until such time as a formal application is made.***

Respectfully submitted,



Robert Hall
Certified Zoning Services

From: [Heidi Vollmuth](#)
To: [Cheryl A. Goss](#)
Subject: February Trustee Report
Date: Monday, January 31, 2022 1:28:29 PM



This past month the township board has hired a planner to assist in the update of our Masterplan, a long overdue process. This is a process that we as a board can not do alone without your public input. Please try and reach out to the board and let us know what are your needs and wants moving forward into the future are. These needs can be as simple as a new restaurant or maybe it is an infrastructure need. Our meetings are still zoomed for the safety and convenience for the public. Please refer to the township website calendar for all posted meeting dates.

Here is some great news for the Historical Society Committee, it appears we will have some new members soon. If you feel you can offer this committee information about the past or join them to help look into the past, please let me know with a simple phone call or email.

I spent time researching the Lossie Trail issues and concerns and will continue to do so.

Pot continues to take the taxpayers for a ride to the poor house. I continue to receive community input that no more public funds should be spent until the people get to vote in August.

Finally, we have awesome snow. I hope everyone is enjoying our hills and trails.

Regards,

Heidivyourtrustee2gmail.com

MOBILE MEDICAL RESPONSE JANUARY 2022 ACTIVITY REPORTS

White Water January 2022 RT (All Calls)

Response Time Minutes	Call Count	Cumulative Call Count	Percentage	Cumulative Percentage
00:00:00 - 00:00:59	0	0	0.00%	0.00%
00:03:00 - 00:03:59	1	1	5.56%	5.56%
00:04:00 - 00:04:59	1	2	5.56%	11.11%
00:05:00 - 00:05:59	3	5	16.67%	27.78%
00:06:00 - 00:06:59	1	6	5.56%	33.33%
00:07:00 - 00:07:59	1	7	5.56%	38.89%
00:08:00 - 00:08:59	4	11	22.22%	61.11%
00:09:00 - 00:09:59	1	12	5.56%	66.67%
00:10:00 - 00:10:59	2	14	11.11%	77.78%
00:11:00 - 00:11:59	1	15	5.56%	83.33%
00:15:00 - 00:15:59	2	17	11.11%	94.44%
00:20:00 - 00:20:59	1	18	5.56%	100.00%

Whitewater Twp Responses

Call Disposition	WW	Total
Transport	11	11
Refusal	6	6
Cancelled	2	2
Total	19	19

Nature of Call	WW	Total
10-Chest Pain (Non-Traumatic)	3	3
17-Falls	4	4
1-Abdominal Pain/Problems	1	1
21-Hemorrhage/Lacerations	2	2
26-Sick Person (Specific Diagnosis)	1	1
28-Stroke (CVA)	1	1
31-Unconscious/Fainting (Near)	1	1
32-Unknown Problem (Man Down)	2	2
6-Breathing Problems	3	3
9-Cardiac or Respiratory Arrest/Death	1	1
Total	19	19

Response Priority	WW	Total
P-1 Emergency ALS	9	9
P-2 Emergency BLS	9	9
P-3 Non-Emergent	1	1
Total	19	19

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
262	01/01/2022	P-2	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	16:01:25	16:09:26	8.02
689	01/02/2022	P-1	6-Breathing Problems	Whitewater	10 GTA3	Transport	18:18:41	18:38:44	20.05
1,797	01/05/2022	P-1	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	6:29:09	6:36:53	7.73
1,880	01/05/2022	P-1	6-Breathing Problems	Whitewater	10 GTA3	Transport	10:34:10	10:46:02	11.87
2,491	01/06/2022	P-1	9-Cardiac or Respiratory Arrest/I	Whitewater	10 GTA3	Refusal	13:02:39	13:05:50	3.18
2,588	01/06/2022	P-3	17-Falls	Whitewater	10 GTA3	Disregard	15:46:09	16:01:47	15.63
3,073	01/07/2022	P-2	28-Stroke (CVA)	Whitewater	10 GTA3	Transport	14:39:06	14:47:31	8.42
3,286	01/07/2022	P-2	1-Abdominal Pain/Problems	Whitewater	10 GTA3	Transport	23:58:54	0:04:17	5.38
3,293	01/08/2022	P-1	32-Unknown Problem (Man Dow	Whitewater	10 55A1	Refusal	0:15:17	0:30:25	15.13
3,548	01/08/2022	P-1	32-Unknown Problem (Man Dow	Whitewater	10 GTA3	Refusal	15:30:51	15:39:36	8.75
3,552	01/08/2022	P-1	6-Breathing Problems	Whitewater	10 55A1	Refusal	15:38:28	15:47:09	8.68
4,407	01/10/2022	P-2	31-Unconscious/Fainting (Near)	Whitewater	10 GTA3	Transport	18:31:58	18:41:49	9.85
7,909	01/17/2022	P-1	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	19:14:12	19:20:23	6.18
8,367	01/18/2022	P-2	17-Falls	Whitewater	10 55A1	Refusal	21:01:15	21:11:53	10.63
8,699	01/19/2022	P-2	17-Falls	Whitewater	10 55A1	Canceled	9:35:48		
9,016	01/19/2022	P-2	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	23:10:11	23:15:24	5.22
10,723	01/23/2022	P-2	17-Falls	Whitewater	10 GTA3	Refusal	19:48:44	19:59:00	10.27
10,740	01/23/2022	P-1	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	20:29:25	20:35:09	5.73
11,082	01/24/2022	P-2	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	15:58:30	16:03:26	4.93

GT-A3 Activity

Call Disposition	Acme	WW	Elk Rapids	East Bay	Total
Transport	16	11	1	1	29
Refusal	10	3	0	0	13
Cancelled	18	1	0	1	20
Total	44	15	1	2	62

Response Priority	Acme	WW	Elk	East Bay	Total
P-1 Emergency ALS	12	7	1	0	20
P-2 Emergency BLS	30	7	0	1	38
P-3 Non-Emergent	2	1	0	1	4
Total	44	15	1	2	62

Nature of Call	Acme	WW	Elk Rapids	East Bay	Total
10-Chest Pain (Non-Traumatic)	4	3	0	0	7
12-Convulsions/Seizures	2	0	0	0	2
13-Diabetic Problems	1	0	0	0	1
17-Falls	17	2	0	0	19
1-Abdominal Pain/Problems	0	1	0	0	1
21-Hemorrhage/Lacerations	0	2	0	0	2
26-Sick Person (Specific Diagnosis)	8	1	0	1	10
28-Stroke (CVA)	0	1	0	0	1
2-Allergies (Reactions)/Envenomations (1	0	0	0	1
31-Unconscious/Fainting (Near)	3	1	0	0	4
32-Unknown Problem (Man Down)	2	1	0	0	3
6-Breathing Problems	2	2	1	0	5
7-Burns (Scalds) /Explosion	3	0	0	0	3
9-Cardiac or Respiratory Arrest/Death	1	1	0	1	3
Total	44	15	1	2	62

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
216	01/01/2022	P-2	17-Falls	Acme	10 GTA3	Canceled	13:33:58		
262	01/01/2022	P-2	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	16:01:25	16:09:26	00:08:01
309	01/01/2022	P-3	17-Falls	Acme	10 GTA3	Transport	18:04:00	18:11:03	00:07:03
551	01/02/2022	P-1	9-Cardiac or Respiratory Arrest/I	Acme	10 GTA3	Refusal	11:04:45	11:09:31	00:04:46
689	01/02/2022	P-1	6-Breathing Problems	Whitewater	10 GTA3	Transport	18:18:41	18:38:44	00:20:03
966	01/03/2022	P-2	17-Falls	Acme	10 GTA3	Refusal	11:30:22	11:39:19	00:08:57
1,047	01/03/2022	P-1	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	14:34:03	14:39:31	00:05:28
1,220	01/03/2022	P-1	6-Breathing Problems	Acme	10 GTA3	Refusal	21:30:50	21:37:32	00:06:42
1,586	01/04/2022	P-1	6-Breathing Problems	Acme	10 GTA3	Refusal	16:34:44	16:39:48	00:05:04
1,797	01/05/2022	P-1	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	6:29:09	6:36:53	00:07:44
1,880	01/05/2022	P-1	6-Breathing Problems	Whitewater	10 GTA3	Transport	10:34:10	10:46:02	00:11:52
2,246	01/06/2022	P-1	13-Diabetic Problems	Acme	10 GTA3	Refusal	0:45:08	0:54:37	00:09:29
2,491	01/06/2022	P-1	9-Cardiac or Respiratory Arrest/I	Whitewater	10 GTA3	Refusal	13:02:39	13:05:50	00:03:11
2,588	01/06/2022	P-3	17-Falls	Whitewater	10 GTA3	Canceled	15:46:09	16:01:47	00:15:38
2,947	01/07/2022	P-2	17-Falls	Acme	10 GTA3	Refusal	10:31:14	10:37:28	00:06:14
3,073	01/07/2022	P-2	28-Stroke (CVA)	Whitewater	10 GTA3	Transport	14:39:06	14:47:31	00:08:25
3,205	01/07/2022	P-2	17-Falls	Acme	10 GTA3	Canceled	19:45:50	19:53:16	00:07:26
3,229	01/07/2022	P-2	7-Burns (Scalds) /Explosion	Acme	10 GTA3	Canceled	20:52:51	21:03:54	00:11:03
3,286	01/07/2022	P-2	1-Abdominal Pain/Problems	Whitewater	10 GTA3	Transport	23:58:54	0:04:17	00:05:23
3,548	01/08/2022	P-1	32-Unknown Problem (Man Dow	Whitewater	10 GTA3	Refusal	15:30:51	15:39:36	00:08:45
3,627	01/08/2022	P-2	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	20:08:48	20:18:09	00:09:21
4,058	01/10/2022	P-2	2-Allergies (Reactions)/Envenorr	Acme	10 GTA3	Transport	1:12:01	1:29:31	00:17:30
4,244	01/10/2022	P-2	17-Falls	Acme	10 GTA3	Canceled	12:29:22	12:34:14	00:04:52
4,383	01/10/2022	P-2	26-Sick Person (Specific Diagno	Acme	10 GTA3	Canceled	17:14:27		
4,407	01/10/2022	P-2	31-Unconscious/Fainting (Near)	Whitewater	10 GTA3	Transport	18:31:58	18:41:49	00:09:51
4,449	01/10/2022	P-2	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	20:25:17	20:30:40	00:05:23
5,027	01/12/2022	P-2	26-Sick Person (Specific Diagno	East Bay	10 GTA3	Transport	0:03:08	0:20:11	00:17:03
5,447	01/12/2022	P-1	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Transport	15:04:54	15:13:04	00:08:10
5,631	01/12/2022	P-2	17-Falls	Acme	10 GTA3	Canceled	22:28:00		
5,927	01/13/2022	P-2	17-Falls	Acme	10 GTA3	Canceled	12:43:12		
6,382	01/14/2022	P-1	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Transport	10:15:43	10:23:34	00:07:51
6,810	01/15/2022	P-2	17-Falls	Acme	10 GTA3	Canceled	6:26:25		
6,812	01/15/2022	P-1	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	6:39:53	6:48:24	00:08:31
6,967	01/15/2022	P-1	32-Unknown Problem (Man Dow	Acme	10 GTA3	Canceled	14:32:58	14:34:33	00:01:35
7,571	01/17/2022	P-2	26-Sick Person (Specific Diagno	Acme	10 GTA3	Canceled	1:59:25		
7,688	01/17/2022	P-2	17-Falls	Acme	10 GTA3	Transport	10:36:47	10:43:42	00:06:55
7,909	01/17/2022	P-1	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	19:14:12	19:20:23	00:06:11
8,362	01/18/2022	P-3	12-Convulsions/Seizures	Acme	10 GTA3	Transport	20:49:41	21:01:56	00:12:15

Run#	Date	Priority	Nature of Call	Dispatch Zone	Unit	Disposition	Dispatch Time	Scene Time	Response Time
8,706	01/19/2022	P-2	12-Convulsions/Seizures	Acme	10 GTA3	Transport	9:28:45	9:32:05	00:03:20
9,016	01/19/2022	P-2	26-Sick Person (Specific Diagno	Whitewater	10 GTA3	Transport	23:10:11	23:15:24	00:05:13
9,291	01/20/2022	P-2	17-Falls	Acme	10 GTA3	Transport	11:35:14	11:40:36	00:05:22
9,972	01/21/2022	P-1	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	20:34:31	20:43:05	00:08:34
10,133	01/22/2022	P-2	31-Unconscious/Fainting (Near)	Acme	10 GTA3	Refusal	9:35:44	9:42:54	00:07:10
10,545	01/23/2022	P-2	17-Falls	Acme	10 GTA3	Refusal	10:33:24	10:41:45	00:08:21
10,676	01/23/2022	P-2	17-Falls	Acme	10 GTA3	Transport	17:37:08	17:44:54	00:07:46
10,723	01/23/2022	P-2	17-Falls	Whitewater	10 GTA3	Refusal	19:48:44	19:59:00	00:10:16
10,740	01/23/2022	P-1	10-Chest Pain (Non-Traumatic)	Whitewater	10 GTA3	Transport	20:29:25	20:35:09	00:05:44
11,082	01/24/2022	P-2	21-Hemorrhage/Lacerations	Whitewater	10 GTA3	Transport	15:58:30	16:03:26	00:04:56
11,356	01/25/2022	P-2	26-Sick Person (Specific Diagno	Acme	10 GTA3	Canceled	9:27:17	9:32:39	00:05:22
11,373	01/25/2022	P-2	26-Sick Person (Specific Diagno	Acme	10 GTA3	Canceled	10:11:50		
11,502	01/25/2022	P-2	17-Falls	Acme	10 GTA3	Canceled	15:18:10		
11,982	01/26/2022	P-2	26-Sick Person (Specific Diagno	Acme	10 GTA3	Refusal	10:47:16	10:49:36	00:02:20
12,081	01/26/2022	P-2	17-Falls	Acme	10 GTA3	Refusal	14:06:40	14:09:57	00:03:17
12,128	01/26/2022	P-1	32-Unknown Problem (Man Dow	Acme	10 GTA3	Canceled	15:54:59		
12,828	01/28/2022	P-2	17-Falls	Acme	10 GTA3	Canceled	9:00:31		
12,888	01/28/2022	P-1	10-Chest Pain (Non-Traumatic)	Acme	10 GTA3	Transport	11:04:27	11:06:44	00:02:17
13,105	01/28/2022	P-2	7-Burns (Scalds) /Explosion	Acme	10 GTA3	Canceled	18:53:20		
13,235	01/29/2022	P-2	17-Falls	Acme	10 GTA3	Canceled	2:38:54		
13,701	01/30/2022	P-2	7-Burns (Scalds) /Explosion	Acme	10 GTA3	Canceled	0:15:23	0:22:44	00:07:21
13,962	01/30/2022	P-1	6-Breathing Problems	Elk Rapids	10 GTA3	Transport	19:00:14	19:11:45	00:11:31
14,148	01/31/2022	P-2	26-Sick Person (Specific Diagno	Acme	10 GTA3	Transport	10:23:04	10:27:23	00:04:19
14,245	01/31/2022	P-3	9-Cardiac or Respiratory Arrest/I	East Bay	10 GTA3	Canceled	13:55:30	14:02:32	00:07:02

A-3 Transports (Billable Calls)

Dispatch Zone	Oct-21	Nov-21	Dec-21	Jan-22	Total
Antrim-City of Elk Rapids	0	2	0	1	3
Antrim-Elk Rapids	0	0	1	0	1
Antrim-Milton	0	1	0	0	1
GT-Acme	1	9	32	26	68
GT-East Bay	0	0	1	1	2
GT-Garfield	0	1	0	0	1
GT-Whitewater	16	23	16	14	69
Kalkaska-Clearwater	1	0	0	0	1
Kalkaska-Excelsior	0	1	0	0	1
Leelanau-Elmwood	1	0	0	0	1
Total	19	37	50	42	148



WHITEWATER TOWNSHIP FIRE DEPARTMENT

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

January 2022 Monthly Report Fire Chief Brandon Flynn

Alarms: The fire department responded to 9 emergency calls in January.

- 2 - Residential fire alarm
- Commercial fire alarm
- EMS assist
- Lift assist
- Vehicle crash
- Broken water pipe in a home
- Gas leak
- Structure fire, assist to Metro FD

Training: 4 training sessions were held in January.

- Monthly vehicle & SCBA maintenance
- Terrorism Awareness training class
- New SCBA air-pack training with Fit Testing
- Two-way radio refresher training, County Radio Policy review

Meetings/Other:

- County Fire Chief's, January 12.
- Regional Training Center, January 13.
- LPT January 18.
- C2AE, January 20

General:

Work continues on the storm damage to the fire station and cemetery from December 16. Parshall Tree Service has cleaned-up the downed trees and Story Roofing has been contracted to repair the roof. I am still waiting to hear back from the fence company.

I contacted Gorno Ford on January 3, 2022 regarding the Chief's vehicle that was ordered last March. It sounds like the truck was built and is in transit from Kansas City. The Township should take delivery of the vehicle in the next month.



Committed to proudly serving the community with professionalism and integrity.

In the meantime, the current chief's vehicle went to Redmond Auto on January 7, for service, DOT & rear brakes.

On Friday, January 7, Chief Flynn picked-up all of the new SCBA Air-Pack's, bottles and accessories as awarded through the AFG Regional grant. Whitewater Township Fire Department received 12 new Scott X3 Pro Air-Pak's, 12 new C5 face masks and 24 SCBA air bottles. Also included in the order was a new RIT Pack (Rapid Intervention Team) and fittings to bring our existing RIT Pack up to date.

Work has begun on rehomeing the current SCBA air packs. Unfortunately, according to the AFG rules, the Township cannot sell these air packs and the ones we remove from service cannot re-enter the fire service for use as structural firefighting equipment.

The fire station generator failed to start during its weekly exercise. Cummin's Sales & Service stopped by on January 7 to repair this issue. A new battery was installed and the annual maintenance completed.

Chief Flynn met with Munson Occupational Health on January 12 as a follow-up to the fire departments annual employee physicals that were completed last November.

Chief Flynn attended a Lockdown Drill at Mill Creek Elementary School on January 13.

Firefighter Tilley assisted with the fire academy vehicle extrication class on January 15 & 16.

Our firefighters completed an 8-hour Weapons of Mass Destruction (WMD)/Terrorism Awareness on-line class this month. This class is provided free of charge by TEEX, Texas A&M Engineering Extension Service, in conjunction with the Department of Homeland Security. This class is one of the many classes required by MIOSHA.

Chief Flynn was notified by the DNR that Whitewater Township Fire Department was awarded a VFA grant. Chief Flynn applied for the grant last June to help pay for equipment for the new Brush Truck. The DNR has agreed to help pay for two new wildland firefighting hose reels.

The Grand Traverse Band Fire Rescue Department has donated two cases of disposable gowns to the Whitewater Township Fire Department and MMR Alpha 3. More pandemic supplies may be available through the Tribe in the near future.

Chief Flynn attended an Advanced Cardiac Life Support class at the RTC on January 26.

Attached are fire department statistics for calendar year 2021.



AFG Summary

2021

Major Incident Type Category

Series 100: Fire	10
Series 200: No Fire	0
Series 300: EMS	39
Series 400: Hazardous Condition	38
Series 500: Service Call	6
Series 600: Good Intent	14
Series 700: False Alarm	12
Series 800: Severe Weather	5
Series 900: Special Incident Type	0

Total: 124

100 Series Details

Structure Fires (111-120):	4
Vehicle Fires (130-138):	1
Vegetation Fires (140-143):	4
Wildland Module Acres:	0.6

300 Series Details

MVA (322-324):	18
Vehicle Extrications(352):	1
Rescues (300, 351, 353-381):	1

Mutual and Automatic Aid

Aid Recieved:	2	Aid Given:	8
Automatic Aid Recieved:	1	Automatic Aid Given:	1

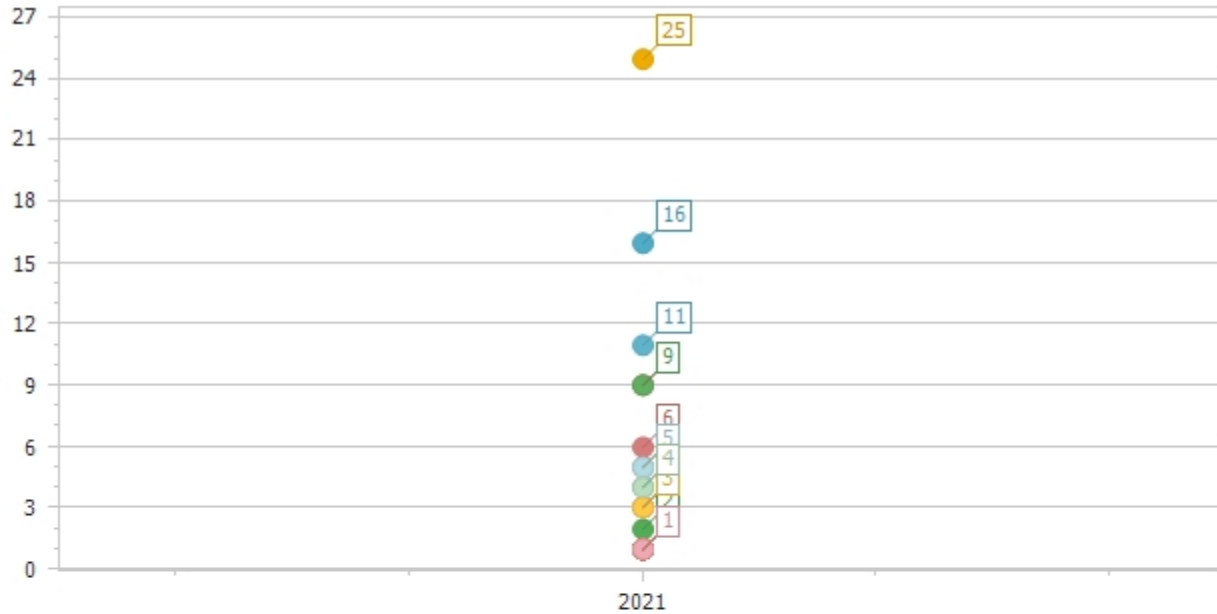
Mutual and Automatic Aid at Structure Fires (111-120): 4

Casualties

FireFighter Injuries:	0	Civilian Injuries:	0
FireFighter Deaths:	0	Civilian Deaths:	1



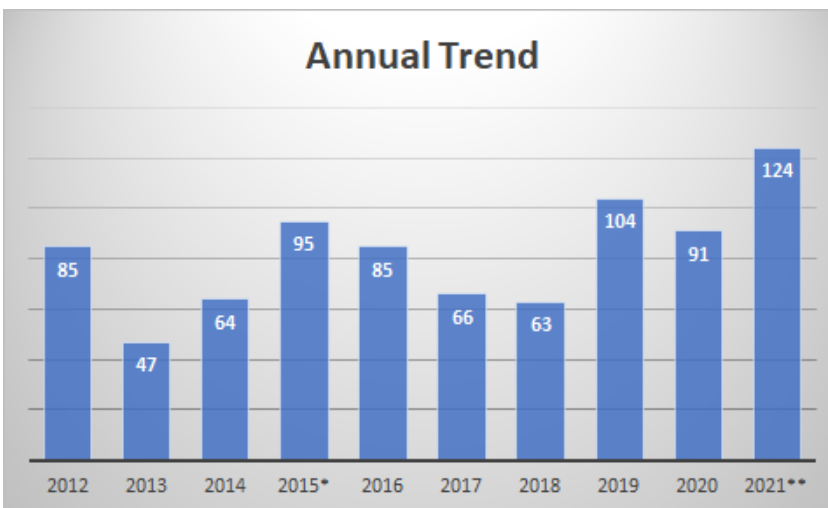
Incident Reports By Incident Type by Year, Summary



- | | |
|--|--|
| ● 111 - Building fire | ● 131 - Passenger vehicle fire |
| ● 141 - Forest, woods or wildland fire | ● 142 - Brush or brush-and-grass mixture fire |
| ● 143 - Grass fire | ● 151 - Outside rubbish, trash or waste fire |
| ● 311 - Medical assist, assist EMS crew | ● 322 - Motor vehicle accident with injuries |
| ● 324 - Motor vehicle accident with no injuries. | ● 350 - Extrication, rescue, other |
| ● 352 - Extrication of victim(s) from vehicle | ● 365 - Watercraft rescue |
| ● 400 - Hazardous condition, other | ● 412 - Gas leak (natural gas or LPG) |
| ● 424 - Carbon monoxide incident | ● 444 - Power line down |
| ● 553 - Public service | ● 561 - Unauthorized burning |
| ● 600 - Good intent call, other | ● 611 - Dispatched & canceled en route |
| ● 631 - Authorized controlled burning | ● 651 - Smoke scare, odor of smoke |
| ● 736 - CO detector activation due to malfunction | ● 745 - Alarm system activation, no fire - unintentional |
| ● 746 - Carbon monoxide detector activation, no CO | ● 812 - Flood assessment |
| ● 813 - Wind storm, tornado/hurricane assessment | |

2021

111 - Building fire	4
131 - Passenger vehicle fire	1
141 - Forest, woods or wildland fire	2
142 - Brush or brush-and-grass mixture fire	1
143 - Grass fire	1
151 - Outside rubbish, trash or waste fire	1
311 - Medical assist, assist EMS crew	16
322 - Motor vehicle accident with injuries	9
324 - Motor vehicle accident with no injuries.	9
350 - Extrication, rescue, other	3
352 - Extrication of victim(s) from vehicle	1
365 - Watercraft rescue	1
400 - Hazardous condition, other	11
412 - Gas leak (natural gas or LPG)	1
424 - Carbon monoxide incident	1
444 - Power line down	25
553 - Public service	5
561 - Unauthorized burning	1
600 - Good intent call, other	3
611 - Dispatched & canceled en route	3
631 - Authorized controlled burning	5
651 - Smoke scare, odor of smoke	3
736 - CO detector activation due to malfunction	1
745 - Alarm system activation, no fire - unintentional	6
746 - Carbon monoxide detector activation, no CO	5
812 - Flood assessment	1
813 - Wind storm, tornado/hurricane assessment	4



* August 2, 2015 storm added 25 calls over a five day period.

**August 10, 2021 storm added 36 calls over a two day period.



Incident Reports by Township, Monthly

Acme

January	February	March	April	May	June	July	August	September	October	November	December
0	0	0	0	0	0	0	1	1	0	0	0

Clearwater

January	February	March	April	May	June	July	August	September	October	November	December
0	0	0	0	0	0	0	1	0	0	0	0

East Bay

January	February	March	April	May	June	July	August	September	October	November	December
0	0	0	0	0	0	0	0	1	0	0	1

Elk Rapids

January	February	March	April	May	June	July	August	September	October	November	December
0	0	0	0	0	0	1	0	0	0	0	0

Greenwood

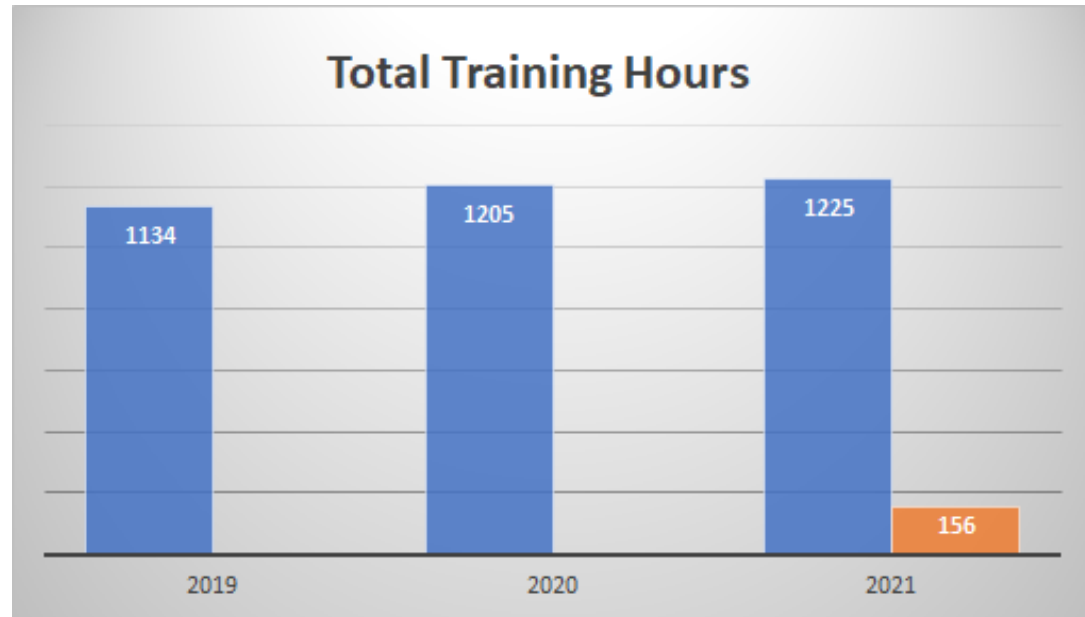
January	February	March	April	May	June	July	August	September	October	November	December
0	0	0	0	1	0	0	0	0	0	0	0

Union

January	February	March	April	May	June	July	August	September	October	November	December
0	0	0	1	1	0	0	0	0	0	0	0

Whitewater

January	February	March	April	May	June	July	August	September	October	November	December
8	4	2	5	8	7	7	43	1	11	9	10



Blue indicates total training hours for employees per year.
Orange indicates Michigan State required minimum training hours for Whitewater Township Fire Department per PA 291

WHITEWATER TOWNSHIP ZONING BOARD OF APPEALS

Minutes for Regular Meeting on Thursday, October 28, 2021

7:00 p.m. at the Whitewater Township Hall

5777 Vinton Road, Williamsburg, MI 49690

Phone 231-267-5141/Fax 231-267-9020

Call to Order by Chair at 7:00 p.m.

Roll Call: Bowen, Lake, Alternate Shaffer Absent: Garza

Board Representative, unassigned, PC Representative, unassigned

Set/Adjust Agenda - Set

Declaration of Conflict of Interest - None

Public Comment - None

Approval of Minutes:

MOTION by Shaffer, second by Lake, to approve minutes of September 23, 2021.

On voice vote, all in favor. Motion carried.

Scheduled Public Hearing:

Appeal #ZBA-2021-02, Owner, Grand Traverse Plastics Corp of 5780 Moore Road, Williamsburg, Michigan and Agent, AMAG LLC of 4488 W Bristol Road Suite 200, Flint, Michigan, are requesting a side yard setback (dimensional) variance from the required 60' of approximately 18'. The property is zoned N-Industrial.

Parcel 28-13-004-012-32, 5814 Moore Road, Williamsburg, Michigan.

a. Open Public Hearing on Appeal #ZBA-2021-02 at 7:09 p.m.

Public hearing was posted in the Record Eagle on October 10, 2021, and notices were sent to property owners within 300' of the property subject to this public hearing, October 7, 2021.

b. Zoning Administrator Presentation: Grand Traverse Plastics received site plan approval from the Planning Commission and Land Use Permit #2021-22 was issued. Communication between Grand Traverse Codes, AMAG and Whitewater Township determined that the site plan that includes the required fire suppression tanks and pump room encroaches into the required side yard setback area.

Did not make a recommendation to approve or deny the variance based on the standards.

Interpretation of the Industrial side yard setback of "total of 30% of (lot) width but not less than 15' " as part of 12.11 Schedule of Regulations is a proposed setback of approximately 42', a variance of 22.65' from the required 64.65' setback.

c. Petitioner Presentation: John Asselin of AMAG, LLC, Architect on the project. Had been in discussion with the Tribe but the water project did not come to fruition thus requiring a fire suppression system. There is an existing retention pond and some severe topography. Feel that the topography, retention pond and truck traffic makes the north side the best available and meets the practical difficulty. Will be putting in a turn-around based on the request from the fire department. Requesting an 18' relief.

d. Report on Site Visit: Bowen notes the location and parking area. It is built up. The pond is 15' – 20' lower and it is all sand.

Lake notes that he is comfortable with where it is proposed and how it is set up.

e. Correspondence: None.

f. Public Speaking in Favor of Appeal: .

g. Public Speaking in Opposition to Appeal: None

h. Anyone Wishing to Speak on the Appeal Who Has Not Already Commented: None

i. Close Public Hearing on Appeal #ZBA-2021-02 at 7:30 pm.

j. Discussion: Lake: Appears to be plenty of room to drive. Please with the way it is set up and planned.
Shaffer: In favor. I like the way they have made the buildings. A lot of fill was used and made the property nicer and have kept some water flow improvements.
Lake feels that that side is the best place for the water to be.

k. Findings of Fact:

1. Granting the variance will not be contrary to the public interest and will not be contrary to the spirit and intent of this Ordinance. Consensus - yes

2. Granting the variance shall not permit the establishment within a zoning district of any use, which is not permitted by right within the district. Consensus - yes

3. Granting the variance will not cause any significant adverse effect to property in the vicinity or in the zoning district or the Township. Consensus - yes

4. There are practical difficulties on the site which unreasonably prevent the owner from using the property for a permitted purpose without presenting an excessive burden and the practical difficulty is not resulting from any act of the applicant. Consensus - yes

5. The variance will do substantial justice to the applicant, but the decision shall not bestow the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity which may endanger the public health, safety and welfare. Consensus – yes, because it keeps the rest of the property safe (regarding traffic)

6. The requested variance is the minimum necessary to permit reasonable use of the land. Consensus-yes

7. The practical difficulty is not self-created. Consensus – yes, because of the grade and wet land.

l. Conclusion: Approve.

m. Reasons for Conclusion: Based on the findings of facts as presented. The grade and retention pond make it very difficult. Based on the zoning administrator information.

n. Decision: Approve as requested.

o. MOTION by Shaffer, second by Bowen, to approve Appeal #ZBA-2021-02, variance as requested by Grand Traverse Plastic, based on the stated findings of fact.

Upon roll call vote: Lake-Yes; Bowen-Yes; Garza-NA; Shaffer-Yes. Motion carried.

Signing of the Variance Decision Certification Form.

Other Matters to be reviewed by the Zoning Board of Appeals

a. Correspondence Received - None

b. Zoning Board of Appeals Members - None

Report of Planning Commission Representative, Unassigned: None

Report of Township Board Representative, Unassigned: None

Report of Zoning Administrator, Hall: Shared Planning and Zoning News as continuing education.

Public Comment: None

There is no ZBA case on the docket for the next regularly scheduled meeting on November 18, 2021.

Adjournment: 8:04 p.m.

Respectfully submitted,
Recording Secretary
Lois MacLean

**Whitewater Township
Parks and Recreation Advisory Committee
In-Person and VIA ZOOM
Minutes for Regular Meeting
December 13, 2021**

Call to order 7:00 p.m.

Roll Call: Butler, Hubbell, Melton

Absent: Cosgrove, Slopsema

Set / Approve Agenda: Set

Declaration of Conflict of Interest: None

Public Comment: None

Approval of minutes:

Motion by Hubbell, second by Melton to approve November 8, 2021, meeting minutes.

All in favor. Motion carried.

Reports/Presentations/Announcements/Comments/Correspondence: .

Unfinished Business:

1. Hi Pray Park Dug Outs: Bartosik bid/estimate. The dollars are already in the budget and will roll over into the 2022/2023 budget. Clerk will communicate with Barosik regarding getting the permit updated and moving forward. Drawing will be updated for building code.

At this point, the estimate amounts are in under budget.

2. General Updates: Lossie Trail Nature Trail (LRNT) status, Slopsema, notes that the walking bridge is in need of repair. ((The notation of the wetland in November minutes should really just be referring to the bridge on the LRNT.))

Slopsema sent a picture in an email regarding the bridge on the LRNT.

LRNT wetland area: Is that a project for the committee to look at in the 2022/2023 fiscal year? This project needs outside consulting and assistance.

Engineering companies can be contacted, Fleis and VandenBrink or Wade Trim or another company could give input. Contact Steve Lagerquist of the Grand Traverse Conservancy and find out who he would recommend.

Discussion of the EGLE / MiWaters application requiring wetland delineation and project plans.

The idea of simple drop in dock type sections could be investigated.

Discussion of mowing the LRNT and the BCNA. We do need a better maintenance plan for the nature areas. Denny Leach used to take care of BCNA.

The township has not agreed on hiring a maintenance person as an employee or an independent contractor.

There were no bids on the arborist job. There are people/entities that are interested in doing the tree removal.

WTP playground: need to make a plan to get the playground pieces reinstalled next year. Landing zone materials for the equipment. If we get slides from a company, for example Burke, would they let us know dimensions and distances needed. Looking to getting the monkey bars and merry-go-round back in. The merry-go-round reinstall is part of the work already being done by Steve Jahr. Jahr will finish the playground in the spring.

New Business:

1. Budget for 2022/2023: start the discussion, start thinking about what we want to plan and budget.
Possible baby swing at Hi-Pray and / or some small child play equipment.

Need to know the history status of the Lossie Trail from the Board. Popp and Vollmuth have the assignment.

Next regular meeting: January 10, 2022.

Public Comment: None

Adjournment: 8:35 p.m.

Respectfully submitted,
Lois MacLean
Recording Secretary

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

January 2022

Location	Citations	Traffic Crashes			Arrests		Traffic Crash Totals
		Fatal	PIA	PDA	OWI	Criminal	
01 Acme	11	0	0	9	3	8	9
02 Blair	13	0	0	14	0	20	14
03 East Bay	29	0	1	16	2	12	17
04 Fife Lake	2	1	0	0	0	1	1
05 Garfield	42	0	6	41	15	52	47
06 Grant	0	0	0	2	0	1	2
07 Green Lake	7	0	4	10	0	1	14
08 Long Lake	2	0	1	6	1	0	7
09 Mayfield	10	0	0	8	1	1	8
10 Peninsula	2	0	0	3	0	0	3
11 Paradise	3	0	0	4	0	1	4
12 Union	0	0	1	1	0	0	2
13 Whitewater	6	0	0	11	0	0	11
29 Fife Lake Vlg	0	0	0	2	0	0	2
30 Kingsley Vlg	3	0	0	0	0	2	0
66 Traverse City	2	0	0	0	2	27	0
84 Out of County	0	0	0	0	0	10	0
Totals	132	1	13	127	24	136	141

Ticket stats are based on what District Court has entered as of 2/01/22

Arrest stats are as of 2/01/22



Ron Popp <supervisorwhitewater@gmail.com>

Grand Traverse Conservation District's January 2022 eNewsletter

1 message

Grand Traverse Conservation District <istibitz@gtcd.org>
Reply-To: Grand Traverse Conservation District <istibitz@gtcd.org>
To: supervisor@whitewatertownship.org

Thu, Jan 13, 2022 at 11:59 AM

Quick Links

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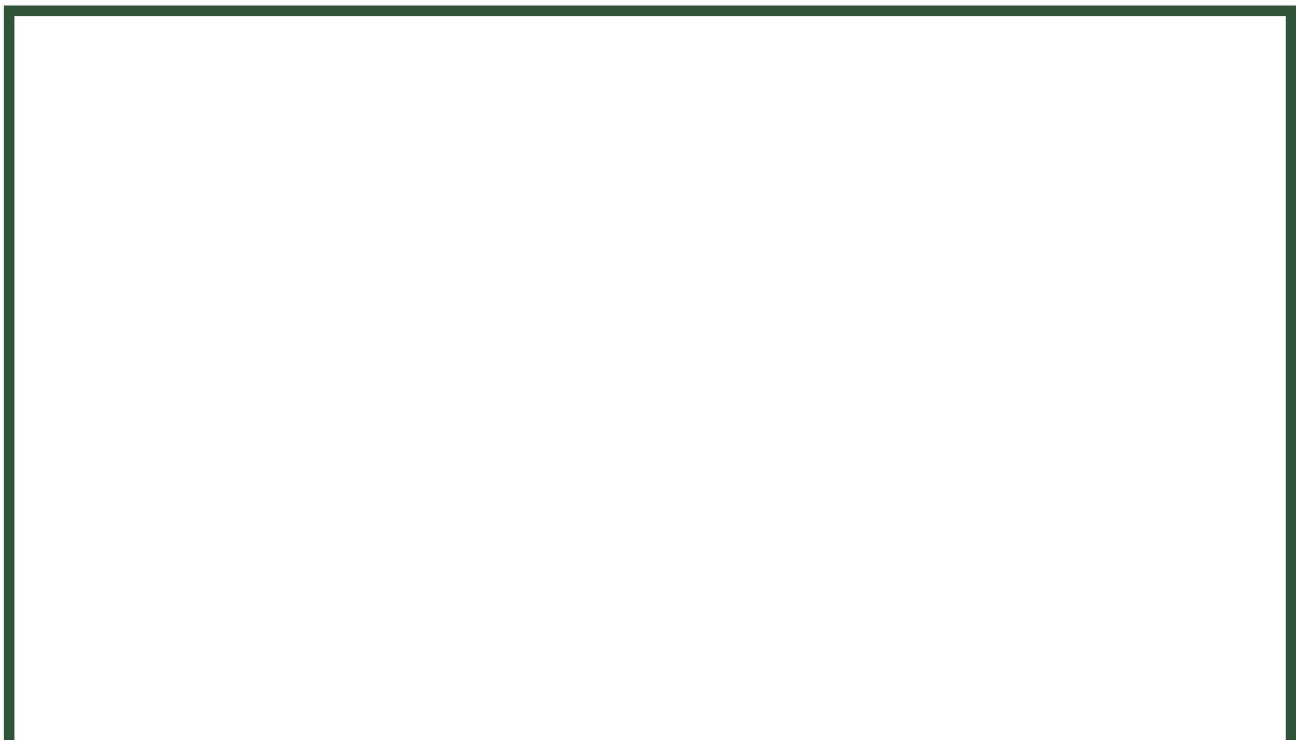
What We Do

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[Educate](#)

[Cultivate](#)

[Restore](#)





GTCD's 2022 NATIVE SEEDLING SALE

Online only, Feb. 1 – Mar. 31
Order pickups Apr. 29th – 30th

www.natureiscalling.org/native-seedling-sale

Events

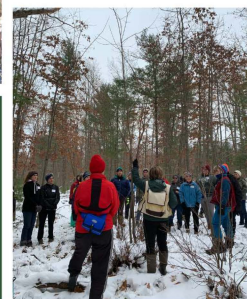
Winter Webinar Series

Join us on select Tuesdays for our free Winter Webinar Series! Dates, topics, and guest speakers below. [Register here!](#)

- January 25th, 7pm: “Hemlock Woolly Adelgid: Holding the Northern Line.”**
Speaker: Audrey Menninga, ISN Coordinator (Northwest Michigan Invasive Species Network)
- February 8th, 7pm: “Invasive Insects: Coming Soon to a Forest Near You.”**
Speaker: Nathaniel Walton, Consumer Horticulture Educator (MSU Extension)
- February 22nd, 7pm: “Managing Your Woodlot with a Forester.”**
Speaker: Bryan Watters, Procurement Forester (Silver Leaf Sawmill)
- March 8th, 7pm: “Great Lakes Piping Plover Conservation and How You Can Help.”**
Speakers: Sarah Saunders, Quantitative Ecologist (National Audubon Society), Izabela



Select
Tuesdays
7:00PM
NATUREISCALLING.ORG/EVENTS
TO REGISTER



Grobelna, Engagement Manager (Audubon Great Lakes)

- **March 22nd, 7pm: “Go Beyond Beauty: Small-Scale Conservation in Your Own Landscape.”**

Speaker: Shelly Stusick, Go Beyond Beauty Specialist (Northwest Michigan Invasive Species Network)

Winter Guided Hikes

Join District staff on a guided winter hike! Limited snowshoes are available for adults and children upon request. To RSVP, please [email us](#) or call (231) 941-0960.

- **Saturday, February 5th, 10:00am - 12:00pm**
Natural Education Reserve
Meet at the [Oleson Bridge Trailhead](#) (Keystone Road).
- **Saturday, February 19th, 10:00am - 12:00pm**
Brown Bridge Quiet Area
Meet at the [East Overlook Trailhead](#) (Ranch Rudolph Road)



Educate

Winter Programs Are Here!

Weekly nature-based programming will resume this month! We look forward to safely welcoming you and your family back to the Grand Traverse [Natural Education Reserve](#) for Peepers, Knee-High Naturalists, and our Homeschool program.

All programs will be held 100% outside as we work hard to create an environment that naturally supports social distancing between children as much as is feasible with preschool-aged children. You can find more information about each program [here](#).

- **Homeschool Program**
There are still spots available for our Tuesday and Thursday sessions of our Homeschool program! This is a drop off program for students ages 7-11. Sessions run from 1-3pm beginning January 18th. You can find more information and register [here](#).

- **Peepers Program**

Register for Winter 2022 Peepers Programs [here](#).

Please contact Education Director, [Rachel Straughen](#) with any questions.



Summer Nature Day Camp Registration Opening Soon!



Summer is a wonderful time to be outside discovering the natural beauty that surrounds us here in Northern Michigan! It also presents a perfect opportunity to engage your child in a different kind of learning -- the kind that lasts a lifetime and doesn't require the internet or a textbook. Our tried-and-true curricula of hands-on, outdoor experiences will inspire your child's innate curiosity, creativity, and empathy for the plants, animals, and ecosystems that elevate Northern Michigan to be among the most beautiful places on Earth.

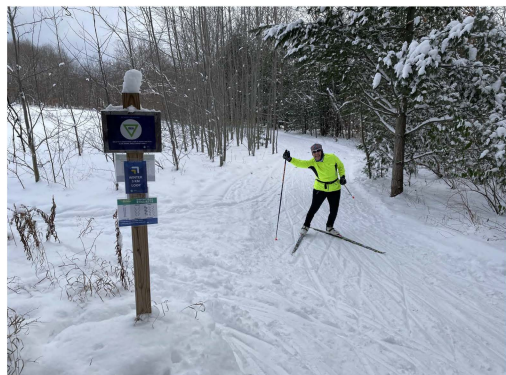
Registration for Nature Day Camp opens to the public on February 01, 2021 at 9:00am.

To learn more about Summer Day Camp, [please click here](#).

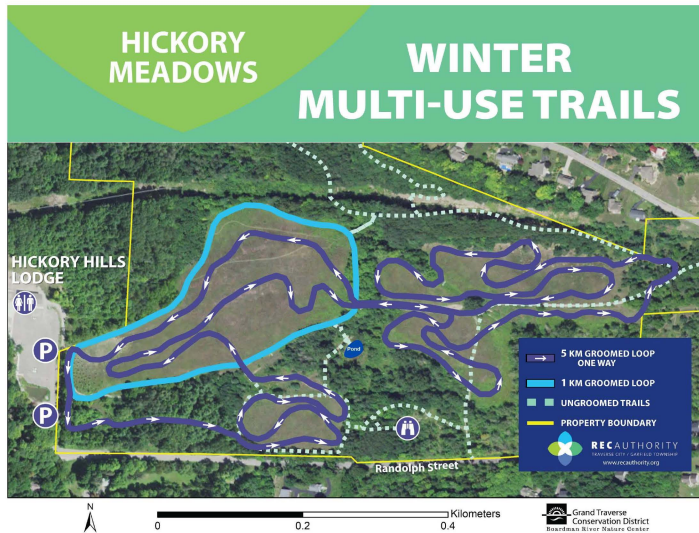
Explore

Parklands Update

Looking to improve your health in 2022? Check out the Japanese art of [Shinrin-yoku](#), or forest bathing! All you need to do is simply [find a trail](#) near you and take your exercise routine outdoors. Not only is being outdoors safer in these times, but it also stimulates all five senses in ways that indoor activities simply cannot. [Research has found that outdoor exercise](#) not only improves physical health, but it also enhances mood, reduces stress, and boosts the immune system.



So vow to get outside more this new year to stimulate endorphins with physical activity, embrace natural sunlight to increase serotonin levels, and ward off seasonal affective disorder, anxiety, and depression that results from limited daylight and our ever increasing sedentary lifestyles.



Seeking out winter fun activities close to town? Bring the family to [Hickory Meadows](#), featuring approximately three miles of groomed trails for multi-use purposes, and enjoy the rolling terrain of the open meadows. As a reminder, please share the trail with all users and follow proper winter trail etiquette, as posted onsite. If you desire a bit more of a challenge on steeper slopes, purchase a day or season pass to access all that neighboring [Hickory Hills](#) has to offer.

Don't have skis? The Hickory Hills Lodge offers downhill and cross-country [ski rentals](#).

Seeking solace? Take a hike along the Boardman River at Grand Traverse County's [Natural Education Reserve](#) (NER) or the City's [Brown Bridge Quiet Area](#) on over 10 miles of trails. Be weary of icy conditions with freeze and thaw temperatures forecasted. Depending upon snow depth, we highly recommend using snowshoes, cramp-ons, or yaktrax with a set of hiking/ski poles.

Thank You!

Many thanks to our Trail Stewards and Monitors this past month for their prompt reports and assistance in trail clearing efforts after strong gale winds in December. Through photos and accurate locational details, staff were able to clear the vast majority of blocked trails within days of the wind storm. [Click here](#) to learn more on how to become a Trail or River Steward, or simply notify our Conservation Team of any concern or hazards you may encounter at trails@gtcd.org.

Happy Trails!

Restore

ISN Welcomes A New Coordinator!





Coming into the new year, the Northwest Michigan Invasive Species Network is hiring a new Coordinator - a face you might already be familiar with! Audrey Menninga has been working with ISN since 2017, starting as a seasonal survey technician, to treatment crew lead, to Invasive Species Specialist, and now as Coordinator. During 2021, while ISN dealt with staff changes, Audrey took the initiative to sort out grants, work with partners, and provide guidance. Audrey is excited to move into this new role and expand the opportunities available to ISN.

Hiring: Habitat Management Specialist

While Audrey's promotion does give ISN a point of leadership, it also creates the opportunity for the hiring of new team members. Please continue to have patience with response times as we work to fill our vacancies.

If you know someone who is interested in working with ISN as a Habitat Management Specialist, please share our current [open position](#) with them!



Planning Your 2022 Garden? Plan Before You Plant (Or Buy!)

Winter is a time for gardeners to reflect and plan for the upcoming season. Did you know about half of the most serious invasive plants in our region arrived by way of our gardens? The next time you add new plants to your garden or landscape, double check that your selections benefit our region's natural areas. Unsure of what could be invasive in your landscape? We have an [invasive species list specifically for ornamental plants](#), ranked by priority. Reference this list when choosing non-native plants for your landscape.



The groundcovers on the left are a problem in natural areas for the same reason they have been desirable in landscapes. Given time they dominate spaces that once showcased trilliums, morels, jack-in-the-pulpits, and other important members of the natural community. Most native alternatives will also fill in landscaped areas – simply disperse them throughout the intended landscape and keep early weeds down.

STOP THE SPREAD	periwinkle/myrtle <i>Viola spicata</i>			bearberry <i>Arctostaphylos uva-ursi</i>		
	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor
GOOD TO GROW	snow on the mountain <i>Leucophaea goodenifolia</i>			bloodroot <i>Sanguinaria canadensis</i>		
	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor
	Canada wild ginger <i>Asarum canadense</i>			bluehead lily <i>Clintonia borealis</i>		
	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor	Great Lakes Corridor

Having a hard time letting go of traditional invasive species? Check out ISN's Plan Before You Plant Brochure online [here](#). There are many native alternatives that either fulfill the look or function of several traditional (but invasive) species. ISN recommends planting native species because they Go Beyond Beauty in creating better habitat for pollinators and wildlife.

This is a great reminder that Go Beyond Beauty retailers and professionals have committed to not using or selling high-priority ornamental invasive species in their businesses. From garden centers to landscapers to landscape designers, find a full list of participants [here](#).

Cultivate

Great Lakes Incubator Farm Update

While the winter season is a great time for our MAEAP Tech to get out on site visits because farmers have time away from the growing season, it is also an excellent time to reflect, refresh, rejuvenate and gear up for the next growing season. At GTCD, we are excited about the Great Lakes Incubator Farm (GLIF) project moving forward in 2022.

Later this month, we will welcome three University of Michigan School for Environment and Sustainability graduate students to the project. With diverse interdisciplinary backgrounds and pursuing different tracks including sustainability and development, communication, management, and education, the experience they bring to the table will be invaluable as we flesh out the program structure and make the dream a reality! We are excited to begin working remotely with the team and hope to have on-site gatherings by spring.

Great Lakes
GLIF
Incubator Farm



During the snowy weather, we have been working on fund development with our advisory council. We are endlessly grateful for their time, talent, and willingness to work through grant applications, meetings, and lots of great discussions. It has been a fun process, with lots of great potential projects, programs, and proposals in the works. We look forward to sharing more as this angle develops.

Finally, we have also been working closely with our Environmental Education team at GTCD as well as community partners to develop and expand programming opportunities at the GLIF property. We look forward to hosting field days, specific agricultural and gardening-related events and also some volunteer projects with local student groups and partner organizations.

With so much in the works, we can't wait to see how 2022 begins to unfold for GLIF!

[Follow the GLIF Facebook Page](#) for the most up-to-date information!



Donate

Make a donation today to help keep the Boardman River healthy, our parklands safely accessible, native habitats intact, our local farms sustainable, and our children outdoors!

Click [here](#) to donate.



Grand Traverse Conservation District

Boardman River Nature Center

Inspiring exploration, appreciation, & conservation of our natural world

231.941.0960 | natureiscalling.org

Grand Traverse Conservation District & Boardman River Nature Center

1450 Cass Rd, Traverse City, MI 49684

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News release: Gov. Whitmer declares January 2022 Radon Action Month in Michigan

1 message

MI Dept. of Environment, Great Lakes, and Energy <EGLE@govsubscriptions.michigan.gov> Thu, Jan 6, 2022 at 1:02 PM

Reply-To: EGLE@govsubscriptions.michigan.gov

To: supervisor@whitewatertownship.org

[Share or view as a webpage](#) | [Update preferences](#)**FOR IMMEDIATE RELEASE**

Jan. 6, 2022

EGLE Media Office, EGLE-Assist@Michigan.gov, 517-284-9278Jill A. Greenberg, EGLE spokesperson, GreenbergJ@Michigan.gov, 517-897-4965Leslie E. Smith, III, Indoor Radon Specialist, Radon@Michigan.gov, 800-723-6642

Gov. Whitmer declares January 2022 Radon Action Month in Michigan

Gov. Gretchen Whitmer has declared January 2022 as [Radon Action Month in Michigan](#), and she encourages all Michigan residents to learn more about this environmental hazard and test their homes during the heating season.

You cannot see, smell or taste radon, and there are no short-term side effects that could cause alarm or warn of its presence. However, long-term exposure to radon increases the risk of developing lung cancer, which accounts for more deaths in both men and women than any other form of cancer in the United States, according to the Michigan Department of Environment, Great Lakes, and Energy (EGLE), which aims to increase awareness of health risks associated with elevated indoor radon levels, promote home testing and encourage citizens to take action to reduce exposure once elevated radon levels are found.

Behind smoking, radon is the second leading cause of lung cancer and considered a leading environmental cause of cancer deaths in the United States.

The U.S. Environmental Protection Agency estimates that radon is responsible for about 20,000 lung cancer deaths in the United States each year. The risk of lung cancer from radon exposure is higher for people who smoke than for people who don't smoke. However,

the USEPA estimates that more than 10 percent of radon-related cancer deaths occur among people who have never smoked cigarettes.

Radon testing takes on increased importance due to many Michiganders now working from home. Testing is easy, inexpensive and the only way to determine if a radon problem exists. Residents are encouraged to test for radon every two to five years. If a radon mitigation system was previously installed in the home, residents are encouraged to test every two years to make sure that radon levels remain in the acceptable range.

One in every four Michigan homes is expected to have radon levels exceeding the federal action level of 4.0 picocuries per liter. Elevated radon levels have been found in all 83 Michigan Counties. Radon poses a serious threat to our community's health, but high radon concentrations also are easily fixed.

For more information about radon testing and other information, including resources for homeowners builders, realtors, teachers and healthcare providers, go to Michigan.gov/Radon, or call EGLE's Indoor Radon hotline at 800-RADONGAS or 800-723-6642.

To receive updates on other EGLE news, go to Michigan.gov/MIEnvironment.

###

EGLE COVID-19 RESPONSE: For details on EGLE's work during the pandemic, [visit this webpage](#). Follow state guidelines at Michigan.gov/Coronavirus.



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Ron Popp <supervisorwhitewater@gmail.com>

Fwd: RE: County ARPA process & MTA

1 message

firstname lastname <supervisor@whitewatertownship.org>
To: Ron <supervisorwhitewater@gmail.com>

Mon, Jan 24, 2022 at 9:36 AM

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

From: Beth Friend <bfriend@eastbaytwp.org>

To: Marvin Radtke <supervisor@greenlaketownship.org>, "supervisor@blairtownship.org" <supervisor@blairtownship.org>, "supervisor@longlaketownship.com" <supervisor@longlaketownship.com>, "ckorn@garfield-twp.com" <ckorn@garfield-twp.com>, Doug White <dwhite@acmetownship.org>, "supervisor@whitewatertownship.org" <supervisor@whitewatertownship.org>, "supervisor@paradisetwp.org" <supervisor@paradisetwp.org>, "supervisor@fifelaketwp.com" <supervisor@fifelaketwp.com>

Date: January 21, 2022 5:51 PM

Subject: RE: County ARPA process & MTA

Hi all,

Thank you for the positive feedback on the below email. I'm glad all seem fine with this approach. Nate replied that they could attend the April meeting (May is slated for the GTCRC). He asked what format or for any thoughts on the meeting. So, I am asking for your ideas/input. Please see the attached article. I guess my question would be, in the article it refers to local governments will be involved in the process in a different capacity, and I'm wondering what they envision that is. Perhaps we could hear of the status of their process/committee as of April (first meeting is in February, so they may have had a couple by then) and what the capacity will be for involvement of the LUGs.

Thoughts? I would like to make the April meeting as helpful to us and the county as possible.

Best Regards,

Beth

From: Beth Friend

Sent: Saturday, January 15, 2022 6:54 PM

To: supervisor@greenlaketownship.org; supervisor@blairtownship.org; supervisor@longlaketownship.com; ckorn@garfield-twp.com; Doug White <dwhite@acmetownship.org>; supervisor@whitewatertownship.org; supervisor@paradisetwp.org; supervisor@fifelaketwp.com

Subject: FW: County ARPA process & MTA

Hello there, fellow supervisors,

It was great to see you on Wednesday. Please see the below invitation. I opted for a softer approach, so as not to step on any toes. Though, as supervisors, we've all needed to do that sometimes. I hope you find this okay and I will let you know when I hear anything.

All my best,

Beth

From: Beth Friend

Sent: Saturday, January 15, 2022 6:46 PM

To: Nathan Alger <nalger@gtcountymi.gov>; Christopher Forsyth <cforsyth@gtcountymi.gov>

Subject: County ARPA process & MTA

Hi Nate and Chris,

The past week's information regarding ARPA has been interesting with the final rules established and the news relaxing NEU's criteria for usage of the funds.

Last week, at the supervisor's luncheon, several of us were visiting regarding ARPA. Townships are at various stages of discussion with their board members and constituents, but I think it fair to generalize that all are in the very early, introductory stages. And, as partners in the provision of government services, we are all interested and want to be engaged in the County's process. And we are heartened by Commissioners echoing their wish for as coordinated approach as possible.

To that end, would you and the consultants retained be available to inform the local units of government about the steps forward? Several fellow supervisors and I thought it would be efficient to have you present or have a round table discussion at an upcoming MTA meeting. We would like to have this on the front-side of the process so we understand the method of analysis as you move forward. I am guessing the front-side of the process would mean February, March, or April (at the latest). May tends to be the GTCRC meeting and the chapter breaks for the summer months of June/July/August.

Please let me know your thoughts and availability.

Much appreciation and have a great day,

Beth



Beth Friend, Supervisor
East Bay Charter Township
1965 N Three Mile Road
Traverse City, MI 49696
(231) 947-8719 (office)
(231) 633-1110 (cell)
bfriend@eastbaytp.org



MI Environment Weekly Digest

1 message

MI Dept. of Environment, Great Lakes, and Energy <EGLE@govsubscriptions.michigan.gov> Fri, Jan 28, 2022 at 9:30 AM

Reply-To: EGLE@govsubscriptions.michigan.gov

To: supervisor@whitewatertownship.org

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MI Environment Digest - January 28, 2022

Re-test your home for dangerous radon gas if it's been a couple years since your last test*January 27, 2022*

If it's been a couple of years since your last in-home radon test, it's time to re-test for the cancer-causing invisible gas that has no taste or smell.

[Read more](#)

BUY A HOME RADON TEST
AT [MI.RADON.COM](https://mi.radon.com)

2021 By the Numbers: EGLE develops new interactive web maps, story maps and open data items*January 26, 2022*

In 2021, EGLE developed 64 new interactive web maps and apps; story maps; and open data items.



[Read more](#)

By the Numbers 2021: EGLE's GovDelivery subscriptions increase over 25,000



January 25, 2022

Michiganders have access to a wealth of information on efforts to protect Michigan's environment and health through more than 70 email distribution lists.

[Read more](#)

To view these stories and more, visit Michigan.gov/MiEnvironment and follow us on [Twitter](#), [LinkedIn](#), and [Facebook](#).

All news, videos, and articles featured in *MI Environment* are original content, written by the dedicated engineers, scientists, specialists, and analysts in the Michigan Department of Environment, Great Lakes, and Environment (EGLE) who work each day to protect the health of Michigan's citizens and environment.

Make MI Environment even better - [take our survey!](#)

Michigan.gov/MiEnvironment

EGLE JOB POSTINGS

EGLE is a great place to work if you are passionate about public service and protecting Michigan's environment. Check out our [current job postings](#), including this posting for a [financial analyst](#).



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EGLE Classroom Newsletter – January 2022

1 message

MI Dept. of Environment, Great Lakes, and Energy <EGLE@govsubscriptions.michigan.gov>

Wed, Jan 26, 2022 at 8:30 AM

Reply-To: EGLE@govsubscriptions.michigan.gov

To: supervisor@whitewatertownship.org

[Share or view as a webpage](#) | [Update preferences](#)**EGLE** Classroom

JANUARY 2022 NEWSLETTER

Earth Day 2022 Announcements

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) celebrates Earth Day every year in April.

The [Michigan Earth Day Poster Contest](#) is for students in kindergarten through 5th grade. The submitted posters will be judged based on the "Michigan Native" theme and should include plants, wildlife, or ecosystems native to Michigan. The artwork can be drawn by hand or digitally created. Each school hosts its own contest for the students and submits the top



three posters for each grade. The Earth Day Poster Contest committee selects the top two first and second place winners from each grade.

The Michigan Earth Day Environmental Service Award (ESA) competition is for students in 6th through 12th grade. Schools are invited to nominate a student or group of students to be recognized for completion of a school-sanctioned, environment-based project that has tangible results. The project should provide a benefit for plants, wildlife, or ecosystems native to Michigan. Schools confirm the validity of each project and outcome. The Earth Day ESA committee selects the top two projects from each category.



The deadline for both contests to submit entries is **February 25, 2022**. The winners from both contests will be notified by March 11, and their work will be posted on the Michigan [Earth Day webpage](#).

Meet EGLE's New Environmental Education Coordinator



Eileen Boekestein recently joined EGLE as its environmental education coordinator. Eileen has been an environmental educator for 15 years, working in formal and non-formal educational settings including nature centers, colleges, nonprofits, and local government positions. Her work focuses on environmental education for people of all ages! The goal is to facilitate environmental literacy - an ability to



understand environmental issues and have the skills and motivations needed to make responsible decisions around environmental use, protection, and conservation. Eileen is looking forward to both supporting the environmental education efforts already underway at EGLE as well as expanding the statewide

reach of our educational programs. Eileen is particularly interested in working on (1) expanding equitable access to environmental education and environmental careers for K-12 and college students, (2) providing additional programs and resources to support young people in developing stewardship action projects, and (3) increasing support for K-12 educators working to include environmental education in their classrooms. You can contact Eileen at BoekesteinE@Michigan.gov.

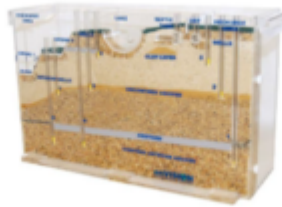
Michigan Green Schools program transitions to EGLE Stewardship

The Michigan Green Schools program has transitioned from a nonprofit to EGLE. Educators and students will continue receiving the same high-quality support for environmental stewardship education for Michigan teachers and students. The current 2021-22 application form and current information can be found on the [Michigan Green Schools webpage](#). The contact information for county coordinators has also been updated and is available. The process for 2021-22 will remain the same. As a reminder, the Michigan Green Schools application deadline is March 1, 2022, and forms must be returned to county coordinators by that date.



Environmental Education Resource Lending Station Launch

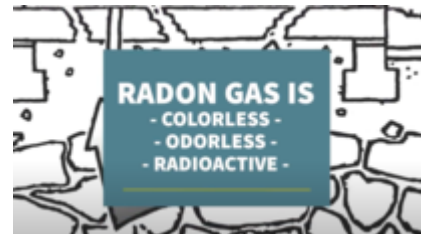
Michigan teachers and students now have available to them -- for the first time -- resources for the classroom that will focus on Great Lakes watersheds and ecosystems. Funding for the materials comes from the Great Lakes Restoration Initiative. Educators will be able to use the Lending Station materials - EnviroScape models, groundwater models, water testing backpack kits with replacement parts - in the classroom, school fairs, or for environmental education programs. The Lending Station items will help teachers educate students about the Great Lakes, their ecosystems, stewardship, conservation, and restoration of these natural resources. Educators may request lending stations by filling out the form on the [EGLE Classroom website](#).



Highlighted #EGLEclassroom Videos

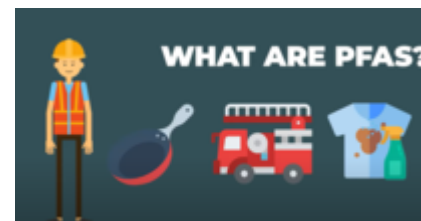
Radon Awareness

In this video you will learn about what radon is, where it comes from, health effects, testing for radon, what is involved in fixing your home, and other helpful resources. There are simple steps that you can take to test for radon and fix your home if necessary.



What are PFAS?

You've probably heard about PFAS in the news, but what are they and where do they come from? PFAS, or per- and polyfluoroalkyl substances, are a group of man-made chemicals used in making things like



firefighting foam, stain repellants, and non-stick cookware. PFAS can't break down easily in the environment and some PFAS can build-up in our bodies, which can lead to health risks. For more information, visit our website at Michigan.gov/PFASResponse.

Community Water Supply

Got a minute? Learn how water travels from a local community water supply through a home and to its faucets. Got a few minutes? Check out Michigan.gov/EGLECommunityWater to learn more about Michigan's Safe Drinking Water Act and how the community water supply program helps protect over 1,400 community public water supplies in Michigan.

1400
COMMUNITY WATER
SUPPLIES IN MICHIGAN

We would like to hear from you! Take our [EGLE Classroom Newsletter Survey](#).

Questions? Concerns?

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This email was sent to supervisor@whitewatertownship.org using GovDelivery Communications Cloud on behalf of: Michigan Department of Environment, Great Lakes, and Energy · Constitution Hall · [525 West Allegan Street](#) · PO Box 30473 · Lansing, MI 48909 · 800-662-9278

DRAFT MINUTES

**Whitewater Township Board
Minutes of Regular Meeting held January 11, 2022**

Call to Order/Pledge of Allegiance

In the absence of Supervisor Popp, Clerk Goss called the meeting to order at 9:02 a.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance.

Nominations for Moderator

Benak nominated Vollmuth.

Vollmuth nominated Benak.

Vollmuth declined the nomination.

Benak declined the nomination.

Vollmuth nominated Goss.

Goss accepted the nomination.

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

Roll Call of Board Members

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

Board Members absent: Popp

Others present in person: County Commissioner Darryl Nelson, Fire Chief Brandon Flynn, and 3 others

Others present via Zoom: 7

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment (8:06)

Public comment began at 9:06 a.m.

Brian Kelley, Acme Township resident, spoke on the reasons for his attendance at Whitewater meetings and the upcoming election.

Linda Slopsema spoke on adding money to legal budget line item and people wanting to vote.

Rod Rebant echoed comments of Slopsema and the amount expended on legal services, as well as the historical budget allocation.

DRAFT MINUTES

Public comment ended at 9:12 a.m.

Public Hearing (14:00)

None

Reports/Presentations/Announcements/Comments (14:06)

County Commissioner Report

Darryl Nelson gave the following report:

- Regarding the TCAPS school board meeting last night, the county employees, administration, and the county health department were maligned at the meeting. The issue was mandatory masking. TCAPS went with the recommendation of another county. Nelson found it disappointing.
- The wage and compensation study found that Grand Traverse County was anywhere from 9% to 18% low on pay with comparable organizations in county government and other large organizations who they would be competing with for help. All county employees will have received a 9.5% increase by 04/01/2022, accomplished in three steps. It is in the budget; there will not be a tax increase. They will study it again next year.
- Nelson has been working with John Roth regarding the M-72 and Bates Road intersection in Acme Township. The goal is to avoid fatalities at this complicated intersection. Nelson wants to get MDOT looking at it, also Jack O'Malley, the future rep for that area.
- Long Lake Township has approached the county about taking over Twin Lakes Camp, a 176-acre property in Long Lake Township. Details were provided. They will have more discussions about that.
- Northern Lakes Community Mental Health offered the position of new director to Dave Pankotai, a highly regarded candidate with jail experience.
- Nelson introduced Don Glenn, the Grand Traverse County GOP nominee for the trustee election on May 3. Glenn wants to be involved in the community, has been in front of many local boards in his previous career.

Fire Department Report (23:38)

Brandon Flynn gave the following report:

- Kind of a busy month in December with the structure fire, also helped Metro with a structure fire.
- Training was at a minimum, did end of year review business meeting. Firefighters get to critique the chief. They have dinner.
- VASA race is coming up on 2/12 and 2/13. They will only be in Whitewater Township on 2/12.
- The air packs were delivered last Friday. The AFG grant program is pretty much wrapped up. West Shore Fire will be here tomorrow to get them fired up and registered. Flynn appreciates the entire board's help with the project. The end result is that the department has approximately \$90,000 worth of new equipment which cost the township \$10,000.

The end-of-year event was briefly discussed, as well as updates on items which have been ordered. Flynn relayed what he has been told by Gorno Ford and said he expects the

DRAFT MINUTES

chief's vehicle to be in in the next couple weeks. The brush truck has not been ordered; no one will take an order for a cab and chassis right now. Regarding the snowmobiles, Polaris is having supply chain issues, but delivery is tentatively scheduled for the end of March.

Planning Commission Report (29:59)

The township board representative to the planning commission position is currently vacant.

PC Chair Kim Mangus reported the PC was unable to make a quorum for their January meeting due to sickness. They are currently working on the draft marihuana ordinance so it can be rescheduled for public hearing. They also have a draft of an adjustment to Article 25 special use permit to address the lack of standards for special use permits. They are also addressing Article 12 setbacks. There are no specific plans to reschedule the meeting at this point.

Parks & Recreation Advisory Committee Report (33:48)

Cheryl Goss reported that, due to lack of quorum, last night's regularly scheduled meeting did not take place. It will be rescheduled later this month.

Consent Calendar (34:08)**Receive and File**

1. Supervisor's Report for January 2022
2. Clerk/Parks & Recreation Administrator's Report for December 2021/January 2022
3. Treasurer Reports – September/October/November 2021
4. Trustee Vollmuth January 2022 Report
5. Zoning Administrator's Report (*not available*)
6. Fire Department December 2021 Monthly Report
7. Mobile Medical Response December 2021 Activity Reports
8. Historical Society Report for November/December 2021
9. Approved 11/08/2021 Parks & Recreation Advisory Committee Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for December 2021, 4th Quarter Totals, 2021 YTD
2. GT Clerk – Call for Special Election
3. Housing North – Announcements
4. Linda Frank – Newsletter Comments
5. Linda Slopsema – Declines PRAC Reappointment
6. Letter 01/04/2022 Kingdom Hall to Whitewater Township
7. Letter 01/04/2022 Kingdom Hall to Whitewater Township Park

Minutes

1. Recommend approval of 12/09/2021 special meeting minutes, 12/14/2021 regular meeting minutes, 12/21/2021 special meeting minutes, and 12/21/2021 closed session minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 47359 through 47437

Budget Amendments 01/11/2022 (Legal Services, Ambulance Fund)**Revenue & Expenditure Report (04/01/2021 thru 12/31/2021)**

DRAFT MINUTES

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

There was brief discussion concerning the playground expansion project.

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

Unfinished Business (36:51)**THANK YOU - ELK SKEGEMOG LAKE ASSOCIATION**

Motion by Goss to support ESLA's efforts in the community by subscribing to an annual membership at the \$1,000 level for 2022; second by Benak.

Board comments and discussion followed.

Roll call vote: Benak, no; Goss, no; Vollmuth, no; Popp, absent. Motion failed.

186NETWORKS REQUEST FOR ARPA FUNDS (43:44)

Motion by Vollmuth to assist, for discussion purposes only, 186networks with the expansion of broadband throughout Whitewater Township by reserving one-third (1/3) of the total funds received by the township through the American Rescue Plan Act for such purpose; second by Benak.

Board comments and discussion followed.

Roll call vote: Popp, absent; Goss, no; Vollmuth, no; Benak, no. Motion failed.

DISCUSS/AWARD ARBORIST QUOTES (52:37)

This agenda item was brought back from the last meeting due to only receiving one quote from an out-of-state company. New information is:

- Local resident Josh Tress (Precision Landscapes) voluntarily marked the trees, prepared an inventory, and submitted a bid.
- A bid is still expected from Parshall Tree Service.
- Wade Logging said they will pay the township for the trees.

After discussion, there was board consensus to give Parshall Tree Care time to turn in their bid, see if Wade Logging turns in anything, and then bring it back to the board.

Goss will call Wade Logging to see if he wants to provide a bid for tree removal at BCNA and Lossie Trail.

New Business (59:57)**APPOINTMENTS TO BOARD OF REVIEW, PLANNING COMMISSION, AND PARKS & RECREATION ADVISORY COMMITTEE**

Motion by Vollmuth to confirm the recommendation of the supervisor appointing Rodney Challenger to a partial 2-year term on the Whitewater Township Board of Review, term to end 12/31/2022; second by Benak.

Mr. Challenger is present and answered a couple questions from Vollmuth.

DRAFT MINUTES

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

Motion by Benak to confirm the recommendation of the supervisor appointing Frances Butler to a 3-year position on the Whitewater Township Parks & Recreation Advisory Committee, term to end 12/31/2024; second by Vollmuth.

There was no discussion.

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

Motion by Vollmuth to confirm the recommendation of the supervisor appointing Al Keaton to a partial 3-year position on the Whitewater Township Planning Commission, term to end 12/31/2023; second by Benak.

Mr. Keaton is not present.

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

MAY 2022 ELECTION AND BALLOT INITIATIVE (1:04:56)

Motion by Goss, based on the legal opinion, to not place the recreational marihuana initiative on the May 2022 election date; second by Benak.

Board comments and discussion followed.

The motion was re-read.

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

RISK MANAGEMENT ARPA FUNDS (1:09:53)

This agenda item was brought forward by Popp; no motion was provided.

Board comments and discussion followed.

There was board consensus that Popp should bring this agenda back with more development.

PER DIEMS FOR MARIHUANA SUBCOMMITTEE MEMBERS (1:13:44)

Motion by Goss to amend the Salary/Wage Schedule 2021/2022 to add per diems for Marihuana Subcommittee members, chairperson, and recording secretary; second by Benak.

Board comments and discussion followed.

Goss amended the motion to add “as recommended by the clerk.”

Benak seconded the amended motion.

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

DRAFT MINUTES**ZOOM LAWSUIT - DISCUSSION (1:21:00)**

This agenda item was brought forward by Popp; no motion was provided.

Brief discussion followed.

There was board consensus to take no action on the information from the Settlement Administrator.

WHITEWATER TOWNSHIP PARK 2022 DATES AND RATES (1:22:49)

Motion by Benak to designate the 2022 opening, closing, and free camping weekend dates as recommended by the Parks & Recreation Administrator; second by Goss.

There was no discussion.

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

Motion by Vollmuth to approve 2022 Camping and Miscellaneous Rates as recommended by the Parks & Recreation Administrator; second by Benak.

Board comments and discussion followed.

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

RESOLUTION #22-01 TOWNSHIP BOARD 2022/2023 FISCAL YEAR MEETING DATES (1:40:28)

Motion by Benak to adopt Resolution #22-01; second by Vollmuth.

There was no discussion.

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

SET BUDGET WORK SESSION DATES (1:41:21)

The following dates and alternate dates were discussed:

- 2/9 or 2/10 at 9:00 a.m. - Fire budget.
- 2/16 or 2/17 at 9:00 a.m. - Parks/Rec budgets.
- 2/23 or 2/24 at 9:00 a.m. - General Fund and other budgets.

There was board consensus that Popp and Vollmuth will choose which dates work for them and let the clerk know.

Tabled Items (1:47:32)

None

Board Comments/Discussion (1:47:37)

None

Announcements (1:47:51)

1. Special meeting on 01/13/2022 at 1:00 p.m.
2. Special meeting on 01/20/2022 at 9:00 a.m.

Whitewater Township Board - Minutes of 01/11/2022

DRAFT MINUTES

3. Next regular meeting 02/08/2022 at 9:00 a.m.

Public Comment (1:49:16)

Public comment began at 10:47 a.m.

Carl Wroubel, 9806 Elk Lake Trail, spoke to the membership fee for Elk-Skegemog Lake Association and offered to pay it.

Lois MacLean, 5919 Linderleaf Lane, commented that Three Lakes Association and several other lake associations they work with do not receive money from townships nor are they members.

Brian Kelley, Acme Township resident, spoke to sources other than ARPA funds for rural broadband funding, as well as other challenges with broadband.

Rod Rebant spoke to a conflict with the township becoming a member of the Elk Skegemog Lake Association, as well as agreement with consolidating water, sewer, policing, broadband under a title of infrastructure and looking at the bigger picture.

Public comment ended at 10:54 a.m.

Adjournment (1:56:13)

There being no further business to come before the board, the meeting was adjourned at 10:54 a.m.

Cheryl A. Goss
Whitewater Township Clerk

DRAFT MINUTES**Whitewater Township Board
Minutes of Special Meeting held January 13, 2022****Call to Order**

Supervisor Popp called the meeting to order at 1:02 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, Popp, Trustee Vollmuth

Board Members absent: None

Others present in person: None

Others present via Zoom: None

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment (2:43)

None

Agenda Items as Listed in Special Meeting Notice (2:57)**CLOSED SESSION TO DISCUSS NORTHPOINT FARMS V WHITEWATER TOWNSHIP**

Regarding the case of Northpoint Farms LLC v Whitewater Township, now pending in the Grand Traverse County Circuit Court, Case No. 21-03580-AW, motion by Benak to go into closed session to consult with the township's attorney regarding trial or settlement strategy in connection with specific pending litigation because an open meeting would have a detrimental financial effect on the litigating or settlement portion of the case; second by Goss.

There was no discussion.

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

Meeting recessed at 1:04 p.m.

Meeting reconvened at 3:35 p.m.

Motion by Goss to direct the attorneys to proceed as recommended during closed session; second by Benak.

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

Board Comments/Discussion (Part 2 Audio at 2:12)

None

DRAFT MINUTES**Public Comment (2:15)**

None

Adjournment (2:22)

Motion by Benak to adjourn; second by Vollmuth. Roll call vote: Benak, yes; Goss, yes; Vollmuth, yes; Popp, yes. Meeting adjourned at 3:37 p.m.

Cheryl A. Goss
Whitewater Township Clerk

DRAFT MINUTES**Whitewater Township Board
Minutes of Special Meeting held January 20, 2022****Call to Order**

Supervisor Popp called the meeting to order at 9:05 a.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, Popp, Trustee Vollmuth

Board members absent: None (trustee vacancy)

Others present in person: Fire Chief Brandon Flynn, Erik Cronk (C2AE), Kevin Makarewicz (C2AE)

Others present via Zoom: 3

Set/Adjust Meeting Agenda

Goss reported that she has received no information from Meagher or Patterson regarding the second agenda item.

Declaration of Conflict of Interest

None

Public Comment (7:57)

Public comment began at 9:06 a.m.

Brian Kelley, Acme Township resident, spoke to public water feasibility surveys done in Acme.

Public comment ended at 9:10 a.m.

Agenda Items as Listed in Special Meeting Notice (11:23)**WATER INFRASTRUCTURE NEEDS WORKING SESSION**

Erik Cronk, C2AE project manager, and Kevin Makarewicz, C2AE senior design engineer, are present.

Cronk explained the process to be followed.

The geographic limits for the water infrastructure study area were defined as:

- Northern boundary: Old M-72
- Southern boundary: 1500 feet south of Old M-72
- Western boundary: Moore Road
- Eastern boundary: Cook/Broomhead Road

Makarewicz noted their study does not include sanitary sewer or septic; however, it should be considered as the township is determining what water study area it wants to potentially serve.

Potential water supply options were identified as:

- Develop a new well field and backup well built by the township.

DRAFT MINUTES

- Tap into existing service (tribal)
- Agreement with Acme Township to combine resources.
- Do nothing. Developers would have to provide water on their own.

It was noted that future zoning changes may be necessary.

C2AE will estimate population projections for a 5-year period and a 20-year period.

The 2010 census (2,600) and 2019 estimated (2,799) population figures were provided.

Water storage was discussed. Options include a ground storage tank or an elevated water storage tank. The amount of storage will be based on fire flows, existing potential customers, and future potential customers.

Treatment options were discussed. C2AE will use existing well logs from the tribe, the AIS property, and the EGLE website.

Robert Hall, zoning administrator, commented on the amount of phone calls and inquiries he is receiving that are focused on the M-72 corridor and the commercial area, making sure the planning commission is on board, and the 5-year review of the master plan and its deficiencies.

The topic of engaging in discussions with the tribal government to see if connection to their water system would be an option was discussed.

Popp reported that he and Flynn have had two meetings with the tribe. Capacity appears to be there for water and sewer for approximately 250 residential units. Within the last 60 days, Popp received communication from two tribal members that they now have their plans established and they know what is available. He also reported that they looked at creating a township authority for water and sewer where the township would take care of the billing, or the tribe doing all of the administrative billing work.

Going forward, C2AE will provide a map of the service area, look at township properties, obtain well logs, and dig into the study. Architect Dennis Jensen will lead the building needs portion.

Northpoint Farms LLC v Whitewater Township (1:15:14)

Goss reported that nothing has been received from legal counsel on this matter.

Board Comments/Discussion (1:16:21)

None

Public Comment (1:16:26)

Public comment began at 10:15 a.m.

Brian Kelley spoke to the opportunity to figure out very complicated planning issues regarding growth and costs of water.

DRAFT MINUTES

Don Glenn commented on the extremely informative meeting.

Denise Peltonen spoke to the information being available online and the master plan.

Public comment ended at 10:20 a.m.

Adjournment (1:23:28)

Motion by Vollmuth to adjourn; second by Benak. Roll call vote: Vollmuth, yes; Benak, yes; Popp, yes; Goss, yes. Meeting adjourned at 10:22 a.m.

Cheryl A. Goss
Whitewater Township Clerk

Bills for Approval
February 8, 2022

ALDEN STATE BANK	47438 - 47504	
PAYROLL 1/14	47438 - 47449	Gross Payroll \$7,176.09
ACCTS PAYABLE 1/18	47450 - 47469	Grand Total \$163,794.38
PAYROLL 1/28	47470 - 47484	Gross Payroll \$7,751.09
ACCTS PAYABLE 2/1	47485 - 47503	Grand Total \$13,299.30
CHECK REISSUE 2/1 (replaces Ck #46772)	47504	Grand Total \$125.00

ALDEN STATE BANK - MONEY MARKET

FIRST COMMUNITY BANK - FEDERAL FUND

Check Register Report

Bills for Approval 02/08/2022

Date: 02/02/2022

Time: 11:17 am

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Whitewater Township

BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
ALDEN STATE BANK Checks								
47450	01/18/22	Printed			ALLEGRA	ALLEGRA MARKETING PRINT MAIL	3000 PERFORATED PAPER TAX RECEIPTS	99.71
47451	01/18/22	Printed			CHARTER	CHARTER COMMUNICATIONS	01/01-01/31/2022	359.95
47452	01/18/22	Printed			CONSUMERS	CONSUMERS ENERGY	12/09/2021-01/09/2022	1,797.29
47453	01/18/22	Printed			EFTPS	EFTPS	1/14/2022 PAYROLL	1,630.85
47454	01/18/22	Printed			FAHEY	FAHEY SCHULTZ BURZYCH RHODES	NORTHPOINT FARMS v WHITEWATER	4,860.50
47455	01/18/22	Printed			FUELMAN	FUELMAN	FUEL FOR DEC. 2021	510.75
47456	01/18/22	Printed			GFL ENVIR	GFL ENVIRONMENTAL	JAN. 2022	125.30
47457	01/18/22	Printed			GTC MTA	GRAND TRAVERSE CO MTA ASSOC	ANNUAL DUES 01/01-12/31/2022	58.69
47458	01/18/22	Printed			JOHN HANCC	JOHN HANCOCK LIFE INS CO	OCT/NOV/DEC 2021- FLYNN/BENAK HUBBELL/VOLLMUTH	2,550.75
47459	01/18/22	Printed			KCI	KCI	ESTIMATED POSTAGE FOR ASSMNT CHG NOTICES- PO5311	752.32
47460	01/18/22	Printed			LOIS MAC	LOIS MACLEAN	08/13-11/05/2021	104.72
47461	01/18/22	Printed			MAMC	MICHIGAN ASSOCIATION OF	DUES FOR CHERYL GOSS 2022	120.00
47462	01/18/22	Printed			MICHIGAN T	MICHIGAN TOWNSHIPS ASSOCIATION	WEBINAR: TAX COLLECTION	25.00
47463	01/18/22	Printed			PARSHALL	PARSHALL TREE SERVICE LLC	12/16/21 STORM DAMAGE AT WMSBURG CEMETERY	2,725.00
47464	01/18/22	Printed			REDMOND A	REDMOND AUTMOTIVE, INC.	MAINT. ON FORD EXPEDITION	540.84
47465	01/18/22	Printed			SCI NET	SCI NETWORKS	01/14-02/13/2022	178.37
47466	01/18/22	Printed			STAPLES	STAPLES CREDIT PLAN	TWP HALL/CLERK	130.25
47467	01/18/22	Printed			VISA	VISA	PARK/TWP BRD	28.99
47468	01/18/22	Printed			WELLS F	WELLS FARGO FINANCIAL	LEASE COLOR COPIER	83.60
47469	01/18/22	Printed			WHITEWATER	WHITEWATER TOWNSHIP	TRANSFER ARPA FUNDS TO FCB	147,111.50
47485	02/01/22	Printed			365 OUTD	365 OUTDOOR	01/05-01/30/2022	1,865.00
47486	02/01/22	Printed			AD ASSESS	AD ASSESSING INC	FEB. 2022	2,125.00
47487	02/01/22	Printed			AFLAC	AFLAC	JAN. 2022	214.92
47488	02/01/22	Printed			BRANDON F	BRANDON FLYNN	FEB. 2022	40.00
47489	02/01/22	Printed			C2AE	C2AE ARCHITECTURE-	FACILITY SURVEY	2,300.00
47490	02/01/22	Printed			CHERRYLANI	CHERRYLAND ELECTRIC COOP	M72 & SKEGEMOG PT RD	48.12
47491	02/01/22	Printed			CONSUMERS	CONSUMERS ENERGY	12/22/2021-01/20/2022	64.27
47492	02/01/22	Printed			CUMMINS	CUMMINS SALES AND SERVICE	GENERATOR REPAIR AND ANNUAL SERVICE	369.29
47493	02/01/22	Printed			DTE ENERGY	DTE ENERGY	12/21/2021-01/20/2022	251.19
47494	02/01/22	Printed			EFTPS	EFTPS	01/28/2022 PAYROLL	1,714.31
47495	02/01/22	Printed			GTC HEALTH	GRAND TRAVERSE COUNTY HEALTH	2022 CAMPGROUND INSPECTION FEES	210.00
47496	02/01/22	Printed			KSS ENTER	KSS ENTERPRISES	TRI- FOLD TOWELS	82.80
47497	02/01/22	Printed			NETLINK	NETLINK BUSINESS SOLUTIONS	MAINT AGRMT 01/28-04/29/22 PLUS COLOR COPIES	1,038.98
47498	02/01/22	Printed			NW REGION	NORTHWEST REGIONAL FIRE	ACLS RENEWAL FOR CHIEF FLYNN	140.00
47499	02/01/22	Printed			ROBERT HA	ROBERT A. HALL-CZS	01/01-01/31/2022	1,336.45
47500	02/01/22	Printed			PAYR/SALES	STATE OF MICHIGAN - TREASURY	PAYROLLS 12/03/21-12/17/2021-12/31/2021	1,109.61
47501	02/01/22	Printed			THE COPY	THE COPY SHOP	1000 GENERAL ACCT CHECKS	174.35
47502	02/01/22	Printed			VERIZON	VERIZON WIRELESS	12/ 24/2021-01/23/2022	40.01
47503	02/01/22	Printed			VOYA INSTI	VOYA INSTITUTIONAL TRUST CO	CONTRIBUTIONS FOR OCT/NOV/ DEC 2021	175.00
47504	02/01/22	Printed			NORTH WOO	NORTHWOODS RESORTS LLC	PARTIAL REFUND FIRE DEPT. PERMIT 21-101	125.00

Total Checks: 40

Checks Total (excluding void checks):

177,218.68

Total Payments: 40

Bank Total (excluding void checks):

177,218.68

Total Payments: 40

Grand Total (excluding void checks):

177,218.68

Bills for Approval 02/08/2022

Time: 12:28 pm

Page: 1

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Fund: 101 GENERAL FUND							
Dept: 000							
101-000-528	Other Federal Grants WHITEWATER TOWNSHIP		TRANSFER ARPA FUNDS	47469	01/05/2022	01/18/2022	147,111.50
							147,111.50
Total Dept. 000:							147,111.50
Dept: 101 Township Board							
101-101-727	Office Supplies & Exp VISA		PARK/TWP BRD	47467	12/28/2021	01/18/2022	14.99
							14.99
101-101-830	Pension Plan JOHN HANCOCK LIFE INS C		OCT/NOV/DEC 2021- FLYNN/BI	47458	12/31/2022	01/18/2022	925.17
							925.17
101-101-840	Dues and Membershi GRAND TRAVERSE CO MTA		ANNUAL DUES 01/01-12/31/202	47457	01/01/2022	01/18/2022	58.69
							58.69
101-101-940	Equipment Rental WELLS FARGO FINANCIAL	5018351335	LEASE COLOR COPIER	47468	01/03/2022	01/18/2022	83.60
							83.60
Total Dept. Township Board:							1,082.45
Dept: 209 Assessor							
101-209-728	Postage KCI		ESTIMATED POSTAGE FOR	47459	01/10/2022	01/18/2022	752.32
							752.32
101-209-807	Assessing Services AD ASSESSING INC		FEB. 2022	47486	02/01/2022	02/01/2022	2,125.00
							2,125.00
Total Dept. Assessor:							2,877.32
Dept: 210 Attorney							
101-210-801	Legal Services FAHEY SCHULTZ BURZYCH	457	ZONING	47454	01/06/2022	01/18/2022	45.00
	FAHEY SCHULTZ BURZYCH	457	OPINION RE:PUBLIC FUNDS	47454	01/06/2022	01/18/2022	765.50
	FAHEY SCHULTZ BURZYCH	458	NORTHPOINT FARMS v WHITE	47454	01/06/2022	01/18/2022	4,050.00
							4,860.50
Total Dept. Attorney:							4,860.50
Dept: 215 Clerk							
101-215-727	Office Supplies & Exp STAPLES CREDIT PLAN		TWP HALL/CLERK	47466	01/09/2022	01/18/2022	40.78
	THE COPY SHOP	21359957	1000 GENERAL ACCT CHECKS	47501	12/07/2021	02/01/2022	174.35
							215.13
101-215-840	Dues and Membershi MICHIGAN ASSOCIATION OF		DUES FOR TERESE HOOPER	47461	01/18/2022	01/18/2022	60.00
	MICHIGAN ASSOCIATION OF		DUES FOR CHERYL GOSS 202	47461	01/18/2022	01/18/2022	60.00
							120.00
101-215-880	Education & Training MICHIGAN TOWNSHIPS ASS	87841	WEBINAR: TAX COLLECTION	47462	01/03/2022	01/18/2022	25.00
							25.00
Total Dept. Clerk:							360.13
Dept: 253 Treasurer							

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 02/08/2022

Date: 02/02/2022

Time: 12:28 pm

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Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
101-253-727	Office Supplies & Exp ALLEGRA MARKETING PRIN	54085	3000 PERFORATED PAPER	47450	01/05/2022	01/18/2022	99.71
							99.71
101-253-860	Mileage Reimbursemen LOIS MACLEAN	08/13-11/05/2021		47460	01/05/2022	01/18/2022	104.72
							104.72
Total Dept. Treasurer:							204.43
Dept: 265 Township Hall & Groun							
101-265-740	Operating Expense & STAPLES CREDIT PLAN		TWP HALL/CLERK	47466	01/09/2022	01/18/2022	89.47
							89.47
101-265-811	Waste Removal Servi GFL ENVIRONMENTAL	0053367598	JAN. 2022	47456	12/31/2021	01/18/2022	20.25
							20.25
101-265-845	Snowplowing Service 365 OUTDOOR	106704	01/05-01/30/2022	47485	01/30/2022	02/01/2022	770.00
							770.00
101-265-851	Internet/Website CHARTER COMMUNICATION	0018737123021	12/30/21-01/29/2022	47451	12/30/2021	01/18/2022	119.99
							119.99
101-265-922	Electricity CONSUMERS ENERGY	202609047014	12/09/2021-01/09/2022	47452	01/09/2022	01/18/2022	154.70
							154.70
101-265-923	Electric Heat CONSUMERS ENERGY	202609047015	12/09/2021-01/09/2022	47452	01/09/2022	01/18/2022	620.42
							620.42
101-265-924	Telephone CHARTER COMMUNICATION	0018737123021	12/30/21-01/29/2022	47451	12/30/2021	01/18/2022	49.99
	SCI NETWORKS	2313209	01/14-02/13/2022	47465	01/14/2022	01/18/2022	148.64
							198.63
101-265-931	Office Equipment Rep NETLINK BUSINESS SOLUTI	143875	MAINT AGRMT 01/28-04/29/22	47497	01/26/2022	02/01/2022	1,038.98
							1,038.98
Total Dept. Township Hall & Grounds:							3,012.44
Dept: 276 Cemetery							
101-276-922	Electricity CONSUMERS ENERGY	201363186827	12/09/2021-01/09/2022	47452	01/09/2022	01/18/2022	29.36
							29.36
101-276-930	Facility Repairs/Maint PARSHALL TREE SERVICE L	17618	12/16/21 STORM DAMAGE AT	47463	01/07/2022	01/18/2022	2,725.00
							2,725.00
Total Dept. Cemetery:							2,754.36
Dept: 405 Zoning Administrator/F							
101-405-804	Professional Services ROBERT A. HALL-CZS	JAN 2022	01/01-01/31/2022	47499	01/27/2022	02/01/2022	1,311.29
							1,311.29
101-405-860	Mileage Reimbursemen ROBERT A. HALL-CZS	JAN 2022	01/01-01/31/2022	47499	01/27/2022	02/01/2022	25.16

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Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							25.16
Dept. Zoning Administrator/Planning:							1,336.45
tal Fund GENERAL FUND:							163,599.58
Fund: 203 ROAD FUND							
Dept: 446 Road Right of Way							
203-446-921	Street Lights						
	CHERRYLAND ELECTRIC CO		M72 & MOORE RD	47490	01/26/2022	02/01/2022	24.06
	CHERRYLAND ELECTRIC CO		M72 & SKEGEMOG PT RD	47490	01/26/2022	02/01/2022	24.06
	CONSUMERS ENERGY	202253073079	12/01-12/31/2021	47452	12/31/2021	01/18/2022	46.81
	CONSUMERS ENERGY	206613348739	12/01-12/31/2021	47452	12/31/2021	01/18/2022	15.34
							110.27
Total Dept. Road Right of Way:							110.27
Total Fund ROAD FUND:							110.27
Fund: 206 FIRE FUND							
Dept: 336 Fire Dept							
206-336-713	Other Benefits						
	AFLAC	058270	JAN. 2022	47487	01/26/2022	02/01/2022	214.92
							214.92
206-336-739	Fuel & Oil						
	FUELMAN	61394303995401	FUEL FOR DEC. 2021	47455	01/03/2022	01/18/2022	510.75
							510.75
206-336-740	Operating Expense &						
	KSS ENTERPRISES	1355495	TRI- FOLD TOWELS	47496	01/21/2022	02/01/2022	82.80
							82.80
206-336-804	Professional Services						
	VERIZON WIRELESS	9898041593	12/ 24/2021-01/23/2022	47502	01/23/2022	02/01/2022	40.01
							40.01
206-336-811	Waste Removal Servi						
	GFL ENVIRONMENTAL	0053366734	JAN. 2022	47456	12/31/2021	01/18/2022	10.13
							10.13
206-336-830	Pension Plan						
	JOHN HANCOCK LIFE INS CO		OCT/NOV/DEC 2021- FLYNN/BI	47458	12/31/2022	01/18/2022	1,625.58
							1,625.58
206-336-845	Snowplowing Service						
	365 OUTDOOR	106704	01/05-01/30/2022	47485	01/30/2022	02/01/2022	547.50
							547.50
206-336-851	Internet/Website						
	CHARTER COMMUNICATION	0010619010122	01/01-01/31/2022	47451	01/01/2022	01/18/2022	89.99
							89.99
206-336-880	Education & Training						
	NORTHWEST REGIONAL FIF	9172398	ACLS RENEWAL FOR	47498	01/24/2022	02/01/2022	140.00
							140.00
206-336-920	Natural Gas						
	DTE ENERGY		12/21/2021-01/20/2022	47493	01/21/2022	02/01/2022	125.60
							125.60
206-336-922	Electricity						
	CONSUMERS ENERGY	201363186826	12/09/2021-01/09/2022	47452	01/09/2022	01/18/2022	394.63

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							394.63
206-336-924	Telephone						
	CHARTER COMMUNICATION	0010619010122	01/01-01/31/2022	47451	01/01/2022	01/18/2022	99.98
							99.98
206-336-925	Cellular Phone						
	BRANDON FLYNN		FEB. 2022	47488	02/01/2022	02/01/2022	40.00
							40.00
206-336-932	Equipment Repair & Maint						
	CUMMINS SALES AND SERVICE	S4-34407	GENERATOR REPAIR AND	47492	01/17/2022	02/01/2022	369.29
							369.29
206-336-933	Vehicle Repair & Maint						
	REDMOND AUTMOTIVE, INC	088059	MAINT. ON FORD EXPEDITION	47464	01/07/2022	01/18/2022	540.84
							540.84
206-336-964	Refunds						
	NORTHWOODS RESORTS LTD		PARTIAL REFUND FIRE DEPT.	47504	06/14/2021	02/01/2022	125.00
							125.00
						Total Dept. Fire Dept:	4,957.02
						Total Fund FIRE FUND:	4,957.02
Fund: 208 PARK FUND							
Dept: 756 Township Park							
208-756-729	Licenses & Fees						
	GRAND TRAVERSE COUNTY	EH-22-12	2022 CAMPGROUND INSPECT	47495	01/24/2022	02/01/2022	210.00
							210.00
208-756-811	Waste Removal Service						
	GFL ENVIRONMENTAL	0053368486	JAN. 2022	47456	12/31/2021	01/18/2022	84.80
							84.80
208-756-922	Electricity						
	CONSUMERS ENERGY	205011796614	12/10/21-01/10/2022	47452	01/10/2022	01/18/2022	46.40
	CONSUMERS ENERGY	205011796615	12/10/21-01/10/2022	47452	01/10/2022	01/18/2022	65.64
							112.04
208-756-924	Telephone						
	SCI NETWORKS	2313209	01/14-02/13/2022	47465	01/14/2022	01/18/2022	29.73
							29.73
208-756-925	Cellular Phone						
	VISA		PARK/TWP BRD	47467	12/28/2021	01/18/2022	14.00
							14.00
						Total Dept. Township Park:	450.57
						Total Fund PARK FUND:	450.57
Fund: 209 RECREATION FUND							
Dept: 757 Recreation							
209-757-922	Electricity						
	CONSUMERS ENERGY	202609047013	12/09/2021-01/09/2022	47452	01/09/2022	01/18/2022	29.36
	CONSUMERS ENERGY	206168589222	12/22/2021-01/20/2022	47491	01/20/2022	02/01/2022	64.27
							93.63
						Total Dept. Recreation:	93.63
						Fund RECREATION FUND:	93.63

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Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Fund: 210 AMBULANCE FUND							
Dept: 651 Ambulance							
210-651-811	Waste Removal Servi						
	GFL ENVIRONMENTAL	0053366734	JAN. 2022	47456	12/31/2021	01/18/2022	10.12
							<u>10.12</u>
210-651-845	Snowplowing Service						
	365 OUTDOOR	106704	01/05-01/30/2022	47485	01/30/2022	02/01/2022	547.50
							<u>547.50</u>
210-651-920	Natural Gas						
	DTE ENERGY		12/21/2021-01/20/2022	47493	01/21/2022	02/01/2022	125.59
							<u>125.59</u>
210-651-922	Electricity						
	CONSUMERS ENERGY	201363186826	12/09/2021-01/09/2022	47452	01/09/2022	01/18/2022	394.63
							<u>394.63</u>
							<u>1,077.84</u>
							Total Dept. Ambulance:
							Fund AMBULANCE FUND: 1,077.84
Fund: 401 PUBLIC IMPROVEMEN							
Dept: 000							
401-000-804	Professional Services						
	C2AE ARCHITECTURE-	72603	WATER SYSTEM FEASIBILITY S	47489	01/24/2022	02/01/2022	1,300.00
	C2AE ARCHITECTURE-	72603	FACILITY SURVEY	47489	01/24/2022	02/01/2022	1,000.00
							<u>2,300.00</u>
							<u>2,300.00</u>
							Total Dept. 000: 2,300.00
							IC IMPROVEMENT FUND: 2,300.00
Fund: 750 PAYROLL CLEARING F							
Dept: 000							
750-000-238	Pension Withheld						
	VOYA INSTITUTIONAL TRUS		CONTRIBUTIONS FOR OCT/NC	47503	01/01/2022	02/01/2022	175.00
							<u>175.00</u>
750-000-258	Accrued Payroll Taxes						
	EFTPS	270241840635679	1/14/2022 PAYROLL	47453	01/18/2022	01/18/2022	1,630.85
	EFTPS	270243240615960	01/28/2022 PAYROLL	47494	02/01/2022	02/01/2022	1,714.31
	STATE OF MICHIGAN - TREA	SMIBUS005354391	PAYROLLS 12/03/21-12/17/2021	47500	01/19/2022	02/01/2022	1,109.61
							<u>4,454.77</u>
							<u>4,629.77</u>
							Total Dept. 000: 4,629.77
							PAYROLL CLEARING FUND: 4,629.77
							<u>177,218.68</u>
							Grand Total: 177,218.68

Memo

To: Whitewater Township Board

From: Ron Popp, Supervisor

CC: None

Date: 1.24.2022

Re: Request for Arborist

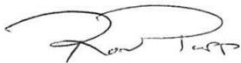
Board -

A fall of 2021 request for arborist bids returned only one offering from a company located west of the Mississippi River. To date the Township Board has not made a decision on how to proceed with park cleanup left behind by the August 10, 2021 wind event.

During the 1.11.2022 Board meeting, consensus was reached to place this item on the February 8, 2022 agenda allowing additional time for Parshall Tree Care and Wade Logging to submit proposals. These proposals would then be considered with one received from Josh Tress. Another item briefly talked about on the 11th was the departure from the RFQ we circulated in late 2021. Simply put, the Township was seeking to use an arborist to inventory the hazardous trees that needed removal, determine if there were any diseased trees present and if so, how to dispose of those trees to protect the rest of the park, and finally, certify the work was completed in accordance with the inventory list. If the Board does move away the inventory list/map, we should consider how and who will inspect the project for completeness and certify any infected trees.

A Motion could look like: Motion to approve _____ Company proposal for arborist services in the Battle Creek Natural Area and Lossie Road Nature Trail as outline in RFQ as amended October 12, 2021.

Regards,



Ron Popp

Supervisor, Whitewater Township

From: supervisor@whitewatertownship.org
Sent: Monday, November 22, 2021 9:47 AM
To: 'clerk@whitewatertownship.org'; Daniel@AbcArborist.com
Cc: Ron Popp supervisor@whitewatertownship.org
Subject: FW: Risk Assessment & Mitigation Lossie Road Nature Trail and the Battle Creek Natural Area
Attachments: A.B.C. Response - Whitewater Township RFQ.pdf

Thank you Daniel for your response. Please feel free to join the Board during our December 14, 2021 meeting via zoom. The Board packet and zoom link will be post on the Township's web page about 1 week in advance of the meeting. As always if you have questions please feel free to call.

Regards,

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

From: Daniel@AbcArborist.com <Daniel@AbcArborist.com>
Sent: Thursday, November 18, 2021 3:29 PM
To: supervisor@whitewatertownship.org
Subject: Risk Assessment & Mitigation Lossie Road Nature Trail and the Battle Creek Natural Area

Here is our response to the requested bid. Feel free to reach out with any questions.

Thanks,

Daniel Maple,
A.B.C. Consulting Arborists LLC.

*Registered Consulting Arborist #627
Tree & Plant Appraisal Qualified TPAQ
ISA Tree Risk Assessment Qualified TRAQ
ISA Board Certified Master Arborist PN-7970BM
ISA Certified Arborist Municipal Specialist PN-7970BM*



Registered Consulting Arborist®
Western WA: (425)999-0867
Eastern WA: (509)998-2941
Cell: (509)953-0293
WEB: AbcArborist.com



A.B.C Consulting Arborists LLC

Accurate

Balanced

Certified

**Lossie Road Nature Trail
Battle Creek Nature Area
Hazard Tree Assessment & Mitigation**

November 18, 2021

PREPARED FOR :

Whitewater Township

PREPARED BY:

A.B.C. Consulting Arborists LLC

Daniel Maple, Consultant

Registered Consulting Arborist #627

ISA Municipal Specialist # PN-7970AM

ISA Tree Risk Assessment Qualified (TRAQ)

ASCA Tree & Plant Appraisal Qualified (TPAQ)

ISA Board Certified Master Arborist #PN-7970BM

Accurate • Balance • Certified

Submitted by

Daniel J. Maple

Phone: 425-999-0867

Email: Daniel@AbcArborist.Com

Credentials

Daniel Maple will be assigned as the principal arborist for this contract. Mr. Maple has used his years of hands-on experience along with his formal education to advise states, cities, parks, attorneys, developers, managers, HOAs and the private sector for over 30 years.

- | | |
|--|---------------|
| • ASCA Registered Consulting Arborist (RCA) | # 627 |
| • ASCA Tree & Plant Appraisal Qualified (TPAQ) | December 2024 |
| • ISA Board Certified Master Arborist | PN-7970BM |
| • ISA Certified Arborist Municipal Specialist | PN-7970BM |
| • ISA Tree Risk Assessment Qualified (TRAQ) | June 2025 |
| • ATFS Qualified Tree Farm Inspector | # 169449 |
| • Commercial Applicator | # 92432 |
| • Commercial UAV Airman Pilot (Drone) | # 4135495 |

Tree Risk Assessments & Risk Mitigation

Mr. Maple is Tree Risk Assessment Qualified by the ISA. He has provided ethical, scientifically sound, arboriculture solutions to both the public and private sector since 1987. During this time, Mr. Maple owned and operated a tree service, and was a first responder in several natural disasters that resulted in thousands of tree failures. His investigations into the tree failures and the experience gained, makes him uniquely qualified among his peers, as a risk assessor and risk mitigation planner.

Using his experience and formal training; Mr. Maple has inventoried, risk assessed and provided risk management plans on thousands of trees for several cities, parks, HOA's and National Parks.

Forest Disease – Identification & Management

Mr. Maple is an ATFS Qualified Tree Farm Inspector with experience managing pests, diseases, and pathogens in a forest setting. Mr. Maple has not previously had the opportunity to specifically manage oak wilt in a forest setting, however, he is well versed in the current BMP for its management and control.

Northern Long-Eared Bat Habitat

Mr. Maple has formally trained in identify and creating habitat and nesting in the forest. He is also familiar with the needs of bats and their habitat. However, Mr. Maple has not specifically managed habitat for the Northern Long-Eared Bat.

Insurance

ABC carries 1,000,000 occurrence, 2,000,000 aggregate, 3,000,000 Ag, for professional. See attached.

Certification

ABC is not an "Iran Linked Business" within the meaning of the Iran Economic Sanctions Act, Michigan Public Act No. 517 of 2012.

Project Team for Timely Work Completion

1. Daniel J. Maple: Board Certified Master Arborist / **Tree Risk Assessment Qualified** (PN-6773BM), Registered Consulting Arborist #627
2. Cameron Crawford: Certified Arborist / **Tree Risk Assessment Qualification** (PN-8360A); Cameron has been Mr. Maples understudy since 2017. Cameron is a great communicator with good people skills. He is highly qualified as a risk assessor and risk mitigation planner.

References

Contact: Mike Fitzpatrick **City of Seatac Parks Dept.**
Office: (206) 973-4770 Email: MFitzpatrick@Ci.Seatac.Wa.Us

- ❖ Tree Inventory, Level 3 Risk Assessment, and Management Plan for approx. 850 trees at the Angle Lake Park, Community Center and North Park in Seatac WA.

Contact: Katrina Knutson / Parks Project Administrator **City of Gig Harbor**
Email: KnutsonK@CityofGigHarbor.Net Office: (253) 853-8253

- ❖ A tree inventory and a Level 3 Risk Assessment of 720 trees in the Grandview Forest park and adjoining center (Approx. 22 acres). Speak at City Council meetings, host community workshops, and provide an urban forest management plan.
- ❖ A tree inventory and level 3 risk assessment for 200 trees on three parcels known as Haub Triangle.

Contact: Jessica Stone **Pierce County Parks**
Email: JStone1@Co.Pierce.Wa.Us Cell: (253) 306-1375 Office: (253) 798-4089

- ❖ A Tree Inventory and a Level 2 Assessment of 1500 trees at the Spanaway Lake Park, and a level 3 Assessment of those trees identified from the Level 2 Assessment, along with an urban forest management plan, for Pierce County Parks.

Cost of Services

The cost to provide the services outline in the bid packet is **\$20,000.00**

If you have any questions, please feel free to contact me. We look forward to working with you.

Sincerely,



Daniel Maple, Consulting Arborist
Registered Consulting Arborist #627
ISA Municipal Specialist #PN-7970BM
ISA Tree Risk Assessment Qualified (TRAQ)
ISA Board Certified Master Arborist #PN-7970BM



Approach

1) Identify the scope of work on either side of the trail centerlines and also near structures on the subject property (the “target area”) to sufficiently protect trails and structures.

Traditionally the assessment area for limb, crown failures is 1-tree length from a target, whole tree failure generally 1 to 1.5 tree lengths from a target.

2) Complete an inventory of hazardous trees within the target area.

We will perform a level 1 risk assessment¹ of all trees within the scope of work area. We will perform a Level 2 Assessment of any trees identified from the level 1.

Risk assessment will be conducted to ANSI A300 Part-9 (2017) & its companion BMP standards.

3) Generate a map and list of all hazardous trees within the target area on the subject property. This document shall identify any tree with disease, particularly oak wilt, or used as habitat by the Northern Long-Eared Bat within the target area.

All data will be inventoried using Tree Plotter, our tree management program. Risk ratings greater than LOW will be geo-tagged and uploaded along with mitigation options to reduce risk to an acceptable level. Hazard Trees that are identified with a disease² will be geo-tagged along with recommended actions. Northern Long-Eared Bat Habitat/nesting will be geo-tagged and recorded, if found.

Maps are auto created during data collection along with long/lat. Accuracy is generally +/- 10-feet. The Township will have to access to the data to use in Tree Plotter or export to your own GIS system.

4) Develop a prioritized action plan for removal or pruning of hazardous trees in compliance with rules, regulations, or best practices designed to limit the spread of disease and maintain or improve bird/animal habitat.

We will use the collected data to create a prioritized action plan to mitigate the risks to an acceptable level; while comply with rules, regulations, or best practices designed to limit the spread of disease and maintain or improve bird/animal habitat.

5) Assist the Township with the development of a bidder’s document for selecting a contractor to execute the removal or pruning of trees.

We will assist the Township with the development of a bidders document. The document will not only clearly define the required work, but also the governing rules, regulations, best practices & standards.

6) Candidate shall disclose any conflicts of interest with the Contractor or the Township.

We will promptly disclose any conflicts of interest with a Contractor or the Township.

7) Oversee the Contractor during tree removal and mitigation activities as required by the Township.

Mitigation activities will be overseen to ensure compliance with the bidder’s contract (If required).

8) Provide a letter of final completion certifying the trails are open to the public and that removal of trees was completed in accordance with best practices.

A letter of final completion and certification will be submitted within 14-days of project completion.

¹ As defined by the ISA.

² Oak wilt ID is limited to the Identified Hazard Trees and recommendations for the safe disposal of infected parts.

C.V.

Daniel J. Maple / A.B.C. Consulting Arborists, LLC
Westside: (425) 999-0867 Eastside (509) 953-0293

Email: Daniel@AbcArborist.Com
Web: AbcArborist.Com

Certifications

- | | |
|--|----------------|
| • ASCA Registered Consulting Arborist (RCA) | # 627 |
| • ASCA Tree & Plant Appraisal Qualified (TPAQ) | December, 2024 |
| • ISA Board Certified Master Arborist | PN-7970BM |
| • ISA Certified Arborist Municipal Specialist | PN-7970BM |
| • ISA Tree Risk Assessment Qualified (TRAQ) | June 30, 2025 |
| • ATFS Qualified Tree Farm Inspector | # 169449 |
| • Commercial Applicator | # 92432 |
| • Commercial UAV Airman Pilot (Drone) | # 4135495 |

Director of Operations

A.B.C Consulting Arborists LLC Spokane WA. USA - April 2015 – Present

- Consultations
- Forensic Investigation
- Tree/Plant Appraisals
- Disease/Pest Management.
- Municipal Tree Inventories
- Construction Management
- Level 1 thru Level 3 Tree Risk Assessments and Mitigation.
- Stay updated on local codes ensure proper permitting for projects.
- Write & implement site specific safety plans and traffic control plans
- Urban forest/ Native Growth Management Plans for the public and private sector.
- Provide information/Handouts and Host Community Workshops.

Field Operations Manager

COMBINED CUTTING CONTRACTORS INC - MAPLEVALLEY, WA, USA - June 2008 to May 2015

- Sales/ Consultations
- Tree/Plant Appraisals
- Disease/Pest Management.
- Municipal Tree Inventories
- Construction Management
- Arborist reports and Risk assessments
- Oversee the scheduling and daily operation of 2 crews.
- Stay updated on local codes ensure proper permitting for projects.
- Write & implement site specific safety plans and traffic control plans
- Urban forest/ Native Growth Management for the public and private sector.

Owner Operated

Maple's Tree Specialist - Maple Valley, WA - 1987 to June 2008

- Sales/Consulting
- Pre-job safety meeting
- Tree/Plant Valuations
- Disease/Pest Management.
- Municipal Tree Inventories
- Construction Management
- Arborist reports and Risk assessments
- First responder in natural disasters.
- All daily operations for a Tree Service.
- Write and implement job specific safety plans.
- Write and implement traffic/pedestrian control plans.
- Schedule work and manage two 5 man cutting crews.
- Arborist reports/Risk assessment /Risk abatement plans.
- Permitting projects and ensure compliance with applicable city/ county codes.
- Advisory to cities, golf courses, property management for urban forestry and wet lands management plans

Daniel J. Maple, Consultant

EDUCATION	<p>ASCA Academy WSU Horticulture SSI Stress and Rescue</p>
CERTIFICATIONS & QUALIFICATIONS	<p>ASCA Registered Consulting Arborist # 627 ASCA Tree & Plant Appraisal Qualified (TPAQ) ISA Board Certified Master Arborist # PN-7970BM ISA Certified Arborist Municipal Specialist # PN-7970BM ISA Tree Risk Assessment Qualified (TRAQ) ATFS Qualified Tree Farm Inspector #169449 Commercial Applicator License # 92432 Commercial UAV Airman Pilot # 4135495</p>
MEMBERSHIPS	<p>Arboriculture Research and Education Academy American Society of Consulting Arborists International Society of Arboriculture Society of Commercial Arboriculture Society of Municipal Arborists Utility Arborist Association National Association of Landscape Professionals Washington Association of Landscape Professionals</p>
EXPERIENCE	<p>Mr. Maple has over 30 years of experience working in arboriculture and urban forestry. As a first responder in several historic weather events, he has become a leading expert in risk assessment and risk abatement planning. He is a Registered Consulting Arborist, Tree & Plant Appraisal Qualified, ISA Board Certified Master Arborist, ISA Certified Arborist Municipal Specialist and ISA Tree Risk Assessment Qualified. He has experience consulting on a wide variety of arboricultural issues, including, but not limited to:</p> <ul style="list-style-type: none"> • Tree Valuation • Casualty Appraisals • Forensic Investigations • Municipal Tree Inventories • Tree Risk Abatement Planning • Insect and Disease Identification • Municipal Tree Risk Assessments • Expert Opinion and Litigation Support • Diagnosis of Tree and Landscape Problems • Integrated Pest Management and Plant Health Care • Tree Preservation and Retention During Construction • Tree Risk Assessment and Hazard Tree Identification • Tree Management on Critical Slopes and Sensitive Areas

Formal Education Classes (Thru Jan 1, 2020)

Date	TITLE: Risk Assessment	Credits
May 29, 2015	Tree Risk Assessment Qualification (TRAQ) Course	14.50
Jul 26, 2016	Advanced Tree Risk Assessment Principles and Practices	6.0
Nov 07, 2016	Tree Risk Assessment & Tree Protection: Weights and Balances	2.0
Apr 13, 2017	Tree Risk Assessment - Perceptions, Reality and Reliability	1.0
Nov 14, 2016	Tree Risk Assessment: A Foundation	2.0
Nov 29, 2016	Biology- Tree Failure Risk Evaluations	.50
Dec 01, 2017	Tree Response to Storm Damage	1.5
Nov 18, 2016	Tree Risk-Strategies for Preserving Heritage Trees	.50
Nov 18, 2016	Tree Risk-Visual Inspection Prior to Dismantling	.50
Nov 18, 2016	Tree Risk-Mitigation and Reporting	1.0
Nov 18, 2016	Tree Risk-Indicators of Decay in Urban Trees	.75
Nov 18, 2016	Tree Risk-Tree Anchorage: Root Plate Resistance to Failure	.75
Nov 18, 2016	Tree Risk-Sap Rot: It Will Let You Down	1.0
Nov 17, 2016	Tree Risk-Structural Defects and Conditions	1.5
Nov 16, 2016	Tree Risk-Tree Load: Concept	1.0
Nov 16, 2016	Tree Risk-Loads and Growth Response	1.0
Nov 16, 2016	Tree Risk-Levels of Tree Risk Assessment	2.0
Nov 16, 2016	Tree Risk-Qualitative Tree Risk Assessment	2.0
Dec 01, 2016	Biology-How Wind Affects Trees	1.0
Dec 01, 2016	Biology- Blowing in the Wind	1.0
Jul 28, 2016	Developing Field Assessment Skills for Common PNW Tree Diseases	6.0
Nov 3, 2016	Tree Science- Identifying Wood Decay & Wood Decay Fungi in Urban Forest	1.0
Jun 15, 2016	Forest Health: ID and Management of Forest Insects & Diseases: Part 1 & 2	10.0
Mar 11, 2016	Windstorm Workshop	6.0
Nov 14, 2016	Tree Risk Assessment: A Foundation	2.0
Dec 01, 2017	Tree Response to Storm Damage	1.5
Nov 28, 2018	Strategies for Detection and Identification of Decay in Mature Trees	.75
Nov 29, 2018	Tree Risk Assessments Within a Risk Management Context: A Primer for Consulting Arborists	1.50
Nov 30, 2018	Technical Track-The Results of the Recent Decay/Failure Study	1.0
Dec 01, 2018	Two Approaches to Risk Assessment	1.0
Dec 05, 2018	After the Storm: A Symposium	6.0
Apr 03, 2019	Preserving Veteran Trees	6.0
Jun 26, 2019	Using Technology to Mitigate Risk	1.0
Jul 03, 2019	TRAQ Renewal	5.0
Dec 10, 2019	Applying the Morphophysiological Approach to Tree Stability Assessment	1.25
	Total	91.50
	Tree Inventories	
Nov 7-8, 2016	Urban Forestry-Tree Inventories Part 1 and Part 2	2.0
Dec 01, 2017	I-Tree Tools for Consulting Arborists	1.0
Oct 27, 2016	The State Agency Perspective, Statewide Tree Inventory Applications	1.0
Nov 02, 2016	Tree Plotter Goes Offline & Tech Talk	1.0
Mar 01, 2017	Using ISA TRAQ in Tree Inventory Software	1.0
May 24, 2017	Tree Plotter, Parks Plotter & Work Order Management	1.0
Aug 30, 2017	State Agencies Integrate Tree Plotter into Everyday Workflow	1.0
Feb 27, 2018	Increase the Value of Plan-It Geo's Software Subscriptions: What's New	1.0
Aug 08, 2018	Waugh Arboretum of UMass Amherst: A Case Study of a Campus Tree Inventory Webinar	1.0
Dec 05, 2018	Introduction to GIS Applications in Urban Forestry - Dr. Forrest Bowlick University Massachusetts	1.0
	Total	11.0

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Date	TITLE: Tree Health Care	Credits
Dec 04, 2016	Resource Allocation Trade-Off	1.0
Dec 02, 2016	Biology- Allelopathy in Trees	1.0
Nov 29, 2016	Biology- Flow in the Phloem	1.0
Nov 28, 2016	Biology- Basic Woody Plant Biology	1.0
Nov 28, 2016	Biology-Tree Physiology	.50
Dec 01, 2016	Biology-Fantasy, Facts, and Fall Color	1.0
Dec 01, 2016	Biology- Regulating Tree Growth: Keeping the Green Side Up	1.0
Nov 29, 2016	Biology-Tree Growth Rings: Formation & Form	1.0
Dec 05, 2016	Plant Health Care- Root System Care	1.0
Jan 04, 2017	Understanding Tree Responses to Stress Complexes	1.0
Dec 30, 2016	Flood-Damaged Trees	1.0
Dec 02, 2016	Plant Health Care- Trees Vs. Turf	1.0
Dec 02, 2016	Plant Health Care- Maintaining Tree & Turf Associations	1.0
Jan 04, 2017	Bark Traits are Important to Tree health and Survival	1.0
Mar 09, 2017	Trees and Woody Landscape Plants	3.0
Mar 29, 2017	How to Build a Production Team for Plant Health Care Delivery	1.0
Jan 27, 2017	First Detector Training	3.5
Jan 04, 2017	Bark Beetles: ID and Management	2.0
Dec 05, 2016	Plant Health Care- Mulch Part 1	1.0
Dec 08, 2016	Plant Health Care- Mulch Part 2	1.0
Dec 04, 2016	Plant Health Care- PHC	.50
Jan 02, 2017	Soil Nitrogen: The Agony & The Ecstasy	1.0
Jan 02, 2017	Trees & Their Environment- Soil Properties: Part 1	1.0
Jan 02, 2017	Trees & Their Environment- Soil Properties: Part 2	1.0
Dec 30, 2016	Trees & Their Environment- Fertilizing Trees & Shrubs Part 1	1.0
Jan 02, 2017	Trees & Their Environment- Fertilizing Trees & Shrubs Part 2	1.0
Jan 19, 2017	Soil Science	3.0
Jan 19, 2017	Soil Amendments and Transplant Survival	1.0
Dec 30, 2016	Trees & Their Environment- Analyze Before You Fertilize	.50
Dec 30, 2016	Trees & Their Environment- Flood-Damaged Trees	1.0
Dec 29, 2016	Trees & Their Environment- Slow or Controlled-Release Fertilizers	.50
Dec 29, 2016	Trees & Their Environment- Back to Basics: Tree Fertilization	1.0
Dec 02, 2017	In-Field Soil Assessment for Urban Trees	1.0
Jan 02, 2017	Soil Nitrogen: The Agony & The Ecstasy	1.0
Nov 30, 2017	An Armchair Journey of Conifer History and Success	1.0
Nov 30, 2017	Branch Unions: A Unique Design	1.5
Dec 02, 2017	In-Field Soil Assessment for Urban Trees	1.0
May 25, 2018	Tree Growth & Development: What Arborists Need to Know	6.0
Nov 28, 2018	Conservation Arboriculture: Caring for Mature Trees	.75
Nov 29, 2018	What a Warming World Means for Plants, Pests, and Their Natural Enemies	1.5
Nov 28, 2018	Mature Trees, Mature Soils	.75
Nov 28, 2018	Too Much Water, Too Little Water? The Impact on Mature Trees	.75
Nov 28, 2018	Field Station Rotations - Balboa Park	3.0
Mar 22, 2019	Spring 2019 Helping Trees Thrive Community Canopy Workshop AM-PM Session	5.0
Oct 04, 2018	The Science of Fall Leaf Color Change in Trees	1.0
Jun 07, 2019	Online Seminar: Living Mulch	.50
Sep 12, 2019	Tree Growth & Development in a Changing Climate	1.0
Dec 11, 2019	Tree Survival; Two Hurricanes Wind and Water Recovery After Gustav and Katrina	1.0
	Total	63.25

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Date	Title: Municipal Planning	Credits
Nov-Dec 2016	Municipal Arboriculture and Urban Forestry	CERT
Nov-Dec 2016	Planning the Urban Forest	CERT
Nov-Dec 2016	Assessing and Quantifying the Urban Forest	CERT
Nov-Dec 2016	Maintaining the Urban Forest	CERT
Nov-Dec 2016	Protecting the Urban Forest	CERT
Nov-Dec 2016	Administrative Duties of the Municipal Arborist	CERT
Oct 26, 2016	Municipal, Campus & Citizen Forester Programs, Lessons from the Field	1.0
Mar 25, 2016	Tree Selection	2.75
Nov 07, 2017	Introduction to Urban Forestry Online Course	3.0
Nov 28, 2016	Tree Selection & Planting- Girdling Root Formation in Landscape Trees	.50
Nov 30, 2017	Native vs. Nonnative Trees: Comparative Impacts	1.0
Nov 28, 2016	Tree Selection & Planting- Siting, Selecting & Planting Problems	.50
Nov 28, 2016	Tree Selection & Planting- Tree Trunk Protection	1.0
Nov 28, 2016	Tree Selection & Planting- Post-Planting Maintenance of Trees & Shrubs	1.0
Nov 19, 2016	Tree Selection & Planting- Dendrology & Taxonomy	1.0
Nov 19, 2016	Tree Selection & Planting- Tree Transplanting & Establishment	1.0
Nov 19, 2016	Tree Selection & Planting- Tree Planting	.50
Nov 19, 2016	Tree Selection & Planting- Right Tree, Right Location	1.0
Nov 19, 2016	Tree Selection & Planting- Ten Keys to Plant and Site Selection	1.0
Nov 19, 2016	Tree Selection & Planting- Ten Keys to Plant and Site Selection	1.0
Nov 19, 2016	Tree Selection & Planting- A Plant By Any Other Name	1.0
Dec 01, 2017	Trees, Water, and Health: Green Infrastructure Co-Design for Co-Benefits	1.5
Nov 01, 2017	Work Order Management	1.0
Nov 30, 2017	Native vs. Nonnative Trees: Comparative Impacts on Landscape Biodiversity	1.0
Dec 01, 2017	Trees, Water and Health: Green Infrastructure Co-Design for Co-Benefits	1.50
Dec 13, 2017	Tree Selection for the 21st Century	1.25
Mar 01, 2018	Work Order Management Tools and Case Studies	1.0
Feb 28, 2018	Inventory and Manage Your Urban Forest on a Budget	1.0
Mar 01, 2018	Take your Operations to the Next Level: Work Order management Tools	1.0
Nov 29, 2018	Tree Selection: Factors to Consider in an Era of Global Climate Change, Droughts, and Increasing Diversity	1.0
Nov 29, 2018	Landscaping in the Wildland-Urban Interface: The Good, the Bad, and the Downright Deadly	1.0
Apr 28, 2019	UAA Webinar - LiDAR How to Target Compatible Technologies for Effective Solutions	1.0
Feb 05, 2019	The Salt Dilemma Growing Better Urban Trees in Northern Climates	1.0
Mar 12, 2019	Designing and Promoting Municipal Urban Forestry Contracts	1.0
Feb 07, 2018	From Seed to Shade: Managing a Municipal Nursery	1.0
Nov 15, 2018	Changing Urban Tree Canopy Cover in the United States	1.0
Jun 14, 2018	Can We Enhance the Urban Environment with Non-native Trees & Shrubs?	1.0
May 03, 2018	All those trees we plant, how are they doing? Urban tree survival	1.0
	Urban Tree Canopy Assessments Why Do It What to Do; Technology Involved	1.0
Feb 20, 2019	Planning Short course February 20- April 17 2019	9.50
Jan18/Feb 09,19	Family Foresters Workshop / Forest Owners Winter School	10.25
Sep 10, 2019	The Landscape Architect in the Nursery - Tagging Trees and Enforcing Specifications	1.0
Dec 8, 2019	Audubon Park Tree Management & Field Rotations	7.5
Dec 9, 2019	Riverland Preservation Project	.5
Dec 9, 2019	Tahoe Basin Tree Evaluations and Management Plan, Part 1 & Part 2	.75
Dec 9, 2019	Sustainable Urban Forest Management	1.75
Dec 9, 2019	Scientific-Based Guidance; Right Tree/ Right Site & Function Growing Climate-Resilient City + Q&A	3.50
Dec 10, 2019	Creating Connections with Landscape Architects	.50
Dec 10, 2019	Water to the Trees - The Changing Role of Trees in Water-Sensitive Urban Design	1.50
	Total	73.25

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Course Date	Title: Legal	Credits
Mar 03, 2016	Trees and the Law	3.0
Feb 22, 2017	Forensics in Arboriculture	3.5
Feb 23, 2017	Documenting Evidence, Practical Guidance for Arborists	4.0
Dec 01, 2017	Expert Testimony- Tips from the Bench	1.0
Dec 02, 2107	Being an Expert in a Lawsuit: What does a Lawyer Want from You?	1.0
Dec 01, 2017	Case Capsules	.5
Dec 02, 2107	Case Capsules	.5
Nov 30, 2018	Two Judges' Perspective on Expert Witness	1
Nov 30, 2018	Mock Deposition	1
Dec 01, 2017	The Power of Storytelling	1.0
Dec 01, 2017	Contracts / Report Writing	2.0
Dec 01, 2017	Being an Expert in a Lawsuit: What Does the Lawyer Want from You?	1.0
Dec 02, 2017	Expert Testimony - Tips from the Bench	1.0
Dec 02, 2017	Case Capsules - James Komen and David Hunter	.5
Nov 29, 2018	Consulting Ethics: Three Real World Scenarios	1.5
Nov 30, 2018	The Art of Connecting Across Differences	1.5
Nov 30, 2018	Two Judges' Perspectives on Expert Witnesses	1.0
Nov 30, 2018	Mock Deposition	1.0
Nov 29, 2018	Ulsh vs. Sierra Pacific Lumber & Hartman vs. Hartman/Thune Trail Cherry Failure	1.25
Jan 04, 2018	Urban Trees & The Law: The Arborist's Perspective	1.0
March 5-6 2019	Seak- How to Start, Build & Run a Successful Expert Witness Practice	14
March 7-8, 2019	Advanced Testifying Skills for Experts, The Master's Program	14
Dec 9, 2019	Bietner v. Zuckerman and Oregon City v Lindquist et al	1.0
Dec 10, 2019	Judges' and Juror' Expectations on Expert Testimony	1.0
Dec 10, 2019	Video Conferencing	.50
Dec 10, 2019	Deposition Adrienne L Baumgartner, J.D	1.0
Dec 10, 2019	The Ethical Expert in a digital Era	1.0
	Total	60.75
	Appraisal	
March 6, 2018	Basic Tree Appraisal	6.0
March 7, 2018	Advanced Tree Appraisal	6.0
	Technical Aspects of Tree Appraisal: Assessing Condition and Location	1.0
	Technical Aspects of Tree Appraisal: Assessing Size and Species	1.0
	Technical Aspects of Tree Appraisal: Summary and the Future	1.0
	Technical Aspects of Tree Appraisal: Overview and Concepts	1.0
Nov 29, 2017	10 th Edition of the Guide for Tree and Plant Appraisal Workshop	5.5
Nov 30, 2017	10 th Edition of the Guide for Tree and Plant Appraisal	1.0
Dec 01, 2018	The Condition Factor	1.50
Dec 6 - 7 2019	Tree and Plant Appraisal Qualification	12.50
Dec 10, 2019	Roundtable; Appraisal Discussions	1.0
Dec 11, 2019	Understanding the Appraisal Problem	1.25
	Total	39.75
	American Society of Consulting Arborists (ASCA) Academy	
April 12, 2017	Understanding Professional Service Contracts	1.0
April 12, 2017	Calculating Expenses to Manage Budgets and Determine Structure	1.0
April 12, 2017	Consulting Arborist Insurance Needs	1.0
Feb 23, 2017	The Consultant's Role in Contentious Situations	3.5
Feb 23, 2017	Report Writing	4.0
Feb 22, 2017	Professional Practice Guidelines for Consulting Arborists	3.5
Feb 22, 2017	Forensics	3.5
Nov 30, 2017	An Armchair Journey of Conifer History and Success	1.0
Dec 01, 2017	Report Writing	4.0
Dec 01, 2017	Contracts	1.0
	Total	23.5

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Course Date	Title: Tree Maintenance/Safe Practices	Credits
Jan 03, 2017	Introduction to The Art and Science of Practical Rigging	1.0
Jan 03, 2017	Innovations in Climbing Techniques and Equipment	1.0
Jan 03, 2017	Understanding Mechanical Advantage	1.0
Jan 03, 2017	Engineering Concepts for Arborists	1.0
Jan 03, 2017	Felling Techniques	1.0
Jan 03, 2017	Trees & Lightning	1.0
Jan 03, 2017	Cabling & Bracing	1.0
Jan 03, 2017	Pollarding: What Was Old Is New Again	1.0
Jan 03, 2017	Tree Removals	1.0
Jan 03, 2017	Basic Chain Saw Maintenance	1.0
Jan 03, 2017	Chain Saw Cutting Techniques	1.0
Jan 03, 2017	Engineering Concepts for Arborists	1.0
Dec 27, 2016	Why Utilities "V-Out" Trees	1.0
Dec 16, 2016	Tree Maintenance- Pruning Trees Part 1: Principles, Objectives & Pruning Types	1.0
Dec 16, 2016	Tree Maintenance- Pruning Trees Part 2: How, Where and How Much	1.0
Dec 16, 2016	Tree Maintenance- Training Young Trees for Structure & Form	1.5
	Total	20.5
	Diagnosis and Treatment	
Dec 29, 2016	Using Biological and Biorational Controls	1.0
Dec 29, 2016	Understanding & Diagnosing Scale Insects on Woody Plants	1.0
Dec 29, 2016	How Weather Influences Insect & Mite Populations	1.0
Dec 28, 2016	Diagnosing Abiotic Disorders	1.0
Dec 28, 2016	Understanding Tree Responses to Abiotic and Biotic Influences	1.0
Dec 28, 2016	Diagnosing Disease Problems on Trees	.50
Dec 27, 2016	Be A Better Plant Diagnostician	2.0
Dec 27, 2016	Surefire Rules of Diagnosis	1.0
Dec 27, 2016	PHC and the Diagnostic Process	.50
April 13, 2017	Managing Soft Scale Insects on Landscape Plants	1.0
Jan 27, 2017	First Detector Training	1.75
Feb 15, 2018	WSU Urban IPM & Pesticide Safety	3.5
Feb 16, 2018	WSU Urban IPM & Pesticide Safety	3.50
Apr 13, 2017	Managing Soft Scale Insects on Landscape Plants	1.0
Feb 28, 2018	Bartlett Client Seminar Spokane	4.25
Nov 28, 2018	Bringing Pests to Life Under the Microscope	.75
Nov 30, 2018	How Attempts to Control Insect Invasions and Outbreaks Disrupt Urban Forest Ecosystems	1.0
Feb 01, 2019	Drought & Secondary Bark Beetles/ Staking & Mulching Trees/General Sessions	6.5
May 01, 2019	Using Cambistat to Preserve Our Legacy Trees	1.0
Apr 29, 2019	The Science Behind Transect	.5
May 08, 2019	Dutch Elm Disease Management	1.0
Jun 05, 2019	Spotted Lanternfly Webinar	1.0
Apr 11, 2019	Planning for the Urban Landscape Pests of 2019	1.0
Sep 13, 2018	Emerald Ash Borer Update	1.0
Apr 05, 2018	Planning Ahead for the Urban Landscape Pests of 2018	1.0
Jun 14, 2019	Tree Injection Best Practices	1.0
Jun 20, 2019	The Medical Chart for Tree Doctors Building Long Term Customer Loyalty	1.0
Jun 26, 2019	EAB Webinar Presenter Rich Cartier	1.0
Jun 27, 2019	Introducing Mectinite into your PHC Toolkit Webinar	1.0
	Total	41

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Date	TITLE: Tree Health Care	Credits
	WSU Horticultural Series	
Jan-April 2107	Basic Botany	
Jan-April 2107	Plant Nomenclature & Identification	
Jan-April 2107	Soil Science	
Jan-April 2107	Urban Soil Management	
Jan-April 2107	Plant Mineral Nutrition & Fertilizers	
Jan-April 2107	Crops and Plant Materials	
Jan-April 2107	Vegetables, Home Orchards, Berries and Small Fruits, Lawns, Herbaceous Landscape Plants, Trees & Woody Landscape Plants	
Jan-April 2107	Backyard Forest Stewardship	
Jan-April 2107	Plant Health Care (PHC)	
Jan-April 2107	Plant Pathology	
Jan-April 2107	Plant Problem Diagnosis	
Jan-April 2107	Weed Management	
Jan-April 2107	Understanding Pesticides	
Jan-April 2107	Pruning Woody Landscape Plants	
Jan-April 2107	Composting ISA Credits	15
Jan-April 2107	Fire-resistant Landscape for the Home and Community Pesticide Credits	4
	Habitat/Environment	
Oct 06, 2016	Creating Wildlife Habitat Trees	7.0
Nov 04, 2017	Urban Forestry - The Benefit of Trees	1.0
Nov 15, 2017	Vegetation and Storm Water Runoff	1.0
Nov 04, 2016	Tree Science- How Critters use Bark & Wood as Food	1.0
March 25, 016	Landscapes Restoration and Low Impact Development for Better Water Quality	2.25
Nov 28, 2018	Wildlife Management: Conserving Wildlife and Meeting Wildlife Protection Laws	.75
Dec 10, 2019	Development of Biochar from Urban Forest Wood Waste / Enhancing Urban Soil / Tree Growth	1.0
	Total	14.0
	Safety	
Dec, 2016	First Aid CPR AED	1.0
Jun 06, 2019	First Aid CPR AED	4.0
Nov 01, 2016	Tree Worker Safety Practices	2.0
Jan 03, 2017	Safe Work Practices-Tree Removals	1.0
Aug 07, 2019	ANSI Standards	1.0
December 2020	OSHA 30 – General Industry Safety and Health	30
	Total	39.0



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/30/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER W Insurance Group 1007 Pacific Ave Tacoma WA 98402	CONTACT NAME: Ryan Wiita PHONE (A/C, No, Ext): (253) 382-2130 E-MAIL: ryan@w-ins.com FAX (A/C, No): (800) 496-6054																					
INSURED ABC Consulting Arborists LLC 10221 E Jasmine Lane Chattaroy WA 99003	<table><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A:</td><td>OHIO SECURITY INS CO</td><td>24082</td></tr><tr><td>INSURER B:</td><td>UNITED STATES LIAB INS CO</td><td>25895</td></tr><tr><td>INSURER C:</td><td></td><td></td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	OHIO SECURITY INS CO	24082	INSURER B:	UNITED STATES LIAB INS CO	25895	INSURER C:			INSURER D:			INSURER E:			INSURER F:		
INSURER(S) AFFORDING COVERAGE		NAIC #																				
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INSURER B:	UNITED STATES LIAB INS CO	25895																				
INSURER C:																						
INSURER D:																						
INSURER E:																						
INSURER F:																						

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			BKS57240858	04/01/2021	04/01/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			BAS57240858	03/07/2021	03/07/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A	BKS57240858	04/01/2021	04/01/2022	PER STATUTE <input checked="" type="checkbox"/> OTHER WA Stop Gap E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Professional Liability			SP1562880E	04/01/2021	04/01/2022	Each Occurrence 1,000,000 General Aggregate 3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

State of Washington Dept of Labor & Industries PO Box 44450 Olympia WA 98504	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Ryan Wiita
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Risk Assessment: Levels, Process & Definitions

Level 1 Limited Visual Assessment: Involves a visual assessment of an individual tree or group of trees near specified targets, conducted from a specified perspective in order to identify obvious defects or specified conditions. A limited visual assessment typically focuses on identifying trees with *imminent* and/or *probable* likelihood of failure. Level 1 assessments do not always meet the criteria for a "risk assessment" if they do not include analysis and evaluation of individual trees.

Limited visual assessments are the fastest, but least thorough, means of assessment and are intended primarily for managing large populations of trees when time and resources are limited. The assessments may be done as walk-by, drive-by, aerial patrol, or LiDAR as requested by the tree owner or manager. The assessment is often done on a specified schedule and/or immediately after storms to rapidly assess a tree population.

A limited Visual Assessment, performed from one side or by an aerial flyover, typically looks for obvious defects such as dead trees, large cavity openings, cracks, and severe or uncorrected leans. In addition, the client may specify certain conditions of concern, such as lethal pests or symptoms associated with root decay.

Level 2 Basic Assessment: This is a detailed visual inspection of a tree and its surrounding site, and a synthesis of the information collected. It requires that a tree risk assessor inspect completely around the tree - looking at the site, and visible buttress roots, trunk, and branches. This is the level of assessment that is commonly performed by arborists in response to clients' requests for individual tree risk assessments.

A level 2 basic assessment may include the use of simple tools to gain additional information about the tree or defects. The use of simple tools maybe used to measure the tree and acquire more information about it or any potential defects, however, the use of these tools is not mandatory unless specified in the scope of work. Simple tools may include diameter tape, clinometer or hypsometer, level/plumb bob, binoculars, mallet, probe, and digging tools.

The primary limitation of a basic assessment is that it includes only conditions that are detected from a ground-based inspection on the day of the assessment. Internal, belowground, or upper-crown conditions, as well as certain types of decay, may be impossible to see or difficult to assess and may remain undetected.

Level 3 Advanced Assessment: Advanced assessments are performed to provide detailed information about specific tree parts, defects, targets or site conditions. They usually are conducted in conjunction with or after a basic assessment if the assessor needs additional information and the client approves the service. Specialized equipment, data collection and analysis, and/or expertise are usually required for advanced assessments. These assessments are therefore generally more time intensive and more expensive.

Procedures and methodologies should be selected and applied as appropriate, with consideration for what is reasonable and proportionate to the specific conditions and situations. The risk manager/property owner should consider the value of the tree to the owner and community, the possible consequences of failure, the time and expense needed to provide the advanced assessment. The tree risk assessor should identify what additional information is needed and recommend the appropriate technique(s).

Many techniques can be considered for advanced tree risk assessment. Some situations may be assessed with several techniques. Advanced assessment techniques may include but are not limited to: aerial inspection and evaluation of structural defects in high stems and branches, detailed target analysis, detailed site evaluation, decay testing, health evaluation, root inspection and evaluation, storm/wind load analysis, measuring and assessing the change in trunk lean, and load testing.

Risk Assessment: Levels, Process & Definitions

Risk Assessment

In qualitative tree risk assessment, assessors can use a matrix to help categorize risk. When categorizing tree risk, the factors to be considered are the likelihood of a tree failure impacting a target and the consequences of the failure. The likelihood of a tree failure impacting a target determined by considering the two factors:

1. The likelihood of a tree failure occurring within a specified time frame¹. The likelihood of tree failure is determined by examining structural conditions, defects, response growth, and anticipated loads.
2. The likelihood of the failed tree or parts impacting the specified target. Impact may be the tree directly striking the target, or it may be a disruption of activities due to the failure.

These two factors are evaluated and categorized using a matrix to estimate the likelihood of the combined event: a tree failure occurring and the tree impacting the specified target = likelihood of an event occurring. The likelihood of an event occurring is then compared with the expected consequences of a failure impacting the target to determine the level of risk.

Likelihood of Failure

The likelihood of failure is the chance of a tree or tree part failure occurring within the specified timeframe is primarily determined by site factors, response growth, tree health, tree species, load, defects and conditions. The likelihood of failure is classified in one of four categories.

1. **Imminent**; failure has started or is most likely to occur in the near future, even if there is no significant wind or increased load. The eminent category overrides the stated timeframe.
2. **Probable**; failure may be expected under normal weather conditions² within the specified timeframe.
3. **Possible**; failure may be expected in extreme weather conditions³, but it is unlikely during normal weather conditions within the specified timeframe.
4. **Improbable**; the tree or tree part is not likely to fail during normal weather conditions and may not fail in extreme weather conditions within the specified timeframe.

Likelihood of Impact

The likelihood of impact is the chance of a tree failure impacting a target during the specified timeframe it is determined by considering 1) occupancy rates, 2) location within the target zone, 3) protection factors, 4) direction of fall. The likelihood of impact is classified in one of four categories.

1. **High**; the failed tree or tree part is likely to impact the target.
2. **Medium**; the failed tree or tree part could impact the target but is not expected to do so.
3. **Low**; there is a slight chance that the failed tree or tree part will impact the target.
4. **Very low**; the chance of the failed tree or tree part impacting the specified target is remote.

Likelihood of Failure and Impact

Using the likelihood of failure, the likelihood of impacting a target, and the likelihood matrix the likelihood of an event happening is categorized.

¹ In the weather events common to the region; based on 30-year weather history – minus the extreme events = “common” per TRAQ, ANSI.

² Historical data shows common winds for the region are 0 - 25 mph

³ Based on historical data winds 47-55 mph would be considered extreme for the region.

Risk Assessment: Levels, Process & Definitions

Consequences of Failure

The consequences of failure; personal injury, property damage, or disruption of activities due to the failure of a tree or tree part are affected; by tree or tree part size, fall distance of tree or tree part, protection factors, target value/damage. Consequences of failure are classified into one of four categories.

1. **Severe**; serious personal injury or death, high value property damage, or major disruption of important activities.
2. **Significant**; substantial personal injury, moderate to high value property damage, or considerable disruption of activities.
3. **Minor**; minor personal property, low to moderate value property damage, or small disruption of activities.
4. **Negligible**; no personal injury, low value property damage, or disruptions I can be replaced or repaired.

Risk Rating

Using the likelihood of an event happening (steps 1-3), the consequences of failure, and the risk rating matrix, a risk rating is assigned to the tree or tree parts.

Matrix 1 & Matrix 2 as used in the risk assessment process.

Matrix 1. Likelihood matrix.

likelihood of Failure	Likelihood of Impacting Target			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

WHITEWATER TOWNSHIP
ADVERTISEMENT FOR BIDS

Whitewater Township is seeking the services of a qualified Arborist, Environmental Specialist, Conservation Scientist, or Forester to coordinate and oversee hazardous tree removal and pruning activities within the Lossie Road Nature Trail and the Battle Creek Natural Area. The complete bid packet can be found on the home page of the township website, www.whitewatertownship.org, or may be obtained by contacting Township Clerk Cheryl Goss, clerk@whitewatertownship.org, 231-267-5141 x24, or P.O. Box 159, Williamsburg, Michigan 49690. **Bids must be received no later than December 1, 2021.** Whitewater Township reserves the right to reject any or all bids.

REQUEST FOR BID

Whitewater Township is seeking a qualified Arborist, Environmental Specialist, Conservation Scientist, or Forester (collectively, “Arborist”) to coordinate and oversee hazardous tree removal and pruning activities within the Lossie Road Nature Trail and the Battle Creek Natural Area of the Township. The Lossie Road Nature Trail is a wooded 3-mile narrow linear park featuring an established walking path between Cook Road and Skegemog Point Road. Battle Creek Natural Area is a unique recreational opportunity comprised of 255 acres of diverse wildlife habitat, open meadow, wetland, hiking trails, and one of the longest uninterrupted Elk Lake shorelines.

Due to a windstorm in August 2021, these parks suffered significant tree damage resulting in unsafe trail conditions and total park closures. As such, the Township seeks an Arborist to develop a hazardous tree inventory and subsequent hazardous tree mitigation plan.

The successful candidate will be required to undertake and complete several services in coordination and management of this project.

- 1) Identify the scope of work on either side of the trail centerlines and also near structures on the subject property (the “target area”) to sufficiently protect trails and structures.
- 2) Complete an inventory of hazardous trees within the target area.
- 3) Generate a map and list of all hazardous trees within the target area on the subject property. This document shall identify any tree with disease, particularly oak wilt, or used as habitat by the Northern Long-Eared Bat within the target area.
- 4) Develop a prioritized action plan for removal or pruning of hazardous trees in compliance with rules, regulations, or best practices designed to limit the spread of disease and maintain or improve bird/animal habitat.
- 5) Assist the Township with the development of a bidder’s document for selecting a contractor to execute the removal or pruning of trees.
- 6) Candidate shall disclose any conflicts of interest with the Contractor or the Township.
- 7) Oversee the Contractor during tree removal and mitigation activities.
- 8) Provide a letter of final completion certifying the trails are open to the public and that removal of trees was completed in accordance with best practices.

Any interested candidate should include in its response the following information:

- a) The candidate’s experience and skill related to hazardous tree identification, mitigation, and elimination.
- b) The candidate’s experience, if any, identifying and mitigating disease in forestry, particularly oak wilt.
- c) The candidate’s experience, if any, identifying and maintaining Northern Long-Eared Bat habitat.
- d) At least 3 references that can attest to the candidate’s experience and skill.
- e) The names of individuals who will work with the candidate, if any, to complete the work.

- f) Proof of adequate insurance to complete the work identified for hazardous tree identification and elimination.
- g) Any potential conflicts of interest with the Township.
- h) A proposed cost to complete the services identified.
- i) Certification that the candidate is not an “Iran Linked Business” within the meaning of the Iran Economic Sanctions Act, Michigan Public Act No. 517 of 2012.

Responses may be sent to:

Ron Popp, Supervisor
Whitewater Township
5777 Vinton Road
P.O. Box 159
Williamsburg, Michigan 49690

Phone: 231-267-5141 Ext. 23
Email: supervisor@whitewatertownship.org

Interested parties are asked to submit proposals and qualifications no later than December 1, 2021.

**Independent Contractor
Hazardous Tree Inventory Agreement**

This Contract is entered into this ____ day of _____, 20____, between Whitewater Township, whose address is 5777 Vinton Road, P.O. Box 159, Williamsburg, Michigan 49690, (“Township”) and _____, an independent contractor (“Arborist”), whose address is _____.

I. Scope of Services

- A. The Arborist shall provide a Hazardous Tree Inventory with detailed map and the expertise to implement and manage a Hazardous Tree Mitigation project as needed, commencing the date this contract is signed, and completed by _____, 20____.
- B. Arborist agrees to perform the services described below on the Lossie Road Nature Trail and Battle Creek Natural Area (collectively the “subject property”).
- C. On or before _____ 20____, Arborist will complete an inventory of all hazardous trees on the subject property within 20 feet on either side of the centerline of trails or 20 feet from a structure (the “target area”) which may pose a danger to persons or property.
 - (1) The Township may modify parameters of the target area in consultation with, and as agreed to by, the Arborist. Any modification will be contained in a Change Order reflecting the change and any cost changes associated with the Change Order.
 - (2) Arborist shall provide a list and detailed map showing the location of all hazardous trees that may negatively impact the target area on the subject property.
 - (3) The document shall identify any tree within the target area used as nesting habitat for the Northern Long-Eared Bat or which has disease, including oak wilt.
- D. In consultation with the Township, Arborist will develop a plan for the removal, pruning, or other elimination of all inventoried hazardous trees.
 - (1) The plan will include disposal solutions for any trees or parts thereof.
 - (2) The plan shall minimize the spread of any disease.
 - (3) The plan shall mitigate the impact on Northern Long-Eared Bat habitat.
 - (4) The plan shall include providing easier access and use of the trail system without significant impact to the surrounding environment.
- E. The Arborist shall assist the Township with the development of a Request for Bids for selecting a contractor to execute the planned removal or pruning of trees created and identified by the Arborist.
 - (1) Arborist will be responsible for drafting the Request for Bids in accordance with Township policies and procedures, which the content of such Request for Bids shall be subject to the satisfaction of the Township.

- (2) In cooperation with the Township, the Request for Bids will be published, and sealed bids in response to the Request for Bids shall be received by the Township directly.
- (3) Arborist shall review the bids with the Township and offer consultation on selecting the contractor to execute the planned hazardous tree removal.
- (4) Under the Arborist's direction, the contractor selected for tree removal services shall be subject to a separate Removal Contract.

F. Arborist will provide administration of the Removal Contract.

- (1) Arborist shall provide oversight of the project, including compliance with the work specified in the Removal Contract. Arborist will have control over, charge of, or responsibility for the means, methods, techniques, sequences or procedures, in connection with the Removal Contract, or any other liability arising out of or in connection with the tree removal, including any environmental impacts or damages. The Arborist's review shall not relieve the contractor of its obligations under the Removal Contract.
- (2) Coordination and obtaining all necessary licenses and permits and approvals, including, but not limited to, environmental permits or inspections.
- (3) Arborist will ensure the contractor is performing the work as set forth in the Removal Contract and in a manner that satisfies the goals of the Township, with applicable best practices regarding certain environmental hazards in the area. Full time representation on-site is not required.
- (5) Arborist will attend, as necessary, any meetings at the request of the Township. Arborist will also keep the Township reasonably informed about the progress and quality of the portions of the work completed and report any deviations from the hazardous tree inventory or any defects and deficiencies observed in the work.
- (6) Arborist shall maintain records related to this Agreement and the Removal Contract and shall be responsible for all administrative coordination. Payment disbursements as required under the Removal Contract shall be the obligation of the Township. Based on the Arborist's observation of the work and evaluation of the contractor's applications for payment, the Arborist will review and certify the amounts due the contractor and will issue Certificates for Payment in such amounts as required by the Removal Contract.
- (7) Arborist shall provide insurance in accordance with this paragraph and ensure that Contractor is properly and fully insured.

G. On or before _____ 20__, Arborist shall provide a Letter of Completion when the plan developed by the Arborist has been completed with respect to the subject properties, which shall note on the previous inventory completed all trees removed or substantially pruned at the conclusion of the work.

II. Fee

The Township agrees to pay the Arborist \$_____ for the services on the subject property. The total sum agreed to above shall be paid in the following installments:

- (1) 1/2 upon completion of the map and inventory of all hazardous trees on the subject property.
- (2) 1/2 final payment made upon Township's inspection and acceptance of the Letter of Completion.

III. Other Provisions:

- A. The Arborist is an independent contractor and not an employee of the Township.
- B. Arborist recognizes the hazardous nature of tree pruning and removal.
- C. Arborist shall disclose any conflict of interest with the Tree Removal Contractor or the Township, including but not limited to pecuniary interests, business relationships, or familial relationships with either the Tree Removal Contractor or the Township, or both. The Township shall review any disclosed conflict of interest and, in its sole discretion, determine if bids may be received from the conflicted Tree Removal Contractor or any other remedy which the Township determines to be in its best interest.
- D. The Arborist shall indemnify and hold the Township harmless from responsibility for the health, safety, conduct, and actions of the Arborist, its employees, agents, or subcontractors arising from or related to this Agreement or the Removal Contract, including but not limited to environmental damages, regulatory violations, including fines or fees arising therefrom; workmen's compensation insurance, property damage, general liability, and automobile liability. The Arborist agrees to indemnify the Township for all costs and actual attorney's fees associated with the above indemnification. The Arborist further acknowledges that certain trees may be located in close proximity to buildings, structures or personal property. Arborist shall be liable for any such property damaged during the elimination of hazardous trees.
- E. Arborist shall provide proof of the necessary insurance with coverage limits satisfactory to the Township, including commercial liability, general liability, automobile liability, and workmen's compensation insurance. Such insurance shall be in and remain in effect throughout the term of this agreement. Township shall be endorsed as an additional insured under the contract. Arborist shall file a copy of such policy showing the endorsement with the Township before starting any work under this agreement.
- F. Arborist shall abide by all applicable Township policies and procedures.

- G. Any notice to be given hereunder by either party to the other shall be in writing and may be effected by certified mail, return receipt requested to the address first set forth above, or, alternatively, in writing and personally delivered to the party to whom it is intended.
- H. This instrument contains the entire agreement between the two parties relating to the rights herein granted and the obligations herein assumed, and is governed by the laws of the State of Michigan. Any oral representation or modifications of this agreement must be in writing and must be signed by both parties.
- I. This contract may not be assigned or transferred without the consent of the Township.
- J. The provisions of this contract are severable and should any provision of this contract be declared unenforceable, such declaration shall not affect the remainder, which shall be enforced according to its terms.
- K. Nothing contained in this Agreement shall create a cause of action in favor of a third party against either the Arborist or the Township.

Executed and agreed to on the date first written above, by and between,

WHITEWATER TOWNSHIP

ARBORIST

By: Ron Popp
Its: Supervisor

By:
Its:

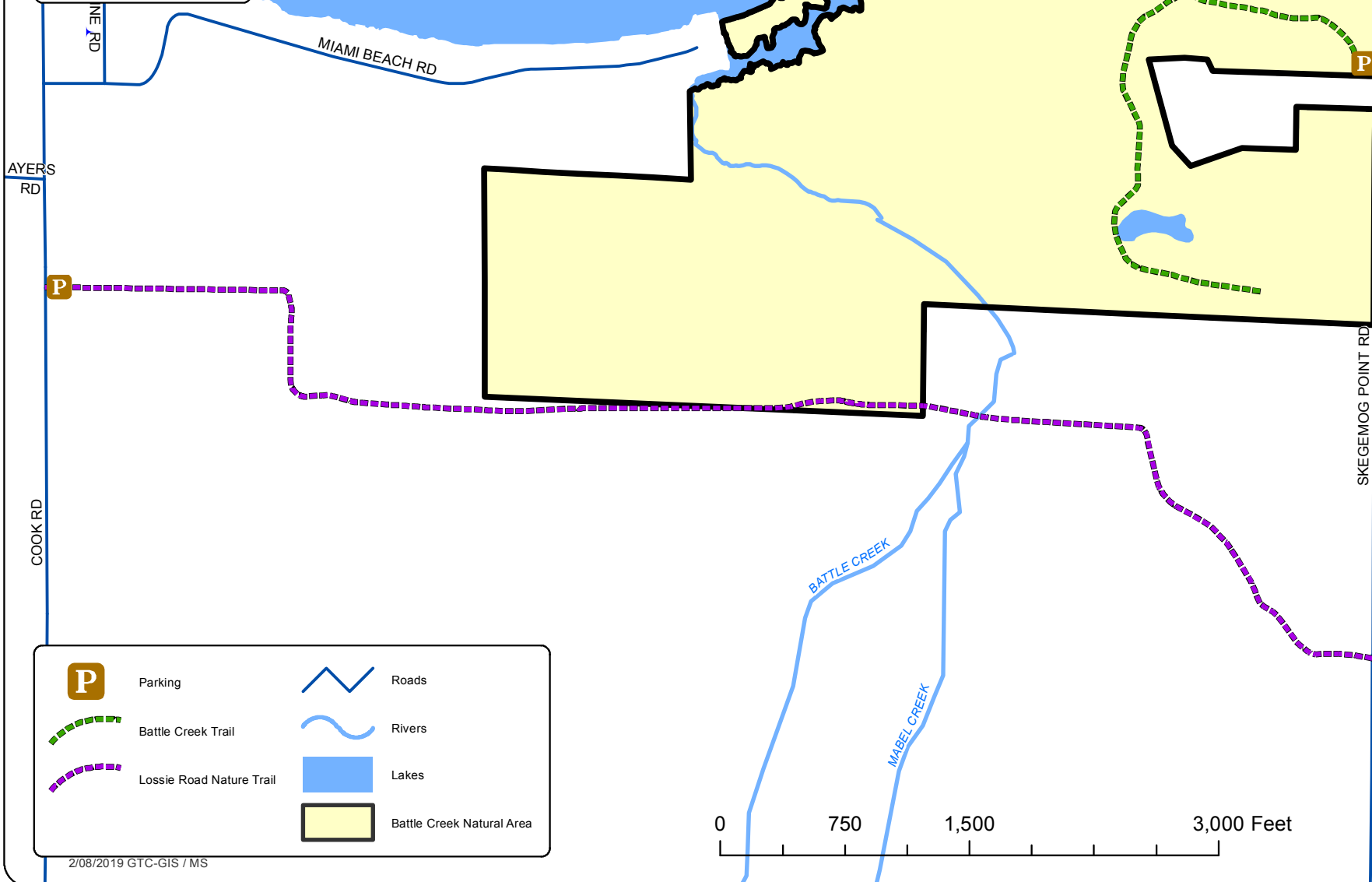
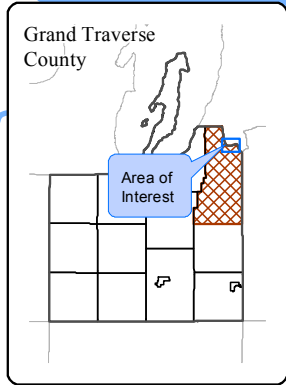
By: Cheryl A. Goss
Its: Clerk

By:
Its:

Battle Creek Natural Area

Whitewater Township

ELK LAKE



Parking



Battle Creek Trail



Lossie Road Nature Trail



Roads



Rivers



Lakes



Battle Creek Natural Area

0 750 1,500 3,000 Feet



MEMO

To: Whitewater Township Board
From: Cheryl A. Goss, Clerk
Date: 02/02/2022
Re: Update re: Arborist Bids

Wade Logging:

I spoke to Jim Wade on 1/21. He had previously offered to pay the township for all of the blown over trees in Battle Creek Natural Area (BCNA) and Lossie Road Nature Trail (LRNT), which he says is mostly white pine. Upon talking to him recently, he said there is no way he can enter BCNA at the main entrance. The only way to get in would be to park his semi on the Annette Jacobson property on the south side of BCNA. He also said he would not be able to get into the east end of LRNT without tearing up the trail. He is concerned also that there would not be enough time for him to complete the job before the frost laws go into effect, usually the second week of March, and would have to come back in the spring. He has not provided a price.

Parshall Tree Care Experts:

On 1/20, Matt from Parshall dropped off a "Sealed Bid for RFP Lossie Road Nature Trail and Battle Creek Natural Area." This package will be opened at the 2/8 meeting.

Precision Landscapes:

The unredacted bid from Precision Landscapes (local resident Josh Tress) is attached (3 pages).

Phil Schaub:

Since the 1/11 meeting, Phil Schaub came into the township hall inquiring about the trail cleanup at these two parks and said his son is a logger for the State of Michigan. He was interested in submitting a bid, which he dropped off at the township hall on 1/28 in an unsealed envelope. This 1-page document is attached to this memo.

###

Precision Landscapes
 5387 Brown Bear Trail
 Williamsburg MI 49690
 2316454245

Whitewater township
 Vinton Road, Williamsburg, MI, USA
 Williamsburg MI

Customer #	0000090
Estimate #	0000036
Date	Jan 04, 2022

Description	Cost/Rate	Qty/Hr	Taxes %	Total USD
Battle Creek trail clearing	15,100.00	1	0.00	15,100.00
Broke down into 4 sections for tree counts with varieties.				
Section 1 removal				
10 pine trees				
1 maple				
Section 2 removal				
1 pine				
3 maple				
1 cedar				
Section 3 removal				
38 pine				
4 maple				
46 cedar				
3 poplar				
1 ironwood				
Section 4 removal				
16 pine				
6 ash				
4 cedar				
17 poplar				
3 birch				

Lossie road nature trail	21,800.00	1	0.00	21,800.00
Broke down into 8 sections with varieties and counts				
Section 1 removal				
3 ash				
2 maple				
1 pine				
2 poplar				
Section 2 removal				
8 poplar				
1 bass				
7 ash				
1 ironwood				
8 pine				
5 cedar				
1 birch				
1 maple				
Section 3 removal				
10 cedar				
1 maple				
10 poplar				
2 ash				
13 pine				
1 birch				
Section 4 removal				
8 poplar				
10 cedar				
1 cherry				
3 birch				
8 pine				
2 ash				
7 maple				
Section 5 removal				
12 pine				
1 ash				
4 cedar				
1 birch				
2 poplar				
9 maple				
Section 6 removal				
12 pine				
2 cedar				
1 birch				
15 poplar				
1 maple				
Section 7 removal				
2 pine				
2 birch				
13 poplar				
1 maple				
1 cherry				
Section 8 removal				
3 pine				
12 poplar				
5 maple				
1 cherry				
3 oak				
			Subtotal	36,900.00
			Taxes	0.00
			Total Estimated Cost	36,900.00

Battle Creek Natural Area

Whitewater Township

ELK LAKE

Grand Traverse
County



MIAMI BEACH RD

AYERS
RD

COOK RD

SKEGEMOG POINT RD

LOSSIE RD

section 1 section 2

section 3

section 4

section 5

section 6

section 7

section 8

section 2

section 1

section 4

BATTLE CREEK

MABEL CREEK



Parking



Battle Creek Trail



Lossie Road Nature Trail



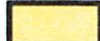
Roads



Rivers



Lakes



Battle Creek Natural Area

0 750 1,500 3,000 Feet



Phil SCHAUB

231 357.4436

BID

RECEIVED
11/28/06

BID ON CLEANING UP TRAILS IN WHITEWATER
TOWNSHIP.

BID
45,000

 1/28/22

RECEIVED
1/28/22
CB

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 1-24-2022
Re: Risk Management Updated

Board Members –

Whitewater Township currently has two internet/fiber optic service providers operating in the Township. At our August 2021 Board meeting, Cherry Capital Connection requested ARPA funds from Whitewater Township which were approved by resolution 21-14. At our December meeting 186networks made a similar request for ARPA funds.

This sets up an interesting paradigm when a local unit needs to resolve dilemmas involving what could be described as competing requests. Local units have good guidance and significant experience with request for proposals, and the sealed bid process but, this scenario is different. The paradigm described above can be applied to other issues the Township will have to deal with in the near future. For example, requests for marihuana permits, land uses or other such requests of the Township to support an entity in some form.


When thinking about the larger picture, the Township maybe best served by developing a “scoring rubrics” that would help determine the best outcome for each senario. The Zoning Board of Appeals uses findings of fact statements that help support their decisions when considering appeal requests. The Grand Traverse County Board of Commissioners has enlisted professional services to help them with ARPA funds distribution before entertaining requests for funds. The Marihuana Subcommittee will have a similar task as they develop various questions for marihuana applicants. Moreover, the risk management profession encourages this type of documentation be used for all boards and commissions operating in the local unit to identify and mitigate various pitfalls. The policy recommendation extends to advisory type of committees in an effort to implement the process and policies throughout the local unit.

Board discussion at the 1.11.2022 Whitewater Township Board Meeting resulted in a request for a more developed idea on this matter. To recap, in oversimplified terms, if we give consideration of any kind to one group and not another, why did we make the decision we made? Did we ask for competitive proposals? The Board had similar concerns about becoming a member of a local lake association, yet we belong to the Michigan Township Association, why? Both associations provide direct benefit in regards to health, safety, and welfare of township residents. What is the difference? As ARPA discussions continue the Township will have to make more decisions of a financial nature. Similar decisions will arrive at the Board shortly as marihuana land uses and permits, are accepted.

I think all of us have an internal scoring rubrics system, it is how we function. However, developing a written one is a bit more challenging. The Board of Trustees have no flow chart, no decision tree, or rubric to consult in time of need, which may lead to decisions made by feeling rather than fact, which is a litigation generator. Below are a couple of examples of various rubrics you may be familiar with.

No motion is made at this time, allowing for Board discussion on the importance of a decision tree or scoring rubric. The next possible step could be a townhall type meeting that may help identify important issues facing our residents and help with creating a rubric. The meeting could also provide the Board with good public insight ranging from Master Plan issues to ARPA funds.

Respectfully submitted,

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

Ron Popp
Supervisor, Whitewater Township

Scoring Rubrics: What, When and How?

Barbara M. Moskal

Associate Director of the Center for Engineering Education
Assistant Professor of Mathematical and Computer Sciences
Colorado School of Mines

Scoring rubrics have become a common method for evaluating student work in both the K-12 and the college classrooms. The purpose of this paper is to describe the different types of scoring rubrics, explain why scoring rubrics are useful and provide a process for developing scoring rubrics. This paper concludes with a description of resources that contain examples of the different types of scoring rubrics and further guidance in the development process.

What is a scoring rubric?

Scoring rubrics are descriptive scoring schemes that are developed by teachers or other evaluators to guide the analysis of the products or processes of students' efforts (Brookhart, 1999). Scoring rubrics are typically employed when a judgement of quality is required and may be used to evaluate a broad range of subjects and activities. One common use of scoring rubrics is to guide the evaluation of writing samples. Judgements concerning the quality of a given writing sample may vary depending upon the criteria established by the individual evaluator. One evaluator may heavily weigh the evaluation process upon the linguistic structure, while another evaluator may be more interested in the persuasiveness of the argument. A high quality essay is likely to have a combination of these and other factors. By developing a pre-defined scheme for the evaluation process, the subjectivity involved in evaluating an essay becomes more objective.

Figure 1 displays a scoring rubric that was developed to guide the evaluation of student writing samples in a college classroom (based loosely on Leydens & Thompson, 1997). This is an example of a holistic scoring rubric with four score levels. Holistic rubrics will be discussed in detail later in this document. As the example illustrates, each score category describes the characteristics of a response that would receive the respective score. By having a description of the characteristics of responses within each score category, the likelihood that two independent evaluators would assign the same score to a given response is increased. This concept of examining the extent to which two independent evaluators assign the same score to a given response is referred to as "rater reliability."

Figure 1.

Example of a scoring rubric designed to evaluate college writing samples.

-3-

Meets Expectations for a first Draft of a Professional Report

- The document can be easily followed. A combination of the following are apparent in the document:
 1. Effective transitions are used throughout,
 2. A professional format is used,
 3. The graphics are descriptive and clearly support the document's purpose.
- The document is clear and concise and appropriate grammar is used throughout.

-2-

Adequate

- The document can be easily followed. A combination of the following are apparent in the document:
 1. Basic transitions are used,
 2. A structured format is used,
 3. Some supporting graphics are provided, but are not clearly explained.
- The document contains minimal distractions that appear in a combination of the following forms:
 1. Flow in thought
 2. Graphical presentations
 3. Grammar/mechanics

-1-

Needs Improvement

- Organization of document is difficult to follow due to a combination of following:
 1. Inadequate transitions
 2. Rambling format
 3. Insufficient or irrelevant information
 4. Ambiguous graphics
- The document contains numerous distractions that appear in the a combination of the following forms:
 1. Flow in thought
 2. Graphical presentations
 3. Grammar/mechanics

-0-

Inadequate

- There appears to be no organization of the document's contents.
- Sentences are difficult to read and understand.

When are scoring rubrics an appropriate evaluation technique?

Writing samples are just one example of performances that may be evaluated using scoring rubrics. Scoring rubrics have also been used to evaluate group activities, extended projects and oral

presentations (e.g., Chicago Public Schools, 1999; Danielson, 1997a; 1997b; Schrock, 2000; Moskal, 2000). They are equally appropriate to the English, Mathematics and Science classrooms (e.g., Chicago Public Schools, 1999; State of Colorado, 1999; Danielson, 1997a; 1997b; Danielson & Marquez, 1998; Schrock, 2000). Both pre-college and college instructors use scoring rubrics for classroom evaluation purposes (e.g., State of Colorado, 1999; Schrock, 2000; Moskal, 2000; Knecht, Moskal & Pavelich, 2000). Where and when a scoring rubric is used does not depend on the grade level or subject, but rather on the purpose of the assessment.

Scoring rubrics are one of many alternatives available for evaluating student work. For example, checklists may be used rather than scoring rubrics in the evaluation of writing samples. Checklists are an appropriate choice for evaluation when the information that is sought is limited to the determination of whether specific criteria have been met. Scoring rubrics are based on descriptive scales and support the evaluation of the extent to which criteria has been met.

The assignment of numerical weights to sub-skills within a process is another evaluation technique that may be used to determine the extent to which given criteria has been met. Numerical values, however, do not provide students with an indication as to how to improve their performance. A student who receives a "70" out of "100", may not know how to improve his or her performance on the next assignment. Scoring rubrics respond to this concern by providing descriptions at each level as to what is expected. These descriptions assist the students in understanding why they received the score that they did and what they need to do to improve their future performances.

Whether a scoring rubric is an appropriate evaluation technique is dependent upon the purpose of the assessment. Scoring rubrics provide at least two benefits in the evaluation process. First, they support the examination of the extent to which the specified criteria has been reached. Second, they provide feedback to students concerning how to improve their performances. If these benefits are consistent with the purpose of the assessment, than a scoring rubric is likely to be an appropriate evaluation technique.

What are the different types of scoring rubrics?

Several different types of scoring rubrics are available. Which variation of the scoring rubric should be used in a given evaluation is also dependent upon the purpose of the evaluation. This section describes the differences between analytic and holistic scoring rubrics and between task specific and general scoring rubrics.

Analytic verses Holistic

In the initial phases of developing a scoring rubric, the evaluator needs to determine what will be the evaluation criteria. For example, two factors that may be considered in the evaluation of a writing sample are whether appropriate grammar is used and the extent to which the given argument is persuasive. An analytic scoring rubric, much like the checklist, allows for the separate evaluation of each of these factors. Each criterion is scored on a different descriptive scale (Brookhart, 1999).

The rubric that is displayed in Figure 1 could be extended to include a separate set of criteria for the evaluation of the persuasiveness of the argument. This extension would result in an analytic scoring rubric with two factors, quality of written expression and persuasiveness of the argument. Each factor would receive a separate score. Occasionally, numerical weights are assigned to the evaluation of each criterion. As discussed earlier, the benefit of using a scoring rubric rather than weighted scores is that scoring rubrics provide a description of what is expected at each score level. Students may use this information to improve their future performance.

Occasionally, it is not possible to separate an evaluation into independent factors. When there is an overlap between the criteria set for the evaluation of the different factors, a holistic scoring rubric

may be preferable to an analytic scoring rubric. In a holistic scoring rubric, the criteria is considered in combination on a single descriptive scale (Brookhart, 1999). Holistic scoring rubrics support broader judgements concerning the quality of the process or the product.

Selecting to use an analytic scoring rubric does not eliminate the possibility of a holistic factor. A holistic judgement may be built into an analytic scoring rubric as one of the score categories. One difficulty with this approach is that overlap between the criteria that is set for the holistic judgement and the other evaluated factors cannot be avoided. When one of the purposes of the evaluation is to assign a grade, this overlap should be carefully considered and controlled. The evaluator should determine whether the overlap is resulting in certain criteria are being weighted more than was originally intended. In other words, the evaluator needs to be careful that the student is not unintentionally severely penalized for a given mistake.

General versus Task Specific

Scoring rubrics may be designed for the evaluation of a specific task or the evaluation of a broader category of tasks. If the purpose of a given course is to develop a student's oral communication skills, a general scoring rubric may be developed and used to evaluate each of the oral presentations given by that student. This approach would allow the students to use the feedback that they acquired from the last presentation to improve their performance on the next presentation.

If each oral presentation focuses upon a different historical event and the purpose of the assessment is to evaluate the students' knowledge of the given event, a general scoring rubric for evaluating a sequence of presentations may not be adequate. Historical events differ in both influencing factors and outcomes. In order to evaluate the students' factual and conceptual knowledge of these events, it may be necessary to develop separate scoring rubrics for each presentation. A "Task Specific" scoring rubric is designed to evaluate student performances on a single assessment event.

Scoring rubrics may be designed to contain both general and task specific components. If the purpose of a presentation is to evaluate students' oral presentation skills and their knowledge of the historical event that is being discussed, an analytic rubric could be used that contains both a general component and a task specific component. The oral component of the rubric may consist of a general set of criteria developed for the evaluation of oral presentations; the task specific component of the rubric may contain a set of criteria developed with the specific historical event in mind.

How are scoring rubrics developed?

The first step in developing a scoring rubric is to clearly identify the qualities that need to be displayed in a student's work to demonstrate proficient performance (Brookhart, 1999). The identified qualities will form the top level or levels of scoring criteria for the scoring rubric. The decision can then be made as to whether the information that is desired from the evaluation can best be acquired through the use of an analytic or holistic scoring rubric. If an analytic scoring rubric is created, then each criterion is considered separately as the descriptions of the different score levels are developed. This process results in separate descriptive scoring schemes for each evaluation factor. For holistic scoring rubrics, the collection of criteria is considered throughout the construction of each level of the scoring rubric and the result is a single descriptive scoring scheme.

After defining the criteria for the top level of performance, the evaluator's attention may be turned to defining the criteria for lowest level of performance. What type of performance would suggest a very limited understanding of the concepts that are being assessed? The contrast between the criteria for top level performance and bottom level performance is likely to suggest appropriate criteria for middle level of performance. This approach would result in three score levels.

If greater distinctions are desired, then comparisons can be made between the criteria for each

existing score level. The contrast between levels is likely to suggest criteria that may be used to create score levels that fall between the existing score levels. This comparison process can be used until the desired number of score levels is reached or until no further distinctions can be made. If meaningful distinctions between the score categories cannot be made, then additional score categories should not be created (Brookhart, 1999). It is better to have a few meaningful score categories than to have many score categories that are difficult or impossible to distinguish.

Each score category should be defined using descriptions of the work rather than judgements about the work (Brookhart, 1999). For example, "Student's mathematical calculations contain no errors," is preferable over, "Student's calculations are good." The phrase "are good" requires the evaluator to make a judgement whereas the phrase "no errors" is quantifiable. In order to determine whether a rubric provides adequate descriptions, another teacher may be asked to use the scoring rubric to evaluate a sub-set of student responses. Differences between the scores assigned by the original rubric developer and the second scorer will suggest how the rubric may be further clarified.

Resources

Currently, there is a broad range of resources available to teachers who wish to use scoring rubrics in their classrooms. These resources differ both in the subject that they cover and the level that they are designed to assess. The examples provided below are only a small sample of the information that is available.

For K-12 teachers, the State of Colorado (1998) has developed an on-line set of general, holistic scoring rubrics that are designed for the evaluation of various writing assessments. The Chicago Public Schools (1999) maintain an extensive electronic list of analytic and holistic scoring rubrics that span the broad array of subjects represented throughout K-12 education. For mathematics teachers, Danielson has developed a collection of reference books that contain scoring rubrics that are appropriate to the elementary, middle school and high school mathematics classrooms (1997a, 1997b; Danielson & Marquez, 1998).

Resources are also available to assist college instructors who are interested in developing and using scoring rubrics in their classrooms. *Kathy Schrock's Guide for Educators* (2000) contains electronic materials for both the pre-college and the college classroom. In *The Art and Science of Classroom Assessment: The Missing Part of Pedagogy*, Brookhart (1999) provides a brief, but comprehensive review of the literature on assessment in the college classroom. This includes a description of scoring rubrics and why their use is increasing in the college classroom. Moskal (1999) has developed a web site that contains links to a variety of college assessment resources, including scoring rubrics.

The resources described above represent only a fraction of those that are available. The ERIC Clearinghouse on Assessment and Evaluation [ERIC/AE] provides several additional useful web sites. One of these, *Scoring Rubrics - Definitions & Constructions* (2000b), specifically addresses questions that are frequently asked with regard to scoring rubrics. This site also provides electronic links to web resources and bibliographic references to books and articles that discuss scoring rubrics. For more recent developments within assessment and evaluation, a search can be completed on the abstracts of papers that will soon be available through ERIC/AE (2000a). This site also contains a direct link to ERIC/AE abstracts that are specific to scoring rubrics.

Search engines that are available on the web may be used to locate additional electronic resources. When using this approach, the search criteria should be as specific as possible. Generic searches that use the terms "rubrics" or "scoring rubrics" will yield a large volume of references. When seeking information on scoring rubrics from the web, it is advisable to use an advanced search and specify the grade level, subject area and topic of interest. If more resources are desired than result from this conservative approach, the search criteria can be expanded.

References

- Brookhart, S. M. (1999). *The Art and Science of Classroom Assessment: The Missing Part of Pedagogy*. ASHE-ERIC Higher Education Report (Vol. 27, No.1). Washington, DC: The George Washington University, Graduate School of Education and Human Development.
- Chicago Public Schools (1999). *Rubric Bank*. [Available online at:http://intranet.cps.k12.il.us/Assessments/Ideas_and_Rubrics/Rubric_Bank/rubric_bank.html].
- Danielson, C. (1997a). *A Collection of Performance Tasks and Rubrics: Middle School Mathematics*. Larchmont, NY: Eye on Education Inc.
- Danielson, C. (1997b). *A Collection of Performance Tasks and Rubrics: Upper Elementary School Mathematics*. Larchmont, NY: Eye on Education Inc.
- Danielson, C. & Marquez, E. (1998). *A Collection of Performance Tasks and Rubrics: High School Mathematics*. Larchmont, NY: Eye on Education Inc.
- ERIC/AE (2000a). *Search ERIC/AE draft abstracts*. [Available online at:<http://ericae.net/sinprog.htm>].
- ERIC/AE (2000b). *Scoring Rubrics - Definitions & Construction* [Available online at:http://ericae.net/faqs/rubrics/scoring_rubrics.htm].
- Knecht, R., Moskal, B. & Pavelich, M. (2000). *The Design Report Rubric: Measuring and Tracking Growth through Success*, Paper to be presented at the annual meeting of the American Society for Engineering Education.
- Leydens, J. & Thompson, D. (August, 1997), *Writing Rubrics Design (EPICS) I*, Internal Communication, Design (EPICS) Program, Colorado School of Mines.
- Moskal, B. (2000). *Assessment Resource Page*. [Available online at:<http://www.mines.edu/Academic/assess/Resource.htm>].
- Schrock, K. (2000). *Kathy Schrock's Guide for Educators*. [Available online at:<http://school.discovery.com/schrockguide/assess.html>].
- State of Colorado (1998). *The Rubric*. [Available online at:<http://www.cde.state.co.us/cdedepcom/asrubric.htm#writing>].

SELECTION CRITERIA

	Scoring	Applicant Score
Topic 1 – Business Plan & Qualifications		
(a) Applicant demonstrates financial capacity to capitalize, start up, and sustain business operations.	8	
(b) Applicant demonstrates experience with owning, operating and/or managing a business in a highly regulated industry (min. one year). 'Highly regulated' means subject to regulation by LARA, or a similar regulatory agency (federal or another state).	8	
(c) Applicants demonstrates a history of operating a business (select only one):		
- More than 2 years	2	
- More than 5 years	4	
(d) Applicant presents a proposed customer education plan that will educate customers about rules, regulations, safety precautions, and responsible use relative to marijuana consumption.	5	
(e) Applicant presents a business plan that includes a daily operations schedule and a staffing plan, complete with proposed wages, and employee qualifications/hiring criteria.	6	
(f) Applicant has not been convicted of, or plead guilty or nolo contendere to, any felony offense under state or federal law.	2	
(g) Applicant does not have past due bills or tax liens with the City of Westland or Wayne County.	2	
Subtotal	35	0
Topic 2 - Financial Investment		
(a) Applicant proposes to (select only one):		
- Construct a new building on vacant land; or completely rehabilitate an existing building (such as demolish and rebuild or completely renovate) that is blighted. Describe the cost, conditions, and provide plans.	12	
- Occupy a structure in good condition that is currently unoccupied.	6	
- Occupy a structure in good condition that is currently occupied.	4	
(b) The Applicant will develop and remediate property that is environmentally contaminated as determined by reference to current regulations and guidance from the Environmental Protection Agency (EPA) or the Michigan Department of Environment, Great Lakes, and Energy (EGLE)	8	
(c) The Applicant will be (select only one):		
- The owner and occupant of the property and space where the Marijuana Business will be operated.	5	
- The lessee and occupant of the property and space where the Marijuana Business will be operated.	2	
(d) The quality and detail of the Applicant's renderings, plans, and drawings for the Marijuana Business and any development (select one):		

- Applicant presents professional materials that show the complete proposed project (including the interior and exterior).	10	
- Applicant presents professional materials but does not show the complete project (e.g., only interior or exterior).	5	
(e) The extent to which architectural designs for the building fit into the zoning district and incorporate innovative ideas.	5	
Subtotal	40	0
Topic 3 - Community Benefit/Investment		
(a) Applicant proposes a voluntary plan to invest a specific dollar amount in the community through charitable giving. Can include volunteer work and in-kind giving, but value of such must be given a dollar amount to be considered.	5	
(b) Applicant proposes improvements to the public right of way adjacent to the subject parcel. This can include sidewalk improvements, landscaping installations, art, gateway sign, or lighting or enhancements consistent with DDA efforts.	5	
Subtotal	10	0
Topic 4 - Security & Safety Plan		
(a) Applicant presents a security plan that includes all of the following:	5	
- 24/7 indoor and outdoor video surveillance		
- A plan to deter and prevent theft and unauthorized entrance into the facility		
- A plan to prevent minors from illegally obtaining any marijuana product		
(b) Applicant's odor control plan is detailed and includes all materials and equipment to be used. If you determine that an odor control plan is not needed for your type of marijuana business state why.	5	
(c) Applicant presents a plan to manage inventory and cash on hand with written policies and procedures and software to be used.	5	
Subtotal	15	0
TOTAL	100	0

Topic 1 – Business Plan & Qualifications: 35 points

Topic 2 – Financial Investment: 40 points

Topic 3 – Community Benefit: 10 points

Topic 4 – Security & Safety Plan: 15 points

Total Possible Points: 100 Points

FIRST TIEBREAKER: Highest Score in Topic 2

SECOND TIEBREAKER: Highest Score in Topic 3

THIRD TIEBREAKER: Random Drawing

JOB INTERVIEW RUBRIC TEMPLATE



APPLICANT NAME
REVIEWER NAME

DATE

RUBRIC	SCORE
Expectations exceeded; Highest skill set evidenced; Very strong	4
Expectations met; Strong skill set evidenced; Strong	3
Guidelines met; Adequate skill set evidenced; Adequate	2
Guidelines somewhat met; Inadequate skillset evidenced; Minimal / Limited	1
Inadequate; Incomplete; Skill set not evidenced	0

SCORING SCALE	TOTAL
EXCEPTIONAL	25 – 28
STRONG CANDIDATE	21 – 24
MEETS MINIMUM	16 – 20
MINIMUM NOT MET	0 – 15

CRITERIA	4	3	2	1	0
Application fully completed					
Previous employment provided; Work experience is applicable; Contact and email provided for past employer(s)					
Education history provided; Previous education is applicable					
Exhibited appropriate level of interest; Provided details of availability; Availability suits the projected start date / time frame					
Provided evidence of adequate training and personal experience					
Complete resume provided; Resume reflects suitable fit for position					
References provided; Complete contact information provided for each					
COLUMN TOTALS					
TOTAL SCORE					

ADDITIONAL COMMENTS

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Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 1-27-2022
Re: Moratorium on Special Use Permits

Board Members –

This is likely a closed session matter however, the discrepancies were brought forward in a public meeting with additional notification being sent to only certain land owners and therefore in its current phase, is a public matter.

As was brought to our attention in December of 2021 by Zoning Administrator Bob Hall, with support of Township Attorney Chris Patterson, there are a few issues within our current Zoning Ordinance that do not meet statute requirements. The Board was asked to adopt a moratorium on Special Land Use Permits until the Ordinance could be updated which they failed to do at the December 14, 2021 gathering.

Since that time, I have come to understand these discrepancies could affect almost every property owner in the Township in one way or another. From a risk mitigation perspective, the Township Board members present at the December 14, 2021 Township Board meeting have been publicly made aware that a Township Zoning Ordinance does not conform to current law and have been asked in writing, by the Zoning Administrator with support of the Township's Attorney, to correct it. The Township Board is responsible to the 2500 plus residents of the Township for their Health, Safety and Welfare, failing to follow the urgent moratorium recommendation is a departure from that duty. Moreover, the potential litigation generated by the Board's failure to follow the advice of its own team, is a direct threat to the financial wellbeing of Whitewater Township, another direct function and obligation of the Township Board.

Portions of the December 14, 2021 board packet containing Mr. Hall's original urgent moratorium request with supporting documentation is provided below for convenient review.

For the above reasons, I am asking for a Roll Call Vote on the following motion:

“Motion to place a ninety-day (90) moratorium on the acceptance of applications and the review of, and decisions on issuing special land use permits in Whitewater Township providing time for zoning ordinance amendments to be lawfully adopted with the appropriate special use review provisions required under the Michigan Zoning Enabling Act, PA 110 of 2006, as amended”.

Respectfully submitted,

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

Ron Popp
Supervisor
Whitewater Township

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 12-03-2021
Re: Moratorium on Special Use Permits

Board Members -

Apparently, an issue with certain articles of the Zoning Ordinance do not meet today's minimum requirements of the Michigan Zoning Enabling Act. Please see additional information provided by Zoning Administrator Bob Hall attached.

A motion could look like: Motion to place a moratorium on the acceptance of applications and the review of, and decisions on issuing special land use permits in Whitewater Township until such time that the zoning ordinance is amended with the appropriate special use review provisions required under the Michigan Zoning Enabling Act, PA 110 of 2006, as amended

Respectfully submitted,



Ron Popp

Supervisor, Whitewater Township

From: Zoning Administrator <zoning@whitewatertownship.org>
Sent: Thursday, December 2, 2021 4:34 PM
To: supervisor@whitewatertownship.org; 'Cheryl A. Goss'; 'Della Benak'; 'Heidi Vollmuth'
Cc: 'Kim Mangus'; 'William "Chris" Bott, P.E., P.L.S.'; cpatterson@fsbrlaw.com; cgrobbel@grobbelenvironmental.com; zoniing@whitewatertownship.org
Subject: Special Land Uses - Moratorium
Attachments: Moratorium-SLUP-Memo to Board.pdf

Hello Township Board members –

Please see the attached memo; I hope that for the most part, it is self-explanatory by virtue of its content. Please note that I am copying the interested parties that will most be affected by this action, if taken.

Briefly, it is my opinion that Article XXV of the Whitewater Township Zoning Ordinance fails to meet the minimum necessary requirements to comply with the MZEA (Michigan Zoning Enabling Act for review of special land uses.

Please give this matter the urgent attention that it deserves.

Thank-you!

Bob

Robert (Bob) Hall
Zoning Administrator

Whitewater Township
P.O. Box 159
Williamsburg, Michigan 49690

231-267-5141 x 21

www.whitewatertownship.org



WHITEWATER TOWNSHIP

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267-5141 • FAX (231) 267-9020

- URGENT ATTENTION REQUESTED -

To: Whitewater Township Board

125.3502 Special land uses; review and approval; application; notice of request; public hearing; incorporation of decision in statement of findings and conclusions.

Sec. 502. (1) The legislative body may provide in a zoning ordinance for special land uses in a zoning district. A special land use shall be subject to the review and approval of the zoning commission, the planning commission, an official charged with administering the zoning ordinance, or the legislative body as required by the zoning ordinance. ***The zoning ordinance shall specify all of the following: (emphasis added)***

(a) The special land uses and activities eligible for approval and the body or official responsible for reviewing and granting approval.

(b) The requirements and standards for approving a request for a special land use.

(c) The procedures and supporting materials required for the application, review, and approval of a special land use

(2) Upon receipt of an application for a special land use which requires a discretionary decision, the local unit of government shall provide notice of the request as required under section 103. The notice shall indicate that a public hearing on the special land use request may be requested by any property owner or the occupant of any structure located within 300 feet of the property being considered for a special land use regardless of whether the property or occupant is located in the zoning jurisdiction.

(3) At the initiative of the body or official responsible for approving the special land use or upon the request of the applicant, a real property owner whose real property is assessed within 300 feet of the property, or the occupant of a structure located within 300 feet of the property, a public hearing shall be held before a discretionary decision is made on the special land use request.

(4) The body or official designated to review and approve special land uses may deny, approve, or approve with conditions a request for special land use approval. The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.

The excerpt above (from the Michigan Zoning Enabling Act, PA 110 of 2006, as amended) clearly mandates that there are specific provisions for review of a special land use that 'shall' be specified in the Zoning Ordinance.

A comprehensive review of The Whitewater Township Zoning Ordinance, more specifically Article XXV (SITE PLAN REVIEW AND SPECIAL LAND USES), focuses primarily on the components required for, and the review of site plans. **Notably absent are:**

- a. the body or official responsible for reviewing and granting approval (of a special land use)
- b. the requirements and standards for approving a request for a special land use
- c. the procedures and supporting materials required for the application, review, and approval of a special land use

With the knowledge of the most recent development proposal comes the ability to expose ourselves (Whitewater Township) to unwarranted risk regarding the review and approval of any special land use in any zoning district.

After a brief consultation with attorney Patterson, **it is my recommendation to the Whitewater Township Board to place a brief moratorium on the acceptance of applications and the review of, and decisions on issuing special land use permits in Whitewater Township until such time that the zoning ordinance is amended with the appropriate special use review provisions required under the Michigan Zoning Enabling Act, PA 110 of 2006, as amended (see top of page #1).**

I would expect that attorney Patterson could have the necessary language prepared for initial planning commission review at their January regular meeting. A public hearing and recommendation of adoption could easily be forwarded to the Whitewater Township Board for action as early as February.

Any questions should be directed to my attention.

Thank you for your sincere and urgent consideration of this matter.

Respectfully,



Robert (Bob) Hall

Cc: CZS Zoning File-Whitewater Township

MEMO

To: Whitewater Township Board
From: Cheryl A. Goss, Clerk
Date: 02/02/2022
Re: Roland Oosterhouse – Lossie Road Nature Trail

On 1/11/2022, Mr. Oosterhouse called my office to inquire of the outcome of the “Lossie Road Committee.”

He continues to assert a claim of prescriptive easement, stating that once an easement has been used for 15 years, it is an easement from there on. Back in October 2021, he provided a Michigan Supreme Court case in support of his argument.

He also requested to be on the 2/8 agenda.

I noticed that township legal counsel’s opinion regarding Lossie Trail is dated 12/03/2020, and we received the Michigan Supreme Court case from Mr. Oosterhouse in October 2021. We also received a letter from an attorney on behalf of Mr. Oosterhouse at some point.

Mr. Oosterhouse is seeking the status of this matter and a decision from the township.

###

Memo

To: Whitewater Township Board
From: Ron Popp
CC:
Date: January 25, 2022
Re: Zoning Board of Appeals – Reappointment

Colleagues,

I am recommending:

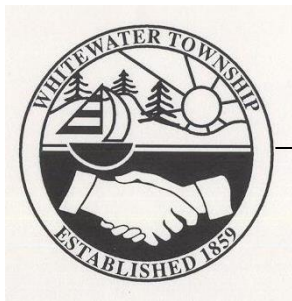
Roberto Garza, 8705 Angell Road, Williamsburg, Michigan 49690 to a post on the Whitewater Township Zoning Board of Appeals, in accordance with Public Act 110 of 2006, MCL 125.3601 (7) and the Whitewater Township Zoning Board of Appeals By-Laws, Section 5 (e) as amended. The term will end on December 31, 2024.

An appropriate motion might be:

A motion to confirm the recommendation of the supervisor appointing Roberto Garza to a 3-year position on the Whitewater Township Zoning Board of Appeals. The term will end on December 31, 2024.

(Voice Vote)

Ron Popp.



WHITEWATER TOWNSHIP

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

January 5, 2022

Roberto Garza
8705 Angell Road
Williamsburg, Michigan 49690

Re: Whitewater Township Zoning Board of Appeals

Mr. Garza,

Thank you for your service on the Whitewater Township Zoning Board of Appeals. The Township Board appreciates your professionalism and commitment to the community!

I would like to recommend your reappointment to that post, to the Township Board at the February 8, 2022 regular meeting. Please indicate by signing below and returning the document to the Township Hall *ATTENTION SUPERVISOR* that you would serve a three (3) year term on the Whitewater Township Zoning Board of Appeals, beginning January 1, 2022 and ending December 31, 2024.

Thank you in advance.

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

Ron Popp
Whitewater Township Supervisor

I **Roberto Garza** will serve my community on the Whitewater Township Zoning Board of Appeals as described above.

Date: **Jan 5, 2022**

Memo

To: Whitewater Township Board
From: Ron Popp
CC:
Date: 1-25-2022
Re: Board of Review Appointment

Colleagues,

I am recommending:

Tammy Jarvis, 5387 N. Broomhead Road, Williamsburg, Michigan 49690 to a vacant 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 Tammy Jarvis to a partial two (2) term on the Whitewater Township Board of Review. The term will end on December 31, 2022.

Voice Vote

Ron Popp.



WHITEWATER TOWNSHIP

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APPLICATION FOR APPOINTMENT

Date of Application: 1-5-2021

Name: Jarvis, Tammy Marie Last First Middle Initial

Address: 5387 N Broomhead Rd **City:** Williamsburg

Zip: 49690 **Telephone:** (Home) 231.267.9937 (Cell) 231.342.9937

E-Mail Address: jtjarvis5@gmail.com

What Committees and/or Boards are you interested in?

(Select as many as you like)

Board of Review: X Park & Recreation Advisory Committee: _____

Planning Commission: _____ Zoning Board of Appeals: _____

Are you a Whitewater Township Resident? Yes X No _____

Are you a Landowner in Whitewater Township? Yes X No _____

Are you a Qualified Elector of the Township? Yes X No _____

As defined by the 1963 Michigan Constitution, as amended by the 26th Amendment of the U.S. Constitution

Please describe your interest in the selected committee/board and how you feel your expertise and contribution would benefit the group:

My husband and I have lived in the township for thirty plus years as a resident, raising our three children. Our children are now all grown and are moving on. I have more time to serve and rededicate to our fellow residents in Whitewater on the Board of Reviews, as a local active Realtor.

Throughout my life I have had three careers, all giving me different experiences. One career of which I worked in the Acme Kmart Pharmacy; gave me the opportunity to form many personal relationships with residents of our community. Building these trusted relationships has blessed me beyond my comprehension. For twenty plus years after my departure from the pharmacy I still run into residents/patients that remember and thank me for all I did for them or a family member. They will always inquire as to what and where I am working now! These relationships are the most prized result of years there. My focus was customer service.

Another career path I found myself on is taking care of bookwork for our personally owned business. We owned this business for 10 years, throughout this time what I experienced was the emphasis on organization. Once I created a system that worked for me and our business, we were very successful. My focus was following through on organization.

My final and current career path is being a realtor in our community, not only Whitewater township but also Grand Traverse County. Unlike my other career paths, real estate has given me the blessing of not only working with them, but also expanding beyond the small office cubicle and building on past relationships. Real Estate has granted me the knowledge, resources and experience to professionally guide, negotiate and consult clients to get everyone to the closing table smoothly. My current focus is on being a knowledgeable professional in my field.

These 3 highlights: service, organization and professional knowledge bring added benefit to the Board of Reviews. Plus, the added fact that I can be up to date on the current value of properties in our township. Thank you in advance for your consideration.

Tammy Jarvis



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Please provide any other information you wish to share.

It would be my pleasure to give back to our small hometown community!

Complete, sign, and return this application to:

Whitewater Township Supervisor

P.O. Box 159, 5777 Vinton Road,

Williamsburg MI 49690,

Fax 231-267-9020

Email: supervisor@whitewatertownship.org

Applicant Signature Date Form Approved 03/14/2017

Tammy Jarvis 1-5-2022

MEMO

To: Whitewater Township Board
From: Cheryl A. Goss, Clerk
Date: 01/31/2022
Re: **Resolution #22-02 - Rates for Cemetery Services**

Due to increased costs of operation, both for the township and for the cemetery sexton, there is a need to adjust the cemetery rates. The current rates have been in effect for three years, 2019 through 2021. Resolution #22-02 details the new rates.

An appropriate motion would be: **Motion to adopt Resolution #22-02 – Rates for Cemetery Services.**

###

**WHITEWATER TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN**

**RESOLUTION #22-02
RATES FOR CEMETERY SERVICES**

WHEREAS, Whitewater Township has two cemeteries, Williamsburg Cedar Rapids Cemetery on Old M-72 and Circle Hill Cemetery on Vinton Road; and

WHEREAS, the Whitewater Township Cemetery Ordinance prescribes that the Township Board, by resolution, may periodically set and adjust the fee for burial spaces to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition; and

WHEREAS, the Whitewater Township Cemetery Ordinance also prescribes that the opening and closing of any burial space, prior to and following a burial therein, and including the interment of ashes, shall be at a cost to be determined from time to time by resolution of the Township Board; and

WHEREAS, the current rates for burial spaces and opening and closing of burial spaces were last set in 2019. However, due to increased costs of operation, it is necessary to again adjust the rates.

NOW, THEREFORE, BE IT RESOLVED that the following rates shall be in effect for cemetery services upon the adoption of this resolution:

1. The cost of each burial space (4' x 9') shall be \$250.
2. The cost of interment of cremains (opening and closing of grave) shall be \$250.00 Monday through Friday, \$450.00 on Saturday, and \$550.00 on Sunday. An additional sexton fee of up to \$300.00 shall also apply when the ground is frozen or there is snow cover.
3. The cost of interment of a full body (opening and closing of grave) shall be \$500.00 Monday through Friday, \$700.00 on Saturday, and \$800.00 on Sunday. An additional sexton fee of up to \$300.00 shall also apply when the ground is frozen or there is snow cover.

A motion to adopt the foregoing resolution was made by _____ and seconded by _____.

Upon roll call vote, the following voted:

Yes:

No:

Absent:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

STATE OF MICHIGAN)
)
GRAND TRAVERSE COUNTY)

I, the undersigned, the duly qualified Clerk for Whitewater Township, Grand Traverse County, Michigan, hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Whitewater Township Board at a meeting held on the 8th day of February, 2022, and further certify that the above Resolution #22-02 was adopted at said meeting.

Cheryl A. Goss, Whitewater Township Clerk

MEMO

To: Whitewater Township Board

From: Cheryl A. Goss, Clerk

Date: 01/31/2022

Re: Resolution #22-03 – Intent to Oppose Incorporation as a Charter Township

Attached is a letter from the Michigan Department of State advising of the township's eligibility to be incorporated as a charter township. This happens every 10 years with the new census.

In order to understand the differences between a general law township and a charter township, the Michigan Township Association's publication, *General Law or Charter Township? The Choice is Yours*, is also attached.

After reading through the MTA publication, I do not believe Whitewater Township is currently ready to be a Charter Township, nor can it meet the requirements to receive qualified protection from annexation. Additionally, I do not believe the residents/taxpayers would find it desirable for the township to change from a general law township to a charter township, mainly from the standpoint of the increased taxing authority available with charter status.

For those reasons, I oppose incorporation of Whitewater Township as a charter township and offer Resolution #22-03.

An appropriate motion would be: **Motion to adopt Resolution #22-03 Intent to Oppose Incorporation as a Charter Township.**

###

**WHITEWATER TOWNSHIP
GRAND TRAVERSE COUNTY**

**RESOLUTION #22-03
INTENT TO OPPOSE INCORPORATION AS A CHARTER TOWNSHIP**

WHEREAS, the Township Clerk has been notified by the Michigan Secretary of State that Whitewater Township has a population of 2,000 or more inhabitants, excluding the population of any incorporated village, and notice of that notification was duly published in the Traverse City Record-Eagle, a newspaper of general circulation in the township, as required by law; and

WHEREAS, under the provisions of MCL 42.3a, the Township is eligible to be incorporated as a charter township by resolution of the Township Board; and

WHEREAS, after notification is received by the clerk, the township board may adopt, by a majority vote, a resolution opposed to incorporation; and

WHEREAS, the Township Board does not desire to incorporate as a charter township;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Whitewater Township Board does declare its intent to not incorporate as a charter township.

A motion was made to adopt the foregoing resolution by _____ and seconded by _____.

Upon roll call vote, the following voted:

Yes:

No:

Absent:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

I, the undersigned, the duly qualified Clerk for Whitewater Township, hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Whitewater Township Board at a meeting held on the 8th day of February, 2022, and further certify that the above Resolution #22-03 was adopted at said meeting.

Cheryl A. Goss, Whitewater Township Clerk

STATE OF MICHIGAN



OFFICE OF THE GREAT SEAL
MICHIGAN DEPARTMENT OF STATE
LANSING, MICHIGAN 48918-1750

RECEIVED
1-10-22
CB

RE: Eligibility for Status as a Charter Township

Dear Township Clerk:

In accordance with the provisions of section 3a of the Charter Township Act, 1947 PA 359 (MCL 42.3a), attached is certification that your township has a population of 2,000 or more according to the most recent United States census and is therefore eligible to be incorporated as a charter township.

Also attached for your reference are the following:

- 1) Copy of section 3a of the Act;
- 2) Duties of the township clerk;
- 3) Sample notice;
- 4) Listing of documents to be filed.

Please review this packet thoroughly and contact your municipal attorney if you have any additional questions or concerns. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Sue A. Sayer".

Sue A. Sayer, Supervisor
OFFICE OF THE GREAT SEAL

cc: File

State of Michigan



DEPARTMENT OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, Jocelyn Benson, Secretary of State of the State of Michigan and custodian of the Great Seal of the State, hereby certify that Information on file with this Department indicates that WHITEWATER TOWNSHIP, GRAND TRAVERSE COUNTY has a population of 2000 or more according to the most recent United States census and is therefore eligible to become a charter township under the provisions of the Charter Township Act 1947 PA 359, as amended; MCL 42.1 (et seq.). *****End of Certification*****

*IN WITNESS WHEREOF, I execute this certificate
and affix the GREAT SEAL of the State of
Michigan on this 15th day of December 2021.*



20004429689047

Jocelyn Benson

Secretary of State

This certification attests only to the authenticity of the signature of the official who signed the affixed document, the capacity in which that official acted, and where appropriate, the identity of the seal or stamp which the document bears. This certification is not intended to imply that the contents of the document are correct, nor that they have the approval of the State of Michigan.

Notice of Eligibility to Incorporate

MCL 42.3a(3) sets forth duties of the township clerk following receipt of notification from the Office of the Great Seal at the Secretary of State.

The township clerk of any township notified must prepare a notice of *Eligibility to Incorporate and Right of Referendum* for publication in a newspaper of general circulation within the township. The notice must be published twice:

- The first time within 15 days following receipt of notification from the Office of the Great Seal, and
- The second time 7 days after the first notice.

The requirement to publish applies regardless of whether the township board intends to take any of the options available under MCL 42.3a.

NOTICE OF ELIGIBILITY TO INCORPORATE AS A CHARTER TOWNSHIP AND RIGHT TO REFERENDUM

Official certification has been received from the Michigan Secretary of State that the Township of _____ has a population of 2,000 or more, making it eligible to incorporate as a charter township. The township board may choose to exercise options concerning incorporation as a charter township under the provisions of the Charter Township Act, Public Act 359 of 1947, MCL 42.1, et seq. (MCL 42.3a):

1. Adopt by majority vote a resolution opposed to incorporation as a charter township.
2. Adopt by majority vote a resolution of intent to approve incorporation as a charter township by resolution. At least 60 days after the adoption of the resolution of intent, the township board may adopt the resolution to incorporate as a charter township.
3. Adopt by majority vote a resolution to place before the electorate at the next regular or special township election the question of incorporation as a charter township.

A township board may also choose to take no action.

If Option 2 is adopted by the township board, the citizens of the township have the right to file a "Right to Referendum Petition." This petition must be filed before the final adoption of the resolution to incorporate as a charter township.

The petition must follow, in general form, the nominating petition form as prescribed in the Michigan Election Law (MCL 168.488), and the heading must indicate "Disagreement of Intent to Incorporate as a Charter Township." The petition must be signed by not less than 10% of the number of electors of the township voting for township supervisor at the last election in which a supervisor was elected.

If the petition is successful, the question of incorporation will be placed on the ballot at the next general or special township election.

DUTIES OF THE TOWNSHIP CLERK

Section 3a of the Charter Township Act (MCL 42.3a) sets forth the duties of the township clerk following receipt of notification from the Secretary of State that a township is eligible for charter township status. The requirements are as follows:

Publication of Notice

1. Preparation of notice for publication in a newspaper of local circulation (sample attached);
2. Notice must be published within 15 days following receipt of notification;
3. A **second** notice, reiterating the information presented in the first notice, must be published 7 days following publication of the first notice.

If Petitions for Referendum are Submitted

4. Upon accepting for filing a petition seeking a referendum on the charter township question, the township clerk shall check the petition signatures against the registered elector's signatures.
5. If the petition contains a sufficient number of valid signatures, the clerk will make all provisions for submitting the question of incorporation as a charter township to a vote of the registered electors of the township.
6. The question shall be placed on the ballot at the next regular or special township election, to afford the clerk the necessary time to provide for an orderly election.
7. If a special election is contemplated for the purpose of submitting the question, the proposed date will be presented to the county scheduling committee for approval.
8. The wording on the ballot **shall** read as follows:

"Shall the township of (insert name) incorporate as a charter township which shall be a municipal corporation subject to the provisions of Act No. 359 of the Public Acts of 1947, as amended, which act shall constitute the charter of such municipal corporation?"

_____ **YES**

_____ **NO**

DOCUMENTS TO BE FILED WITH: *DEPARTMENT OF STATE*
Office of the Great Seal
7064 Crowser Blvd.
Lansing, MI 48918-1750

1. If the township board adopts a resolution opposed to incorporation as a charter township, *a copy of the resolution* should be filed for informational purposes.
2. If the township board adopts a resolution of intent to approve incorporation as a charter township, and *no petitions of disagreement are filed*, the following documents should be filed:
 - a) Affidavit of publication of required notices;
 - b) Resolution of intent;
 - c) Certificate of township clerk that no petitions were filed within the 60 day period;
 - d) Resolution approving incorporation.
3. If the township board adopts a resolution of intent to approve incorporation as a charter township, and *petitions of disagreement are filed*, an election is then held. If the proposition is approved, the following documents should be filed:
 - a) Affidavit of publication of required notices;
 - b) Resolution of intent;
 - c) Certificate of township clerk that petitions were filed within the 60 day period and date set for election;
 - d) Copy of ballot;
 - e) Board of Canvassers certificate showing **total votes cast** and number of **votes cast for and against** incorporation as a charter township.
4. If the township board adopts a resolution to place the question of incorporation as a charter township before the electorate, an election shall be held. If the proposition is **approved**, the following documents should be filed:
 - a) Affidavit of publication of required notices;
 - b) Resolution of township board;
 - c) Copy of ballot;
 - d) Board of Canvassers certificate showing **total votes cast** and number of **votes cast for and against** incorporation as a charter township.
5. If the proposition to incorporate as a charter township is **defeated** at an election held under 3 or 4 (above), the township clerk may file *only a copy of the Board of Canvassers certificate showing the proposition did not pass*.

NOTICE OF RIGHT TO REFERENDUM

ON BECOMING A CHARTER TOWNSHIP

Official certification has been received from the Michigan Secretary of State that the township of (insert name) has a population of 2000 or more according to the most recent United States census and is therefore eligible to be incorporated as a charter township under the provisions of section 3a of the Charter Township Act, 1947 PA 359 (MCL 42.3a). The township board has the right to exercise one of three options concerning status as a charter township, as follows:

1. Adopt by majority vote a resolution opposed to incorporation as a charter township;
2. Adopt by majority vote a resolution of intent to approve incorporation as a charter township;
3. Adopt by majority vote a resolution to place before the electorate at the next regular or special township election the question of incorporation as a charter township.

In the event option 2 is adopted by the township board, the citizens of the township have the right to file a "Right to Referendum Petition". This petition must be filed within the 60 days which must lapse between passage of a resolution of the *intent to incorporate* and final passage of the resolution *to incorporate* as a charter township.

The petition shall follow, in general form, the nominating petition form as prescribed in the Michigan Election Law, and in the heading will indicate "*Disagreement of Intent to Incorporate as a Charter Township*". The petition must be signed by not less than 10% of the registered voters of the township based on the vote cast for all candidates for supervisor at the last election at which a supervisor was elected.

If the petition is successful, the question of incorporation will be placed on the ballot at the next general or special township election.

THE CHARTER TOWNSHIP ACT (EXCERPT)
Act 359 of 1947

42.3a Notice to clerk of township not incorporated as charter township; resolution of township board; notice of right to referendum; petition; signatures; submitting question of incorporation at general or special election; wording of ballot.

Sec. 3a. (1) Within 30 days after the effective date of this 1984 amendatory act and after each regular or special federal or state census, the secretary of state shall notify the clerk of a township which is not incorporated as a charter township pursuant to this act and which has a population of 2,000 or more inhabitants, excluding the population of any incorporated village, according to the most recently made regular or special federal or state census that the township may be incorporated as the charter township of under this act.

(2) After notification is received by the clerk, the township board may:

(a) Adopt, by a majority vote, a resolution opposed to incorporation.

(b) Adopt, by a majority vote, a resolution of intent to approve incorporation and if a petition of disagreement to the intent resolution relative to the incorporation is filed within 60 days before final passage of the resolution, the electors of the township have the right to a referendum on the incorporation question.

(c) Adopt, by a majority vote, a resolution to place before the electorate the question of incorporation at the next regular or special election.

(3) The clerk shall publish in a newspaper of general circulation in the township a notice of the right to referendum within 15 days after receipt of notification from the secretary of state. A second notice shall be published 7 days after the first notice.

(4) The petition under subsection (2)(b) shall be signed by not less than 10% of the number of electors of the township voting for township supervisor at the last election in which a supervisor was elected. The township clerk shall check the signatures on the petitions with those of the electors signing the petitions as they appear on the registration cards of the township. If petitions bearing the required number of signatures of electors have been filed, the clerk shall do and perform all acts required for the submission of the question of incorporation at the next general or special election. The wording of the ballot shall be in accordance with section 2.

History: Add. 1976, Act 90, Eff. Mar. 31, 1977;—Am. 1984, Act 361, Eff. Mar. 29, 1985.



General Law or Charter Township?

The Choice is Yours ...

An Overview of Distinctions between General Law and Charter Township Structure and Authority, with Information on the Process to Incorporate

January 14, 2022

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Introduction

The Charter Township Act, Public Act 359 of 1947, is an example of progressive legislation affecting Michigan townships. The Michigan Legislature recognized that there are townships which provide additional services and need additional laws to provide for better administration of township affairs. Since its passage in 1947, there have been several amendments to the act to meet the changing needs of townships.

A general law township having a minimum population of 2,000 inhabitants is authorized to adopt the Charter Township Act and incorporate as a charter township. A township is not authorized to develop its own charter; the Charter Township Act is the charter of the township. The act's provisions are uniform for all Michigan townships, and they cannot be altered by a particular township.

Charter townships and general law townships are similar in organizational structure and powers except for specific differences provided for in the Charter Township Act. In particular, the act grants charter townships additional flexibility in their organizational structure, boundary protection against annexation and enhances the unit's general tax authority.

Should your township incorporate as a charter township? The decision belongs to your township alone. To help you make an informed decision, the following information spells out some differences and similarities between a charter township and a general law township. Note that this is NOT a comprehensive guide or manual to what charter townships do—it is intended as an introduction to the primary considerations of deciding whether to become a charter township.

Organizational Structure

In a charter township, all legislative authority and powers are vested in a seven-member township board comprised of a supervisor, clerk, treasurer and four trustees. A quorum of four members must be present at a meeting to conduct business.

Organizational changes in the act affect the offices of the supervisor and trustee. There are no substantive changes in the duties of the township clerk and treasurer if a township incorporates under the act.

The Supervisor and Superintendent

In general law and charter townships, the supervisor is an officer of the township board and has an equal voice and vote in township board proceedings. In a general law township, the township board retains most of the administrative authority. The Charter Township Act grants a charter township supervisor more authority over the day-to-day operations of the township.

The township board of a charter township is authorized to hire a superintendent. (MCL 42.11) If the township board appoints a superintendent, the board may delegate any or all of the following statutory duties in MCL 42.10 to that official:

- Oversee enforcement of township ordinances and laws
 - Manage public improvement projects; oversee construction, repair, maintenance lighting and cleaning of township property, including streets, sidewalks, bridges and sewers
 - Manage construction, repair, maintenance of sidewalks, streets, bridges, sewers, pavements of all public buildings and other township property
 - Oversee operation of township utilities and maintenance of township property, tools and appliances
 - Oversee terms and conditions of township contracts
 - Attend township board meetings and take part in discussions, but without the right to vote
 - Serve as ex-officio member of all township board committees
 - Prepare and administer the annual budget under township board direction and apprise the township board of the township's financial status
 - Make recommendations to the township board as necessary
 - Administer all township departments
 - Serve as the purchasing agent for the township or delegate this responsibility to some other officer or employee
 - Conduct authorized sales of township personal property
 - Serve as personnel director or delegate this duty to some other officer or employee, and
 - Perform any other duties delegated to him/her which are not assigned to some other official.
- (MCL 42.10)

If these duties are not delegated to the superintendent, they become the responsibility of the township supervisor. In effect, this provides additional authority to a charter township supervisor beyond that accorded a supervisor of a general law township.

If a board appoints a superintendent, he or she serves at the pleasure of the township board. State law provides that the township board determines the superintendent's salary, and the appointee must become a township resident within 90 (calendar) days of assuming the position, unless the board waives

the requirement by resolution adopted by 2/3 of the members of the board. The act also provides that the appointee must be selected on the basis of training and ability without regard to political or religious preferences. (MCL 42.11)

If a township has not appointed a township superintendent under MCL 42.10, the township board may employ a township manager to perform duties lawfully delegated to the manager by the township board. The duties may include those that are delegated by law to another township official if written consent has been granted by that official. (MCL 42.10a)

State law does not specify the duties of a township manager. MTA's position is that a township board may delegate to a manager any or all of the same duties as listed in MCL 42.10, but the supervisor would have to give written consent to diminishing the statutory duties of the supervisor's office.

Trustees

A charter township board must have four trustees. If a township becomes chartered with only two trustees, the additional two trustees must be elected at the first general election held following incorporation.

The duties of a charter township trustee are identical to those of a general law township trustee. He or she possesses an equal voice and vote in township affairs. Trustees are legislators on the township board and should have an understanding of all aspects of township board affairs. A trustee is responsible for attending township board meetings and takes part in all decisions.

Other Officials

What about hiring other township officials? There is no difference in the ability of a general law township or a charter township to hire the necessary personnel to properly and efficiently operate the township. The Charter Township Act enables a township board, by resolution, to establish additional offices to administer township affairs, such as a public works administrator or personnel director, or combine any administrative offices, so long as it does not conflict with state law. The newly created offices cannot replace, abolish or diminish the statutory duties of the clerk's or treasurer's office. (MCL 42.9)

Annexation Protection

The Charter Township Act grants enhanced protection from annexation to townships that provide police and fire protection, water and sewer services, and other services. In the 1970s, many general law townships incorporated as charter townships because of the annexation protection offered by the act.

If a township became chartered prior to June 16, 1978, the township is generally protected from annexation.

A charter township that incorporated after June 15, 1978, is generally protected from annexation to any adjacent city or village if it meets certain statutory criteria:

- State equalized valuation of at least \$25 million
- Minimum population density of 150 persons per square mile (not including any incorporated village)
- Provides fire and police protection, solid waste disposal, and water and/or sewer services by contract or some other method
- Has a comprehensive zoning ordinance or master plan. (MCL 42.34)

Note that these criteria are NOT required to become or continue to be a charter township. They are only required for a specific charter township to receive the qualified protection from annexation under MCL 42.34.

Michigan Supreme Court decisions indicate a township must provide more than minimum service to obtain greater protection from annexation. (*Shelby Charter Twp. v. State Boundary Comm'n*, 425 Mich. 50, 1986)

However, the exemption from annexation is not complete immunity. Although the authority of the State Boundary Commission over charter township land is lessened by the act, the commission may order a portion(s) of the township to be annexed to straighten boundaries and avoid instances in which portions of a township are completely surrounded by the annexing city. Township territory can also be annexed if the action is initiated by the citizens themselves.

Financial Matters

Fiscal Year

A charter township may adopt one of two fiscal years: January 1 to December 31 OR April 1 to March 31. This differs from general law townships, which can choose either April 1 to March 31 OR July 1 to June 30. An annual audit is required.

Budget

Each township official prepares a department budget and delivers it to the supervisor or superintendent on or before 150 days prior to the fiscal year commencement. The supervisor or superintendent must submit a complete itemized budget to the township board no later than 120 days prior to the beginning of the fiscal year. (MCL 42.24)

The township board must hold a budget public hearing at a township board meeting before adopting the budget. The notice of the budget public hearing must be published in a newspaper of general circulation in the township at least 7 days prior to the meeting at which the hearing will be conducted. If a township operates on a calendar-year budget cycle, the budget public hearing must be held no later than December 15, and the budget must be adopted no later than December 31. (MCL 42.27)

Prior to the new fiscal year, the township board must pass a resolution adopting the budget (general appropriations act) for the new fiscal year, make an appropriation of the money needed for township purposes, and provide for a levy of taxes upon real and personal property.

The supervisor or superintendent must prepare quarterly reports that disclose estimated and actual expenditures and revenues to date. (MCL 42.29)

Within 60 days after a township becomes chartered, the board must pass a resolution adopting an interim budget until the next fiscal year. (MCL 42.27)

Taxing Authority

Charter township taxes are not subject to allocation or to the same constitutional tax limitations as general law township taxes. Article IX, Section 6 of the Michigan Constitution, which imposes the 15- and 18-mill tax limitations on real and personal property taxes, specifically exempts charter township taxes from those limitations:

“The foregoing limitations shall not apply to taxes imposed for the payment of principal and interest on bonds approved by the electors or other evidences of indebtedness approved by the electors or for the payment of assessments or contract obligations in anticipation of which bonds are issued approved by the electors, which taxes may be imposed without limitation as to rate or amount; or, subject to the provisions of Section 25 through 34 of this article, to taxes imposed for any other purpose by any city, village, charter county, charter township, charter authority or other authority, the tax limitations of which are provided by charter or by general law.” (Article IX, Section 6, Michigan Constitution of 1963)

Note that the Charter Township Act does not refer to charter township property tax rate limits in “mills.” Instead, MCL 42.27 requires the township board, in adopting its budget for the next fiscal year, to provide for a levy of taxes upon real and personal property that cannot exceed 1/2 of 1% of the assessed valuation of all real and personal property subject to taxation in the balance of the township. This is often referred to as “5-mill charter millage.”

MCL 42.27 also authorizes the electors of a charter township to vote to increase the township's total tax levy, not to exceed a total of 1% of the assessed valuation of all real and personal property in the township, not counting debt obligation or other property taxes exempt from tax limitations by law. This charter township total tax limitation is commonly known as the “10-mill limit.”

In both cases, a charter township’s total tax limitation is determined as a percentage of the assessed valuation of all real and personal property in the township (excluding debt), and not strictly as 5 or 10 mills. But this article will follow the common usage of 5 or 10 mills.

Charter millage

Charter townships are also different from general law townships in that their “general operating” millage is not allocated, but is set by the township board. The levy of charter millage is based on the charter township’s adopted or amended budget and is determined at or following the budget public hearing. It cannot exceed the authorized charter millage.

All charter townships may levy up to 10 mills (*see above*), determined on assessed value (not counting debt service millage). The Charter Township Act does not require a charter township to levy any or all of the additional mills available to it under the Act. (MCL 42.27) All charter township millages are subject to Headlee rollback.

MCL 42.27 authorizes a charter township board to annually provide for a levy of taxes upon real and personal property that cannot exceed 5 mills (*see above*). The township board may choose to automatically levy up to the first 5 mills (“charter millage”) without additional voter approval, and without limit in the number of years. The township may then levy up to five additional mills (for a maximum of 10 mills), but only by voter approval and limited to 20 years. (MCL 42.27)

Extra-Voted Millage

When a charter township goes to the voters for approval of additional millage, over and above the authorized charter millage, the township must identify a purpose in the ballot language—it may be for general charter township millage or a specific purpose (which will restrict that millage to that purpose).

Borrowing Powers

The act limits a charter township’s borrowing ability to a total outstanding net indebtedness of not more than 10 percent of its assessed value with certain specified exceptions. A charter township must have prior voter approval to issue bonds except for special assessment bonds, bonds issued for the township portion of local improvements, and specific statutory bonds which do not require voter approval. (MCL 42.14a)

A charter township that does not levy the full mills available to it shows bond purchasers that the township has surplus taxing authority. Consequently, the township could have greater ability to borrow at a reduced interest rate (within the 10 percent limit) than a general law township.

Compensation

Setting Salaries

How are compensation levels set in a charter township? Salary levels can be set in one of two ways: 1) by township board resolution subject to citizen referendum or 2) by a compensation commission established by ordinance. (MCL 42.6a)

Note that, if the Charter Township Act does not address a specific township authority and it is addressed in the general township statutes, then the general township statutes apply except where it would conflict with the Charter Township Act. Charter township board salary questions start with looking at the general township laws.

If a general law or charter township does not conduct an annual meeting of the electors, and does not have a compensation commission, the township board shall, by resolution, set the salaries of township board members. The board's resolution to increase a salary is subject to referendum if a citizen petition is filed with the township clerk. (MCL 41.95(3))

If a compensation commission is established, the township board cannot set the salary for any of the four township offices (supervisor, clerk, treasurer, trustee). Note that this is the salary established for the statutory duties of the office, and does not include compensation for additional, non-statutory duties, benefits, expense reimbursements or meeting stipends (per diem or per meeting payments).

Trustees

The Charter Township Act provides that "A trustee may receive, in addition to other emoluments provided by law for his service to the township, a sum per meeting of the township board meetings actually attended by him, as established by the township board to be paid upon authorization of the board." (MCL 42.6) MTA interprets this provision to allow a trustee to be paid on a per diem or per meeting basis for attending township board meetings, in addition to an annual salary.

The Act specifically prohibits a supervisor, clerk or treasurer from receiving additional compensation for attending township board meetings.

Decreases in Salary

The Charter Township Act provides that the salary of an elected township official cannot be decreased during the official's term of office unless the responsibilities and requirements of that office are diminished and the official consents in writing to the salary reduction. (MCL 42.6a)

If the township hires a superintendent, the township board may designate all or some of the supervisor's statutory duties of MCL 42.10 to the superintendent without written consent of the supervisor. If the board designates any of the statutory duties of MCL 42.10 to a manager who is not a superintendent, then the supervisor must consent in writing to diminishing the statutory duties of the supervisor's office under MCL 42.10. In either case, the board cannot reduce the salary of the supervisor's office, for the statutory duties of the supervisor's office, without the written consent of the supervisor. (MCL 42.6a)

Township Board Meetings

A general law township board is required to meet once every three months and at additional times as necessary. The township board of a charter township is required to meet at least once a month. Each member of a charter township is required to vote, if present, on any issues presented to the board, unless the official is excused by the unanimous consent of board members who are present. (MCL 42.7)

There is one exception to this requirement. A charter township board member may abstain from voting without the other board members' consent when voting to fill a vacancy on the charter township board and the board member abstaining states that he or she desires to be appointed to fill that vacancy. (MCL 42.7)

Board Authority

Acquiring and Disposing of Township Property

A charter township board is authorized to purchase, sell or long-term lease real or personal property without authorization from the inhabitants (MCL 42.14). Under Public Act 16 of 1992, a general law township board, by resolution, has the same authority (MCL 41.2).

Police and Fire Departments

Both general law townships and charter townships may have police or fire departments. In a charter township, the officers are appointed by the supervisor or superintendent—if that authority has been delegated by the township board—with the approval of the township board. (MCLs 42.12 and 42.13) In a general law township, the township board appoints police and fire officers. Note that the word “appoint” is really in the context of hiring. Only the township board may hire or fire any township employee, so even if a charter township board has given the supervisor or superintendent authority to hire or fire the police or fire chief, for example, it is still subject to township board approval. (*Ureste v. W. Bloomfield Twp.*, Unpublished, Mich. App. No. 303976, June 21, 2012)

Ordinance Authority

Charter townships are authorized to adopt ordinances to protect the health, safety and general welfare of township inhabitants and property. Ordinances in effect when a general law township incorporates as a charter township remain in effect unless they are repealed or amended. (MCL 42.19)

A charter township can operate in essentially the same manner as a general law township without any additional costs, with the exception of adopting ordinances. State law requires additional publication of an ordinance before and after it is adopted. A charter township is authorized to adopt any state law as an ordinance by reference. In general law townships, only certain ordinances, such as the Uniform Traffic Code, may be adopted by reference.

Public Improvements

Public improvements are managed in the same manner in both charter townships and general law townships. Both general law and charter townships can create special assessment districts and issue special assessment bonds to finance authorized improvements (MCL 42.31).

Citizen Expectations

Another significant difference for charter townships, not found in any law book, is that citizens may have increased expectations for services when a township incorporates as a charter township. Because a charter township is often viewed as an “urbanized” form of township government, citizens may expect additional and improved services beyond that which the township currently provides.

Annual Meeting of the Electors

Charter townships are not required to conduct an annual meeting of the electors unless a majority of the township board determines to do so by resolution.

Conclusion

Should your township become a charter township? It is a value judgment which can only be determined by your township. It is a complicated issue. We recommend that township board officials and citizens familiarize themselves with the facets and implications of the Charter Township Act to make an informed decision.

Under the Campaign Finance Act (MCL 169.201, *et seq*), the township board cannot use general fund monies to campaign for or against becoming a charter township. It is permissible to provide information, such as a newsletter article, that provides both pros and cons of becoming a charter township. (MCL 169.257)

The Michigan Townships Association is available to offer advice and sample forms that a township may adapt to meet its particular needs. In addition, your township should contact legal counsel experienced in township law to assist you throughout the process

How to Become a Charter Township

A township having a population of 2,000 or more inhabitants, according to the most recent regular or special federal or state census of the inhabitants of the township, may incorporate as a charter township.

Election

The original process for incorporating as a charter township is the ballot proposition method described in MCL 42.2 and 42.3. **This may occur at any time.** The ballot proposition may be initiated by the township board or by petition signed by a number of electors of the township which shall not be less than 10% of the total vote cast for supervisor in the township at the last election in which a supervisor was elected.

Per Attorney General Opinion 7038 of 1999, the township is legally incorporated on the date “a copy of the petition or resolution initiating the move to become a charter township, together with the notice of the election at which such question was submitted to the electors of the township, the ballot upon which such question was submitted, and a certificate of the board of canvassers showing that the purposes of such petition or resolution have been approved by a majority of the electors of the township voting thereon, which certificate shall also give the number of votes cast on such proposition and the number cast for and against the same” is filed with the Secretary of State. (“From the date of such filing, the township shall be duly and legally incorporated as a charter township.”)

Other options following Census notification

In 1976, PA 90 of 1976 added MCL 42.3a, which requires the Office of the Great Seal to notify all townships with a minimum population of 2,000 (excluding the population of any incorporated village) that they are eligible to incorporate as a charter township. This must be done after each federal, state or special census—and every time a township meets those population levels (not just the first time it does so in its history).

MCL 42.3a also requires the clerk of an eligible township to publish notice of eligibility twice in a newspaper of general circulation within the township.

MCL 42.3a also added the following options for a township board:

- a. Adopt a resolution opposing incorporation,
- b. Adopt a resolution of intent to incorporate, wait at least 60 (calendar) days, and then—if no valid petition of disagreement is submitted—adopt a second resolution actually incorporating as a charter township. Because the resolution is not required to be filed with the Office of the Great Seal, the township becomes a charter township upon the adoption of the incorporation resolution (AGO 7038 of 1999). (Although it is recommended that a township submit its resolution to the Office of the Great Seal.)

If a valid petition of disagreement (signed by not less than 10% of the number of electors of the township voting for township supervisor at the last election in which a supervisor was elected) is timely submitted, the clerk shall put the referendum proposition on the ballot at the next general or special election.

If the referendum on the resolution to incorporate results in a defeat of the incorporation, then the township cannot incorporate by board resolution until the next decennial notice from the Office of the Great Seal but may incorporate by ballot proposition as provided in MCLs 42.2 and 42.3.

Notice of Eligibility to Incorporate

MCL 42.3a(3) sets forth duties of the township clerk following receipt of notification from the Office of the Great Seal at the Secretary of State.

The township clerk of any township notified must prepare a notice of *Eligibility to Incorporate and Right of Referendum* for publication in a newspaper of general circulation within the township. The notice must be published twice:

- The first time within 15 days following receipt of notification from the Office of the Great Seal, and
- The second time 7 days after the first notice.

The requirement to publish applies regardless of whether the township board intends to take any of the options available under MCL 42.3a.

NOTICE OF ELIGIBILITY TO INCORPORATE AS A CHARTER TOWNSHIP AND RIGHT TO REFERENDUM

Official certification has been received from the Michigan Secretary of State that the Township of _____ has a population of 2,000 or more, making it eligible to incorporate as a charter township. The township board may choose to exercise options concerning incorporation as a charter township under the provisions of the Charter Township Act, Public Act 359 of 1947, MCL 42.1, et seq. (MCL 42.3a):

1. Adopt by majority vote a resolution opposed to incorporation as a charter township.
2. Adopt by majority vote a resolution of intent to approve incorporation as a charter township by resolution. At least 60 days after the adoption of the resolution of intent, the township board may adopt the resolution to incorporate as a charter township.
3. Adopt by majority vote a resolution to place before the electorate at the next regular or special township election the question of incorporation as a charter township.

A township board may also choose to take no action.

If Option 2 is adopted by the township board, the citizens of the township have the right to file a "Right to Referendum Petition." This petition must be filed before the final adoption of the resolution to incorporate as a charter township.

The petition must follow, in general form, the nominating petition form as prescribed in the Michigan Election Law (MCL 168.488), and the heading must indicate "Disagreement of Intent to Incorporate as a Charter Township." The petition must be signed by not less than 10% of the number of electors of the township voting for township supervisor at the last election in which a supervisor was elected.

If the petition is successful, the question of incorporation will be placed on the ballot at the next general or special township election.

(Sample 1)

Resolution of Intent Opposing Incorporation as a Charter Township
_____ Township
_____ County, Michigan

WHEREAS, the Township Clerk has been notified by the Michigan Secretary of State that _____ Township has a population of 2,000 or more inhabitants, excluding the population of any incorporated village, and notice of that notification was duly published in the _____ (*identify newspaper*), a newspaper of general circulation in the township, as required by law, and

WHEREAS, under the provisions of MCL 42.3a, the Township is eligible to be incorporated as a charter township by resolution of the Township Board, and

WHEREAS, after notification is received by the clerk, the township board may adopt, by a majority vote, a resolution opposed to incorporation, and

WHEREAS, the Township Board does not desire to incorporate as a charter township,

NOW, THEREFORE, IT IS HEREBY RESOLVED that the _____ Township Board does declare its intent to not incorporation as a charter township.

Motion was made by _____, seconded by _____, to adopt the foregoing resolution.

Upon roll call vote, the following voted "Yes":

Upon roll call vote, the following voted "No":

The supervisor declared the motion carried and the resolution duly adopted.

Township Clerk

CERTIFICATE

The undersigned, being the duly elected and acting Clerk of the Township of _____ hereby certifies that the foregoing resolution was duly adopted at a regular meeting of the Township Board at which a quorum was present on the ____ day of _____, 20__, and that the members voted as set forth above.

Township Clerk

(Sample 2A)
First Resolution to Incorporate by Resolution
(Subject to Petition of Disagreement Calling for Referendum)

Resolution of Intent to Become a Charter Township
_____ Township
_____ County, Michigan

WHEREAS, the Township Clerk has been notified by the Michigan Secretary of State that _____ Township has a population of 2,000 or more inhabitants, excluding the population of any incorporated village, and notice of that notification was duly published in the _____ (*identify newspaper*), a newspaper of general circulation in the township, as required by law, and

WHEREAS, under the provisions of MCL 42.3a, the Township is eligible to be incorporated as a charter township by resolution of the Township Board stating its intent to so incorporate, and a second, subsequent resolution of said Township Board incorporating the township as a charter township, adopted at least 60 days after the adoption of the first resolution of intent, and

WHEREAS, if no petition of disagreement calling for referendum on the question of such incorporation is received by the Township Clerk signed by not less than 10% of the number of electors of the township voting for Township Supervisor at the last election, said township shall be incorporated as a charter township on the date of the second resolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the _____ Township Board does declare its intent to incorporate _____ Township as a charter township by resolution to be adopted not less than 60 days from the date of this resolution, unless a petition of disagreement with this resolution of intent to incorporate is filed with the Township Clerk prior to the passage of the final resolution.

Motion was made by _____, seconded by _____, to adopt the foregoing resolution.

Upon roll call vote, the following voted "Yes":

Upon roll call vote, the following voted "No":

The supervisor declared the motion carried and the resolution duly adopted.

Township Clerk

CERTIFICATE

The undersigned, being the duly elected and acting Clerk of the Township of _____ hereby certifies that the foregoing resolution was duly adopted at a regular meeting of the Township Board at which a quorum was present on the ____ day of _____, 20__, and that the members voted as set forth above.

Township Clerk

(Sample 2b)

**Second Resolution of Intent to Incorporate by Resolution,
to be adopted at least 60 days after adopting Resolution of Intent**

Resolution of Intent to Become a Charter Township

_____ Township
_____ County, Michigan

WHEREAS, the Township Clerk has been notified by the Michigan Secretary of State that _____ Township has a population of 2,000 or more inhabitants, excluding the population of any incorporated village, and notice of that notification was duly published in the _____ (*identify newspaper*), a newspaper of general circulation in the township, as required by law, and

WHEREAS, under the provisions of MCL 42.3a, the Township is eligible to be incorporated as a charter township by resolution of the Township Board stating its intent to so incorporate, and a second, subsequent resolution of said Township Board incorporating the township as a charter township, adopted at least 60 days after the adoption of the first resolution of intent, and

WHEREAS, if no petition of disagreement calling for referendum on the question of such incorporation is received by the Township Clerk signed by not less than 10% of the number of electors of the township voting for Township Supervisor at the last election, said township shall be incorporated as a charter township on the date of the second resolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the _____ Township Board does declare its intent to incorporate _____ Township as a charter township by resolution to be adopted not less than 60 days from the date of this resolution, unless a petition of disagreement with this resolution of intent to incorporate is filed with the Township Clerk prior to the passage of the final resolution.

Motion was made by _____, seconded by _____, to adopt the foregoing resolution.

Upon roll call vote, the following voted "Yes":

Upon roll call vote, the following voted "No":

The supervisor declared the motion carried and the resolution duly adopted.

Township Clerk

CERTIFICATE

The undersigned, being the duly elected and acting Clerk of the Township of _____ hereby certifies that the foregoing resolution was duly adopted at a regular meeting of the Township Board at which a quorum was present on the ____ day of _____, 20__, and that the members voted as set forth above.

Township Clerk

(Sample 3)

**Resolution of Intent to Place the Question of Incorporation as a Charter Township on the Ballot at the _____ (Month, day, year) _____ (Regular or Special) Election
_____ Township, _____ County, Michigan**

WHEREAS, the Township Clerk has been notified by the Michigan Secretary of State that _____ Township has a population of 2,000 or more inhabitants, excluding the population of any incorporated village, notice of which notification was duly published in the _____ (identify newspaper) newspaper of general circulation in the township, as required by law, and

WHEREAS, under the provisions of MCL 42.3a, the Township is eligible to be incorporated as a charter township by resolution of the Township Board placing the question of incorporation on the ballot at the next regular or special township election, and

WHEREAS, the Township Board desires to place the question of incorporation before the electorate,

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Township Board does declare its intent to place the question of incorporation as a charter township on the ballot at the _____ (Month, day, year) _____ (Regular or Special) Election.

BE IT FURTHER RESOLVED that the Township Clerk shall prepare a ballot for the submission of such proposition at such election in accordance with the general election laws of the state and setting forth the proposition as follows:

Shall the Township of _____ incorporate as a charter township which shall be a municipal corporation subject to the provisions of Act No. 349 of the Public Acts of 1947, as amended, which act shall constitute the charter of such municipal corporation?
Yes () No ()

Motion was made by _____, seconded by _____, to adopt the foregoing resolution.

Upon roll call vote, the following voted "Yes":

Upon roll call vote, the following voted "No":

The supervisor declared the motion carried and the resolution duly adopted.

Township Clerk

CERTIFICATE

The undersigned, being the duly elected and acting Clerk of the Township of _____ hereby certifies that the foregoing resolution was duly adopted at a regular meeting of the Township Board at which a quorum was present on the ____ day of _____, 20__, and that the members voted as set forth above.

Township Clerk

When a Petition for Referendum is Submitted

MCL 42.3a(4) sets forth duties of the township clerk if petitions for referendum are submitted as follows:

1. Upon receiving a petition seeking referendum on the charter township question, the township clerk must check the petition signatures against the registered electors' signatures.
2. If the petition contains the proper number of valid signatures, the clerk must make all provisions for submitting the question of incorporation as a charter township to the registered electors of the township.
3. The question must be placed on the ballot at the next regular or special township election which allows the clerk the necessary time to provide for an orderly conduct of the election.
4. If a special election is contemplated for the purpose of submitting the question, the proposed date must be present to the county scheduling committee for approval.
5. The wording on the ballot shall read as follows:

Shall the township of _____ incorporate as a charter township which shall be a municipal corporation subject to the provisions of Act No. 359 of the Public Acts of 1947, as amended, which act shall constitute the charter of such municipal corporation?

Yes ____ No ____

**Filing Documents with the
Office of the Great Seal and Registration Section,
Michigan Department of State**

1. If the township board adopts a resolution opposed to incorporation as a charter township, a copy of the resolution should be filed for informational purposes.
2. If the township board adopts a resolution of intent to approve incorporation as a charter township, and NO petitions of disagreement are filed, the following documents may be filed (informational only—Attorney General Opinion 7038 of 1999):
 - a) Affidavit of publication of required notices
 - b) Resolution of intent
 - c) Certificate of township clerk that no petitions were filed within the 60-day period; and
 - d) Resolution approving incorporation.
3. If the township board adopts a resolution of intent to approve incorporation as a charter township, and petitions of disagreement ARE filed, an election is held, and the proposition is approved, the following documents must be filed:
 - a) Affidavit of publication of required notices
 - b) Resolution of intent
 - c) Certificate of township clerk that petitions were filed within the 60-day period and date set for election
 - d) Copy of ballot, and
 - e) Board of Canvassers certificate showing total votes cast and number of votes cast for and against incorporation as a charter township.
4. If the township board adopts a resolution to place the question of incorporation as a charter township before the electorate, an election is held, and the proposition is approved, the following documents must be filed:
 - a) Affidavit of publication of required notices
 - b) Resolution of township board
 - c) Copy of ballot, and
 - d) Board of Canvassers certificate showing total votes cast and number of votes cast for and against incorporation as a charter township.
5. If the proposition to incorporate as a charter township is defeated at an election held under 3 or 4 above, the township clerk may file just a copy of the Board of Canvassers certificate showing that the proposition did not pass.

Office of the Great Seal, Michigan Department of State Bureau of Elections

Mailing Address	Walk-in (Appointment only: MDOS-Notary@Michigan.gov or (517) 241-1832)
Bureau of Elections	Richard H. Austin Building, 1 st Floor
7064 Crowser Drive	430 W. Allegan, Lansing, MI 48933
Lansing, MI 48918	Main Office: (888) 767-6424, Fax: (517) 241-1820

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC:
Date: 1-24-2022
Re: Board of Review Poverty Exemptions

Board Members,


By resolution local units of government are required to review and update their policy on granting property tax poverty exemptions annually. The adopted resolution then provides the Board of Review Members with a set of instructions that must be followed without deviation when considering applications of this nature. As of this date, there have no requested changes in the process from the State Tax Commission or revisions to the statutorily required application forms from last year.

In keeping with the Board's 2021 decision and due in part to the administrative burden to allow a three (3) carry over of this exemption. The provision is not supported as allowed Public Act 253 of 2020 and form 5739 is not part of Whitewater Township's Proposed Poverty Exemption Application Packet.

The Board of Review will evaluate the poverty exemption application packet and resolution at one of its upcoming meetings and offer recommendation the to the Board of Trustees for future consideration and implementation.

An appropriate motion could be: Motion to adopt Resolution #22-XX Whitewater Township Poverty Guideline Resolution as amended.

Respectfully,



Ron Popp
Supervisor, Whitewater Township

**STATE TAX COMMISSION POLICY REGARDING REQUESTS FOR PERCENTAGE
REDUCTIONS IN TAXABLE VALUE FOR POVERTY EXEMPTIONS UNDER MCL 211.7u**

Public Act 253 of 2020 amended MCL 211.7u related to poverty exemptions. PA 253 of 2020 lists the specific percentage reductions in taxable value that may be used by the board of review in granting a poverty exemption. MCL 211.7u(5) states that if a person claiming the poverty exemption meets all eligibility requirements, the board of review shall grant the poverty exemption, in whole or in part, as follows:

1. A full exemption equal to a 100% reduction in taxable value for the year in which the exemption is granted; or
2. A partial exemption equal to a 50% reduction in taxable value for the year in which the exemption is granted; or
3. A partial exemption equal to a 25% reduction in taxable value for the year in which the exemption is granted.

No other method of calculating taxable value may be utilized, except for those percentage reductions specifically authorized in statute, or any other percentage reduction approved by the State Tax Commission. The Commission shall use the following process for the filing, review, and approval of local assessing unit requests to utilize a percentage reduction in taxable value when approving poverty exemptions under MCL 211.7u:

1. A local assessing unit that wants to use any other percentage reduction(s) in taxable value other than the reductions specifically authorized in statute must obtain permission for use of such percentage reduction(s) by filing Form 5738, *Request For Approval of Percentage Reduction in Taxable Value For Poverty Exemptions Under MCL 211.7u* with the State Tax Commission.
2. The local assessing unit must indicate on the Form the specific percentage reduction(s) in taxable value requested and an explanation of how the requested percentage reduction(s) will be calculated and applied when granting a poverty exemption. Based on case law, calculations that utilize any of the following are **not** permitted:
 - a. A limitation on the maximum value of the principal residence eligible to receive an exemption.
 - b. A requirement that the principal residence must be owned for a certain number of years before a claim for exemption can be made.
 - c. A limitation on the number of years an exemption can be claimed and received.
3. If a person meets all eligibility requirements in statute for receiving a full or partial exemption, the calculation for the percentage reduction in taxable value cannot result in a person receiving no relief, i.e., the calculation cannot result in a taxable value greater than or equal to the taxable value *prior* to application for the poverty exemption in that tax year.
4. Form 5738 must be completed in its entirety and signed by the local assessing unit clerk and assessing officer.

5. The completed Form and any attachments must be submitted to the State Tax Commission at: State Tax Commission, PO Box 30471, Lansing, MI 48909 or by email to State-Tax-Commission@michigan.gov.
6. Requests will be reviewed by State Tax Commission staff. If insufficient documentation was provided by the local assessing unit, the local assessing unit will be notified in writing and will be permitted to submit adequate documentation to the State Tax Commission within 30 days of the written notice. If adequate documentation is not submitted within the deadline, staff will recommend that the State Tax Commission deny the request.
7. Upon receipt of a completed request, staff will review the proposed percentage reductions(s) in taxable value and explanation of how the reduction(s) will be calculated and applied when granting a poverty exemption. Staff recommendations to approve or deny a local unit request will be forwarded to the State Tax Commission for review and decision.
8. If approved, the local assessing unit will receive written notification within 14 days of the State Tax Commission meeting approving the request.
9. A local assessing unit that wishes to modify any percentage reduction(s) previously approved by the Commission must do so by submitting a new Form 5738 with the requested percentages.

Application for MCL 211.7u Poverty Exemption

This form is issued under the authority of the General Property Tax Act, Public Act 206 of 1893, MCL 211.7u.

MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893, provides a property tax exemption for the principal residence of persons who, by reason of poverty, are unable to contribute toward the public charges. This application is to be used to apply for the exemption and must be filed with the Board of Review where the property is located. This application may be submitted to the city or township the property is located in each year on or after January 1.

To be considered complete, this application must: 1) be completed in its entirety, 2) include information regarding all members residing within the household, and 3) include all required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

PART 1: PERSONAL INFORMATION — Petitioner must list all required personal information.					
Petitioner's Name				Daytime Phone Number	
Age of Petitioner	Marital Status		Age of Spouse	Number of Legal Dependents	
Property Address of Principal Residence			City	State	ZIP Code
<input type="checkbox"/> Check if applied for Homestead Property Tax Credit			Amount of Homestead Property Tax Credit		
PART 2: REAL ESTATE INFORMATION					
List the real estate information related to your principal residence. Be prepared to provide a deed, land contract or other evidence of ownership of the property at the Board of Review meeting.					
Property Parcel Code Number			Name of Mortgage Company		
Unpaid Balance Owed on Principal Residence		Monthly Payment		Length of Time at this Residence	
Property Description					
PART 3: ADDITIONAL PROPERTY INFORMATION					
List information related to any other property owned by you or any member residing in the household.					
<input type="checkbox"/> Check if you own, or are buying, other property. If checked, complete the information below.				Amount of Income Earned from other Property	
1	Property Address		City	State	ZIP Code
	Name of Owner(s)		Assessed Value	Date of Last Taxes Paid	Amount of Taxes Paid
2	Property Address		City	State	ZIP Code
	Name of Owner(s)		Assessed Value	Date of Last Taxes Paid	Amount of Taxes Paid

PART 4: EMPLOYMENT INFORMATION — List your current employment information.

Name of Employer			
Address of Employer	City	State	ZIP Code
Contact Person	Employer Telephone Number		

PART 5: INCOME SOURCES

List all income sources, including but not limited to: salaries, Social Security, rents, pensions, IRAs (individual retirement accounts), unemployment compensation, disability, government pensions, worker's compensation, dividends, claims and judgments from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, or any other source of income, for all persons residing at the property.

Source of Income	Monthly or Annual Income (indicate which)

PART 6: CHECKING, SAVINGS AND INVESTMENT INFORMATION

List any and all savings owned by all household members, including but not limited to: checking accounts, savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds, or similar investments, for all persons residing at the property.

Name of Financial Institution or Investments	Amount on Deposit	Current Interest Rate	Name on Account	Value of Investment

PART 7: LIFE INSURANCE — List all policies held by all household members.

Name of Insured	Amount of Policy	Monthly Payments	Policy Paid in Full	Name of Beneficiary	Relationship to Insured

PART 8: MOTOR VEHICLE INFORMATION

All motor vehicles (including motorcycles, motor homes, camper trailers, etc.) held or owned by any person residing within the household must be listed.

Make	Year	Monthly Payment	Balance Owed

PART 9: HOUSEHOLD OCCUPANTS — List all persons living in the household.

First and Last Name	Age	Relationship to Applicant	Place of Employment	\$ Contribution to Family Income

PART 10: PERSONAL DEBT — List all personal debt for all household members.

Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balance Owed

PART 11: MONTHLY EXPENSE INFORMATION

The amount of monthly expenses related to the principal residence for each category must be listed. Indicate N/A as necessary.

Heating	Electric	Water	Phone
Cable	Food	Clothing	Health Insurance
Garbage	Daycare	Car Expense (gas, repair, etc.)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	

NOTICE: Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year must be submitted with this application. Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year.

PART 11: POLICY AND GUIDELINES ACKNOWLEDGMENT

The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines used for the granting of exemptions under MCL 211.7u. In order to be eligible for the exemption, the applicant must meet the federal poverty guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, or alternative guidelines adopted by the governing body of the local assessing unit so long as the alternative guidelines do not provide income eligibility requirements less than the federal guidelines. The policy and guidelines must include, but are not limited to, the specific income and asset levels of the claimant and total household income and assets. The combined assets of all persons must not exceed the limits set forth in the guidelines adopted by the local assessing unit.

☐ The applicant has reviewed the applicable policy and guidelines adopted by the city or township, including the specific income and asset levels of the claimant and total household income and assets.

PART 12: CERTIFICATION

I hereby certify to the best of my knowledge that the information provided in this form is complete, accurate and I am eligible for the exemption from property taxes pursuant to Michigan Compiled Law, Section 211.7u.

Printed Name	Signature	Date
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This application shall be filed after January 1, but before the day prior to the last day of the local unit's December Board of Review.

Decision of the March Board of Review may be appealed by petition to the Michigan Tax Tribunal by July 31 of the current year. A July or December Board of Review decision may be appealed to the Michigan Tax Tribunal by petition within 35 days of decision. A copy of the Board of Review decision must be included with the petition.

Michigan Tax Tribunal
PO Box 30232
Lansing MI 48909

Phone: 517-335-9760
E-mail: taxtrib@michigan.gov

Request For Approval of Percentage Reduction in Taxable Value For Poverty Exemptions Under MCL 211.7u

This form is issued under the authority of Public Act 253 of 2020.

This form is to be completed by any local assessing unit requesting to utilize a percentage reduction in taxable value for exemptions granted under MCL 211.7u other than the taxable value reductions permitted by MCL 211.7u(5)(a) and (b)(i). MCL 211.7u(5)(b)(ii) provides that the board of review may grant the poverty exemption, in whole or in part, for any other percentage reduction in taxable value for the tax year in which the exemption is granted, applied in a form and manner prescribed by the State Tax Commission. The local assessing unit is required to complete this form in its entirety and submit to the State Tax Commission for review and approval prior to applying any other percentage reduction in taxable value other than what is permitted in statute.

All parts below must be completed.

PART 1: LOCAL ASSESSING UNIT INFORMATION			
City or Township (check the appropriate box and enter name) <input type="checkbox"/> City <input type="checkbox"/> Township		County	
City or Township Mailing Address	City	State	ZIP Code
PART 2: PERCENTAGE REDUCTION(S) IN TAXABLE VALUE REQUESTED			
List all requested percentage reductions below:			
PART 3: EXPLANATION OF HOW PERCENTAGE REDUCTION WILL BE CALCULATED AND APPLIED			
Provide an explanation of how the percentage reduction(s) in taxable value will be calculated and applied by the local assessing unit. Attach additional pages if necessary:			
PART 4: CERTIFICATION			
We certify to the best of our knowledge, that the information contained in this form is complete and accurate and that we are authorized to represent the city or township named in this form. We understand that a request for a percentage reduction in taxable value other than what is prescribed in statute must be submitted to and approved by the State Tax Commission prior to use of any other percentage reduction in taxable value by the local assessing unit in granting exemptions under MCL 211.7u.			
City or Township Clerk Name (print)	City or Township Clerk Signature		
Assessing Officer Name (print)	Assessing Officer Signature		

Mail completed form and any attachments to: State Tax Commission, PO Box 30471, Lansing MI 48909;
or e-mail to **State-Tax-Commission@michigan.gov**

Poverty Exemption Affidavit

This form is issued under authority of Public Act 206 of 1893; MCL 211.7u.

INSTRUCTIONS: When completed, this document must accompany a taxpayer's Application for Poverty Exemption filed with the supervisor or the board of review of the local unit where the property is located. MCL 211.7u provides for a whole or partial property tax exemption on the principal residence of an owner of the property by reason of poverty and the inability to contribute toward the public charges. MCL 211.7u(2)(b) requires proof of eligibility for the exemption be provided to the board of review by supplying copies of federal and state income tax returns for all persons residing in the principal residence, including property tax credit returns, or by filing an affidavit for all persons residing in the residence who were not required to file federal or state income tax returns for the current or preceding tax year.

I, _____, swear and affirm by my signature below that I reside in the principal residence that is the subject of this Application for Poverty Exemption and that for the current tax year and the preceding tax year, I was not required to file a federal or state income tax return.

Address of Principal Residence: _____

Signature of Person Making Affidavit

Date

RESOLUTION #22-XX

WHITEWATER TOWNSHIP POVERTY EXEMPTION GUIDELINES

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the township board; and

WHEREAS, the principal residence of persons who, in the judgment of the Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption, in whole or in part from taxation under Public Act 390, 1994 (MCL 211,7u) and

WHEREAS, pursuant to PA 390, 1994, Whitewater Township, Grand Traverse County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels or the claimant and all persons residing in the household.

To be eligible, a person shall do all the following on an annual basis:

- 1) Own and occupy as your principal residence, the property for which the exemption is requested.
- 2) File a claim with the supervisor/assessor or board of review, on a form 5737, accompanied by federal and state income tax returns for all persons residing in the principal residence with all W-2's, 1099's, preceding twelve (12) months of bank statements, or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.
- 3) File a claim reporting the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc. An estimate of value (Blue Book) must be supplied for all titled or registered vehicles.
- 4) Produce a valid driver's license or other form of identification if requested by the board of review.
- 5) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the board of review.
- 6) Meet the federal poverty guidelines updated annually in the federal register by the United States Department of Health and Human Services, or alternative guidelines

adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.

- 7) The application for an exemption under this section shall be filed after January 1 but before the day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to Michigan Tax Tribunal.

NOTE: Applications may be reviewed by the Board of Review without applicant being present. However, the Board of Review may request that any or all applicants be physically present to respond to any questions they may have. This means that you could be called to appear on short notice. You may have to answer questions regarding your financial affairs, health, the status of people living in your home, etc. before the Board of Review, at a meeting which is open to and may be attended by the public. Teleconferencing for the purpose of asking questions of the applicant is allowable if the applicant is not able to attend.

- 8) Additional eligibility requirements as determined by the Whitewater Township Board:

- a. The Board of Review shall follow the policy and guidelines established herein when granting or denying an exemption.
- b. As an alternate guideline and authorized above in paragraph 6, the Board of Review shall recognize the published 2021 Poverty Guidelines for the 48 contiguous states and the district of Columbia PLUS 125% when determining eligibility for principal resident poverty tax exemption applications in Whitewater Township.
- c. The Board of Review may not deviate from the guidelines.
- d. Applicants may be subject to investigation of their entire financial and property records by the Township. This would be done to verify information given or statements made to the Board of Review or assessor in regards to the poverty tax claim.
- e. All applicants will be evaluated based on data and statements given to the Board by the applicant. The Board can also use information gathered from any source.

- f. Asset Eligibility: The value of property in excess of what is considered part of the original homestead shall be considered an asset. Assets include, but are not limited to: real estate other than the principal residence, motor vehicle, recreational vehicles and equipment, certificates of deposits, savings accounts, checking accounts, cash, stocks, bonds, life insurance, coin collections, boats, jewelry, retirement funds, etc. Assets, (except the original homestead, essential household goods and the first \$15,200 of the market value of a motor vehicle), shall not exceed \$4,162 for an individual applicant and/or \$6,242 per household if more than one financial contributor. An estimate of value (Blue Book) must be supplied for all titled or registered vehicles.
- g. The Board of Review will consider all assets of the owner, co-owner(s) and all qualifying financial members of the household. Any attempt to hide and/or shift assets to another person, business or corporation shall be grounds for denial.

Handicapped or infirmed applicants may call the Assessing Office to make necessary arrangements for assistance.

If the applicants fail to supply the required documents and/or fails to complete the application in its entirety, or if the information supplied is found to be fraudulent, the application shall be denied.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

A motion to adopt the foregoing resolution was made by _____ and seconded by _____.

Upon roll call vote, the following voted:

Yes:

No:

Absent: None

Resolution declared (adopted/failed).

Certificate

I, Cheryl A. Goss, Clerk of Whitewater Township, Grand Traverse County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Whitewater Township Board of said municipality at a regular meeting held on February 8, 2022, relative to the adoption of Resolution #22-XX.

Cheryl A. Goss

that have engineered sharps injury protections as described in the Needlestick Safety and Prevention Act, Public Law 106–430, 114 Stat. 1901 (Nov. 6, 2000) and Occupational Safety and Health Administration (OSHA) standard 29 CFR 1910.1030, Bloodborne Pathogens.”

A copy of the Notice of the March 25 Designation, including the above modifications and those included in the June 30, 2020 and July 30, 2020 notices is provided below and also can be found on HHS’s website.

Notice of Designation of Scarce Materials or Threatened Materials

Health or medical resources, or any of their essential components, determined by the Secretary of HHS to be needed to respond to the spread of COVID–19 and which are, or are likely to be, in short supply (scarce materials) or the supply of which would be threatened by hoarding (threatened materials). Designated scarce materials or threatened materials are subject to periodic review by the Secretary.

The following materials are designated pursuant to section 102 of the Defense Production Act (50 U.S.C. 4512) and Executive Order 13190 of March 23, 2020 (Preventing Hoarding of Health and Medical Resources to Respond to the Spread of COVID–19) as scarce materials or threatened materials:

1. N–95 Filtering Facepiece Respirators, including devices that are disposable half-face-piece non-powered air-purifying particulate respirators intended for use to cover the nose and mouth of the wearer to help reduce wearer exposure to pathogenic biological airborne particulates

2. Other Filtering Facepiece Respirators (*e.g.*, those designated as N99, N100, R95, R99, R100, or P95, P99, P100), including single-use, disposable half-mask respiratory protective devices that cover the user’s airway (nose and mouth) and offer protection from particulate materials at or greater than an N95 filtration efficiency level per 42 CFR 84.181.

3. Elastomeric, air-purifying respirators and appropriate particulate filters/cartridges

4. Powered Air Purifying Respirators (PAPR)

5. Portable Ventilators, including portable devices intended to mechanically control or assist patient breathing by delivering a predetermined percentage of oxygen in the breathing gas

6. Sterilization services for any device as defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) and sterilizers as defined in

21 CFR 880.6860, 880.6870, and 880.6880, including devices that already have FDA marketing authorization and those that do not have FDA marketing authorization but are intended for the same uses, or are authorized by FDA under section 564 of the FD&C Act for purposes of decontamination

7. Disinfecting devices intended to kill pathogens and other kinds of microorganisms by chemical means or physical means, including those defined in 21 CFR 876.1500, 880.6992, and 892.1570 and other sanitizing and disinfecting products suitable for use in a clinical setting

8. Medical gowns or apparel, *e.g.*, surgical gowns or isolation gowns

9. Personal protective equipment (PPE) coveralls, *e.g.*, Tyvek Suits

10. Face masks, including any masks that cover the user’s nose and mouth and may or may not meet fluid barrier or filtration efficiency levels

11. Surgical masks, including masks that covers the user’s nose and mouth and provides a physical barrier to fluids and particulate materials

12. PPE face shields, including those defined at 21 CFR 878.4040 and those intended for the same purpose

13. PPE gloves or surgical gloves, including those defined at 21 CFR 880.6250 (exam gloves) and 878.4460 (surgical gloves) and such gloves intended for the same purposes

14. Ventilators, anesthesia gas machines modified for use as ventilators, and positive pressure breathing devices modified for use as ventilators (collectively referred to as “ventilators”), ventilator tubing connectors, and ventilator accessories as those terms are described in FDA’s March 2020 Enforcement Policy for Ventilators and Accessories and Other Respiratory Devices During the Coronavirus Disease 2019 (COVID–19) Public Health Emergency located at <https://www.fda.gov/media/136318/download>.

15. Laboratory reagents and materials used for isolation of viral genetic material and testing, such as transport media, collection swabs, test kits and reagents specific to those kits, and consumables such as plastic pipette tips and plastic tubes

16. Drug products currently recommended by the NIH COVID–19 Treatment Guidelines Panel, including (as of July 30, 2020) remdesivir and dexamethasone

17. Alcohol-based (over 60 percent) hand sanitizer and rubs.

18. Syringes and hypodermic needles (whether distributed separately or attached together) generally used in the

United States for vaccinations that are either:

(i) Piston syringes in 1 ml or 3 ml sizes that allow for the controlled and precise flow of liquid as described by 21 CFR 880.5860, that are compliant with ISO 7886–1:2017 and use only Current Good Manufacturing Practices (CGMP) processes; or

(ii) Hypodermic single lumen needles between 1” and 1.5” and 22 to 25 gauge between 1” and 1.5” and 22 to 25 gauge that have engineered sharps injury protections as described in the Needlestick Safety and Prevention Act, Public Law 106–430, 114 Stat. 1901 (Nov. 6, 2000) and OSHA standard 29 CFR 1910.1030, Bloodborne Pathogens.”

Authority: The authority for this Notice is Executive Order 13910 and section 102 of the Defense Production Act of 1950, 50 U.S.C. 4512, as amended.

Norris Cochran,

Acting Secretary, Department of Health and Human Services.

[FR Doc. 2021–02102 Filed 1–29–21; 8:45 am]

BILLING CODE 4150–37–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Annual Update of the HHS Poverty Guidelines

AGENCY: Department of Health and Human Services.

ACTION: Notice.

SUMMARY: This notice provides an update of the Department of Health and Human Services (HHS) poverty guidelines to account for last calendar year’s increase in prices as measured by the Consumer Price Index.

DATES: *Applicable:* January 13, 2021 unless an office administering a program using the guidelines specifies a different effective date for that particular program.

ADDRESSES: Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: For information about how the guidelines are used or how income is defined in a particular program, contact the Federal, state, or local office that is responsible for that program. For information about poverty figures for immigration forms, the Hill-Burton Uncompensated Services Program, and the number of people in poverty, use the specific telephone numbers and addresses given below.

For general questions about the poverty guidelines themselves, contact Kendall Swenson, Office of the Assistant Secretary for Planning and Evaluation, Room 404E.3, Humphrey Building, Department of Health and Human Services, Washington, DC 20201—telephone: (202) 795-7309—or visit <http://aspe.hhs.gov/poverty/>.

For information about the percentage multiple of the poverty guidelines to be used on immigration forms such as USCIS Form I-864, Affidavit of Support, contact U.S. Citizenship and Immigration Services at 1-800-375-5283. You also may visit <https://www.uscis.gov/i-864>.

For information about the Hill-Burton Uncompensated Services Program (free or reduced-fee health care services at certain hospitals and other facilities for persons meeting eligibility criteria involving the poverty guidelines), contact the Health Resources and Services Administration Information Center at 1-800-638-0742. You also may visit <https://www.hrsa.gov/get-health-care/affordable/hill-burton/index.html>.

For information about the number of people in poverty, visit the Poverty section of the Census Bureau's website at <https://www.census.gov/topics/income-poverty/poverty.html> or contact the Census Bureau's Customer Service Center at 1-800-923-8282 (toll-free) or visit <https://ask.census.gov> for further information.

SUPPLEMENTARY INFORMATION:

Background

Section 673(2) of the Omnibus Budget Reconciliation Act (OBRA) of 1981 (42 U.S.C. 9902(2)) requires the Secretary of the Department of Health and Human Services to update the poverty guidelines at least annually, adjusting them on the basis of the Consumer Price Index for All Urban Consumers (CPI-U). The poverty guidelines are used as an eligibility criterion by Medicaid and a number of other Federal programs. The poverty guidelines issued here are a simplified version of the poverty thresholds that the Census Bureau uses to prepare its estimates of the number of individuals and families in poverty.

As required by law, this update is accomplished by increasing the latest published Census Bureau poverty thresholds by the relevant percentage change in the Consumer Price Index for All Urban Consumers (CPI-U). The guidelines in this 2021 notice reflect the 1.2 percent price increase between calendar years 2019 and 2020. After this inflation adjustment, the guidelines are rounded and adjusted to standardize the

differences between family sizes. In rare circumstances, the rounding and standardizing adjustments in the formula result in small decreases in the poverty guidelines for some household sizes even when the inflation factor is not negative. In cases where the year-to-year change in inflation is not negative and the rounding and standardizing adjustments in the formula result in reductions to the guidelines from the previous year for some household sizes, the guidelines for the affected household sizes are fixed at the prior year's guidelines. As in prior years, these 2021 guidelines are roughly equal to the poverty thresholds for calendar year 2020 which the Census Bureau expects to publish in final form in September 2021.

The poverty guidelines continue to be derived from the Census Bureau's current official poverty thresholds; they are not derived from the Census Bureau's Supplemental Poverty Measure (SPM).

The following guideline figures represent annual income.

2021 POVERTY GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA

Persons in family/household	Poverty guideline
1	\$12,880
2	17,420
3	21,960
4	26,500
5	31,040
6	35,580
7	40,120
8	44,660

For families/households with more than 8 persons, add \$4,540 for each additional person.

2021 POVERTY GUIDELINES FOR ALASKA

Persons in family/household	Poverty guideline
1	\$16,090
2	21,770
3	27,450
4	33,130
5	38,810
6	44,490
7	50,170
8	55,850

For families/households with more than 8 persons, add \$5,680 for each additional person.

2021 POVERTY GUIDELINES FOR HAWAII

Persons in family/household	Poverty guideline
1	\$14,820
2	20,040
3	25,260
4	30,480
5	35,700
6	40,920
7	46,140
8	51,360

For families/households with more than 8 persons, add \$5,220 for each additional person.

Separate poverty guideline figures for Alaska and Hawaii reflect Office of Economic Opportunity administrative practice beginning in the 1966-1970 period. (Note that the Census Bureau poverty thresholds—the version of the poverty measure used for statistical purposes—have never had separate figures for Alaska and Hawaii.) The poverty guidelines are not defined for Puerto Rico or other outlying jurisdictions. In cases in which a Federal program using the poverty guidelines serves any of those jurisdictions, the Federal office that administers the program is generally responsible for deciding whether to use the contiguous-states-and-DC guidelines for those jurisdictions or to follow some other procedure.

Due to confusing legislative language dating back to 1972, the poverty guidelines sometimes have been mistakenly referred to as the “OMB” (Office of Management and Budget) poverty guidelines or poverty line. In fact, OMB has never issued the guidelines; the guidelines are issued each year by the Department of Health and Human Services. The poverty guidelines may be formally referenced as “the poverty guidelines updated periodically in the **Federal Register** by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).”

Some federal programs use a percentage multiple of the guidelines (for example, 125 percent or 185 percent of the guidelines), as noted in relevant authorizing legislation or program regulations. Non-Federal organizations that use the poverty guidelines under their own authority in non-Federally-funded activities also may choose to use a percentage multiple of the guidelines.

The poverty guidelines do not make a distinction between farm and non-farm families, or between aged and non-aged units. (Only the Census Bureau poverty thresholds have separate figures for aged

and non-aged one-person and two-person units.)

This notice does not provide definitions of such terms as “income” or “family” as there is considerable variation of these terms among programs that use the poverty guidelines. The legislation or regulations governing each program define these terms and determine how the program applies the poverty guidelines. In cases where legislation or regulations do not establish these definitions, the entity that administers or funds the program is responsible to define such terms as “income” and “family.” Therefore questions such as net or gross income, counted or excluded income, or household size should be directed to the entity that administers or funds the program.

Norris Cochran,

Acting Secretary, Department of Health and Human Services.

[FR Doc. 2021-01969 Filed 1-29-21; 8:45 am]

BILLING CODE 4150-05-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NRNL-DTS#-31404;
PPWOCRADIO, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting electronic comments on the significance of properties nominated before January 16, 2021, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by February 16, 2021.

ADDRESSES: Comments are encouraged to be submitted electronically to *National_Register_Submissions@nps.gov* with the subject line “Public Comment on <property or proposed district name, (County) State>.” If you have no access to email you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 7228, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before January 16,

2021. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Nominations submitted by State or Tribal Historic Preservation Officers:

DISTRICT OF COLUMBIA

District of Columbia

Annie’s Paramount Steakhouse, 1519 and 1609-1611 17th St. NW, Washington, SG100006178

GEORGIA

Fulton County

Sperry & Hutchinson Company Warehouse, 2181 Sylvan Rd., East Point, SG100006164

IOWA

Henry County

Schantz, Christian K. and Margaret (Rich), House and Carpentry Shop, 116 West 2nd St., Wayland, SG100006173

Scott County

WOC Broadcasting Center, 805 Brady St., Davenport, SG100006171

MISSISSIPPI

Hinds County

Falk, Meyer and Genevieve, House, 2037 Eastbourne Pl., Jackson, SG100006163

Lafayette County

Abbeville Colored School, West side of Cty. Rd., 115, Abbeville vicinity, SG100006175

MISSOURI

Cole County

J.B. Bruns Shoe Co. Building, 627 West McCarty St., Jefferson City, SG100006167

St. Louis Independent City

Goodwill Building, 4140 Forest Park Ave., St. Louis, SG100006165

OHIO

Allen County

J.M. Sealts Company Warehouse Building, The 330 North Central Ave., Lima, SG100006179

PENNSYLVANIA

Allegheny County

Riverview Park, Roughly bounded by Woods Run Ave., Mairdale Ave., Perrysville Ave., and Kilbuck St., Pittsburgh, SG100006181

VERMONT

Bennington County

Norton, Julius and Sophia, House, 300 Pleasant St., Bennington, SG100006180

VIRGINIA

Lunenburg County

Woodburn, 673 Meherrin River Rd., Chase City vicinity, SG100006177

Williamsburg Independent City

College Terrace Historic District, 600 and 700 blks. of College Ter. and Richmond Rd., Williamsburg, SG100006176

Additional documentation has been received for the following resources:

IOWA

Clayton County

McGregor Commercial Historic District (Additional Documentation), (Iowa’s Main Street Commercial Architecture MPS), A and 1st Sts. between Main and intersection of A and 1st Sts., McGregor, AD02001033

Keokuk County

Saints Peter and Paul Roman Catholic Church Historic District (Additional Documentation), 30748-30832 242nd St., Harper vicinity, AD86002277

A request for removal has been made for the following resource:

NEVADA

Elko County

Lamoille Organization Camp, Right Fork of Lamoille Creek, end of FS Rd. 122, Ruby Mountains Ranger District, Humboldt-Toiyabe NF, Lamoille vicinity, OT07000553

Authority: Section 60.13 of 36 CFR part 60.

Dated: January 21, 2021.

Sherry A. Frear,

*Chief, National Register of Historic Places/
National Historic Landmarks Program.*

[FR Doc. 2021-02056 Filed 1-29-21; 8:45 am]

BILLING CODE 4312-52-P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-528-529 and 731-TA-1264-1268 (Review)]

Certain Uncoated Paper From Australia, Brazil, China, Indonesia, and Portugal; Institution of Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to the Tariff Act of 1930 (“the Act”), as amended, to determine whether revocation of the countervailing duty orders on certain

Memo

To: Whitewater Township Board

From: Ron Popp, Supervisor

CC: None

Date: 1-25-2022

Re: ARPA Funds and Broadband

Board Members –

U.S. Department of Treasury provided a final ruling on the use of ARPA funding mid January 2022. Since that release, the MTA and others have provided summary documents and webinars on the subject. One such summary on broadband authored by U.S. Treasury created enough wonder to warrant further research. In doing so, I realized the Whitewater Township Board of Trustees may have proceeded hastily in granting some of its ARPA funds to Broadband.


The additional research, revealed an interim rule set that the Township should have been following when determining if the proposed project was an eligible candidate. It is unclear what Board Members, if any had prior knowledge of these interim rules during early funding request deliberations. The email to Catherine Malhaupt of the Michigan Township Association (MTA) below summarizes a few of the concerns we should address before our required audit period with Treasury. A close review of our decision may reveal additional concerns that will need to be addressed. Because the project we chose to support already has multiple funding avenues, and more are being announced weekly as the parts of the “Build Back Better Plan. The recipients (that’s the Township) **must** ensure that these funds are designed to address an **identified need** for additional broadband investment that is **not** met by existing **federal or state funding**. There are more requirements too we did not know about and therefore did not address when adopting Resolution #21-14.

I believe the Township should address the discrepancies now before a U.S. Treasury audit has an opportunity to question the Board’s decision. A second look may alter Resolution #21-14 or it may not but, at least we will have good documentation on our side. Clearly, the U.S. Treasury has made the ARPA funds recipient responsible for making sure certain technical milestones don’t currently exist and that the funding will correct the **documented** deficiency. Optionally, the Board may want to look for technical assistance to determine the current level and location of internet service existing in the Township. We may find, any portion of the Township that is covered by Charter/Spectrum do not qualify for ARPA funds.

We have some homework to do, in regards to the process the Township Board of Trustees follow when expensing ARPA funds. The following motion is made to allow for time to complete that work.

Motion to suspend Resolution #21-14 until such time compliance with U.S. Treasury rules can be determined.

Respectfully submitted,

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

Ron Popp
Supervisor, Whitewater Township



Broadband Infrastructure

The Coronavirus State and Local Fiscal Recovery Funds may be used to make necessary investments in broadband infrastructure, which has been shown to be critical for work, education, healthcare, and civic participation during the public health emergency. The final rule broadens the set of eligible broadband infrastructure investments that recipients may undertake.

Recipients may pursue investments in broadband infrastructure meeting technical standards detailed below, as well as an expanded set of cybersecurity investments.

BROADBAND INFRASTRUCTURE INVESTMENTS

Recipients should adhere to the following requirements when designing a broadband infrastructure project:

1. **Identify an eligible area for investment.** Recipients are encouraged to prioritize projects that are designed to serve locations without access to reliable wireline 100/20 Mbps broadband service (meaning service that reliably provides 100 Mbps download speed and 20 Mbps upload speed through a wireline connection), but are broadly able to invest in projects designed to provide service to locations with an identified need for additional broadband investment. Recipients have broad flexibility to define need in their community. Examples of need could include:

- ✓ Lack of access to a reliable high-speed broadband connection
- ✓ Lack of affordable broadband
- ✓ Lack of reliable service

If recipients are considering deploying broadband to locations where there are existing and enforceable federal or state funding commitments for reliable service of at least 100/20 Mbps, recipients must ensure that SLFRF funds are designed to address an identified need for additional broadband investment that is not met by existing federal or state funding commitments. Recipients must also ensure that SLFRF funds will not be used for costs that will be reimbursed by the other federal or state funding streams.

2. **Design project to meet high-speed technical standards.** Recipients are required to design projects to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds. In cases where it is not practicable, because of the excessive cost of the project or geography or topography of the area to be served by the project, eligible projects may be designed to reliably meet or exceed 100/20 Mbps and be scalable to a minimum of symmetrical 100 Mbps download and upload speeds.

Treasury encourages recipients to prioritize investments in fiber-optic infrastructure wherever feasible and to focus on projects that will achieve last-mile connections. Further, Treasury encourages recipients to prioritize support for broadband networks owned, operated by, or affiliated with local governments, nonprofits, and co-operatives.



3. **Require enrollment in a low-income subsidy program.** Recipients must require the service provider for a broadband project that provides service to households to either:

- ✓ Participate in the FCC's Affordable Connectivity Program (ACP)
- ✓ Provide access to a broad-based affordability program to low-income consumers that provides benefits commensurate to ACP

Treasury encourages broadband services to also include at least one low-cost option offered without data usage caps at speeds sufficient for a household with multiple users to simultaneously telework and engage in remote learning. Recipients are also encouraged to consult with the community on affordability needs.

CYBERSECURITY INVESTMENTS

SLFRF may be used for modernization of cybersecurity for existing and new broadband infrastructure, regardless of their speed delivery standards. This includes modernization of hardware and software.

APPLICABLE STANDARDS & REQUIREMENTS

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



Ron Popp <supervisorwhitewater@gmail.com>

RE: Broadband and ARPA

1 message

Catherine Mullhaupt <catherine@michigantownships.org>

Tue, Jan 18, 2022 at 7:52 AM

To: Ron Popp <supervisorwhitewater@gmail.com>

Cc: Cindy Dodge <cindy@michigantownships.org>, Michael Selden <michael@michigantownships.org>

Ron:

If you are asking whether a township would have to pay U.S. Treasury back any of its ARPA payment if it is used in a way that does not comply with the ARPA or Treasury rules, yes, that is possible. We are not in a position to say whether what the township has done violates the ARPA or Treasury's rules.

Because the township has apparently entered into a contract, the township board needs to talk to its attorney right away if the township believes it has done anything improper with its ARPA funds. We cannot provide legal guidance—only general information—and this is a specific existing situation.

I have also attached the MTA fact sheet on Townships and Broadband—because regardless of what the ARPA provides for regarding broadband infrastructure, there are Michigan laws that do limit how a township can provide broadband.

Catherine A. Mullhaupt, Staff Attorney
Member Information Services
Michigan Townships Association
(517) 321-6467
catherine@michigantownships.org

MTA Member Information Services staff are regularly available Monday through Friday, 8 a.m. to 5 p.m., to answer your questions.

The information contained in this email is provided solely for a general informational purpose and should not be interpreted as legal advice. MTA encourages township officials to consult with their legal counsel on questions of law. MTA reserves the right to distribute this information.

From: Ron Popp <supervisorwhitewater@gmail.com>

Sent: Friday, January 14, 2022 1:39 PM

To: Catherine Mullhaupt <catherine@michigantownships.org>; Ron Popp <supervisorwhitewater@gmail.com>

Subject: Broadband and ARPA

Good afternoon Cathrine -

Thanks to you and Micheal for presenting your recent webinar regarding ARPA final rules, I enjoyed the program! Thankfully, we are a Township receiving less than 10 million dollars and can take full advantage of these updated "allowable" expenses.....

I apologize for the length of this email -

I have read a couple of Final Rule - Broadband Summary documents that left me wondering what else we as recipients should be considering as we invest our ARPA funds. That provided a great excuse to read the 430 plus pages of the final rules, which I have not taken advantage of yet. However, when looking at section D, Investments in Water, Sewer, and Broadband, beginning about page 260, and more specifically, Paragraph 2 Broadband Infrastructure, beginning at page 294, I get the feeling we have made some missteps, with an early request for ARPA funds from a local fiber contractor.

The scenario is: Local fiber provider approached the Township requesting ARPA funds to expand services to unserved and underserved areas of a rural township. About 1/3 of our ARPA funds were committed to the request. Two months later, a second local competing fiber provider made a similar request for ARPA funds for expansion in the same general area of the township. Each is planning to service roughly about the same number of homes. Provider two (second requester) appears to already hold a fixed wireless internet customer base in the area of expansion that approaches 50% of the proposed customers in the expansion area.

My concern is the Township committed ARPA funds to Company One, while Company Two currently provides 25/3 WISP to an existing customer base in the area of expansion. Additionally, Company Two has plans to "update" their WISP customers to a fiber connection before the 2024 date noted, which will comply with the 100/100 speeds.

Question #1: Will the township(s) have to pay portions of this money back? The Treasury is very good at clawing money back post audits and because of some of our missteps this is a concern.

None of our Board Members are internet construction contractors.

Question #2: Should townships use contracts/agreements from the service provider that "certifies" their proposal conforms to ARPA's final rule? Thinking I don't know a Mb/s from a Gb/s many "recipients" may find projects we fund do not meet some of the final rules, or that the project never gets completed. Scams are everywhere.

Some of our missteps according to my reading of the broadband final rule are:

1) The final rule maintains the interim final rule's requirement that eligible projects be designed to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds. From page 296.

Note: The township did not confirm this before spending the money.

2) The final rule requires recipients to address the affordability needs of low-income consumers in accessing broadband networks funded by SLFRF, given that such a project cannot be considered a necessary investment in broadband infrastructure if it is not affordable to the population the project would serve. From page 297.

Note: The township did not confirm this.

3) As part of their project selection process, recipients are encouraged to consult with the community on the general affordability needs of the target markets in the proposed service area. Additionally, recipients are encouraged to require that services provided by a broadband infrastructure project include at least one low-cost option offered without data usage caps and at speeds that are sufficient for a household with multiple. From Page 297

Note: The township did not hold any public input sessions.

4) Recipients will be required to report speed, pricing, and any data allowance information as part of mandatory reporting to the Treasury. From page 298.

Note: It is unclear if this information will be needed on our initial report due in early spring 2022.

5) Treasury continues to encourage recipients to prioritize support for broadband networks owned, operated by, or affiliated with local governments, nonprofits, and cooperatives. In addition, to the extent recipients are considering deploying broadband to locations where there are existing enforceable federal or state funding commitments for reliable service at speeds of at least 100 Mbps download speed and 20 Mbps upload speed, recipients must ensure that SLFRF funds are designed to address an identified need for additional broadband investment that is not met by existing federal or state funding commitments. Recipients must also ensure that SLFRF funds will not be used for costs that will be reimbursed by the other federal or state funding streams. From page 298.

Note: The Township did the opposite. Company One, has federal awards for this expansion however, it is unknown if those federal dollars pay for last mile construction.

6) The interim final rule limited eligible broadband investments to projects focused on delivering service to unserved or underserved locations, defined as households or businesses that lack access to a wireline connection capable of reliably delivering at least minimum speeds of 25 Mbps download and 3 Mbps upload. From page 299.

Note: Some of the proposed project scopes from both Company One and Company Two include areas served by wireline. The final rules appear to recognize that "new infrastructure" may "pass thru" an area already served and that fact does not affect project eligibility.

7) Consistent with further guidance issued by Treasury in determining areas for investment, recipients may choose to consider any available data, including but not limited to documentation of existing broadband internet service performance, federal and/or state collected broadband data, user speed test results, interviews with community members and business owners, reports from community organizations, and any other information they deem relevant. From page 303.

Note: The Township did none of this.

8) The final rule maintains the interim final rule's requirement that eligible projects be designed to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds. From page 306.

Note: The township did not do this.

9) Recipients must require the service provider for a completed broadband infrastructure investment project that provides service to households to participate in the Federal Communications Commission's (FCC) Affordable Connectivity Program (ACP); or Otherwise provide access to a broad-based affordability program to low-income. From page 308.

Note: Yep missed this one, affordability of the end product was not a talking point of the Board. It would be a shame to spend this money and have most people not feel a \$150.00 per month fee for the service is a value. Additionally, I believe the last mile connection fee is around \$1,700.00

10) Recipients must also ensure that SLFRF funds will not be used for costs that will be reimbursed by the other federal or state funding streams. From page 311.

Note: The Township did the opposite. I believe the project we committed funds to also has RDOF funding.

Realizing documentation, documentation, documentation should be the norm, we may have been "excited" when considering our first request for ARPA funds. A future webinar detailing some of the items recipients should be including in their decision making process (similar to the functions of a ZBA Board) could be very helpful in assisting the recipient "keeping" its ARPA funds. Continuing the message of " don't be in a hurry" is also very important.

For us, we may have to redo our first grant request making sure to detail some of the above.

Thank you,

Ron Popp

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2 attachments



MTA ARPA FAQs_Using Funds_Revised Jan 14 2022.pdf
283K



Townships and Broadband Internet Options_2021.pdf
184K



How Can Michigan Townships Use the American Rescue Plan Act Funds?

As of January 14, 2022, with issuance of Final Rule

Almost all Michigan townships have chosen to accept their American Rescue Plan Act (ARPA) payments from the federal government. Although the first “tranche” (payment) of half of each township’s full amount has been paid out, many townships have been considering—and wrestling—with questions on how they may or may not spend those funds.

The “good news” is that townships are not required to decide or know how they will spend those funds for some time to come. Although the federal reporting requirements will kick in in April (unless extended further by the U.S. Treasury), you do not have to have used or obligated any funds to fulfill those reporting requirements. Funds can be spent upon receipt and must be obligated by December 31, 2024, but funds are not required to be used or obligated before then. Funds must be expended by December 31, 2026.

Funds can be used for costs incurred from March 3, 2021, through December 31, 2024 (except premium pay for essential employees can be retroactive to January 27, 2020).

The “great”—and we are happy to say we really mean GREAT—news is that as of January 6, 2022, the Final Rule (replacing the previous versions of the Interim Final Rule), which will take effect April 1, 2022, now offers a **“standard allowance” for revenue loss of \$10 million**, allowing recipients to select either a standard amount of revenue loss OR complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount for government services. **Because all but one Michigan township ARPA recipient received a total payment of less than \$10 million, all those townships may choose to use the revenue loss formula OR instead use any or all of their ARPA payment up to a maximum of \$10 million without having to make the revenue loss calculation.**

This is an enormous change from previous guidance and the “interim final rule” for the funds. Previously the “revenue loss” category of allowable uses would allow townships to use their ARPA funds for various sorts of general governmental services BUT only if a township could demonstrate or project a “revenue loss” as defined by a very complicated formula, which still might limit the township to using only part of its total payment. We know that most townships really only want to use—or only have realistic options for using—their ARPA funds for “normal” Michigan township need, such as facility improvements, road projects, improving or adding township programs or services that may or may not have any connection with

the COVID pandemic. The new \$10 million “standard allowance” gives much more flexibility, which is incredibly welcome news, allows townships to do just that.

As of January 7, 2022, the actual Final Rule has not yet been published in the Federal Register, so references to the “Final Rule” are to the [Final Rule Summary](#) provided by U.S. Treasury.

Although the Final Rule does not take effect until April 1, 2022, the [Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule, January 2022](#), issued along with the Final Rule, states the following:

“The final rule takes effect on April 1, 2022. Until that time, the interim final rule remains in effect; funds used consistently with the IFR while it is in effect are in compliance with the SLFRF program. **However, recipients can choose to take advantage of the final rule’s flexibilities and simplifications now, even ahead of the effective date. Treasury will not take action to enforce the interim final rule to the extent that a use of funds is consistent with the terms of the final rule, regardless of when the SLFRF funds were used.**” [Emphasis added]

Note on Qualified Census Tracts:

Some townships may also include [Qualified Census Tracts](#) (listing of townships with QCTs; view a [QCT map here](#)), which are “those in which 50% or more of the households are income eligible and the population of all census tracts that satisfy this criterion does not exceed 20% of the total population of the respective area.” ([HUD](#)) Some uses may be available because a township includes a QCT.

Disclaimer:

This resource was developed with information and excerpts from the [U.S. Treasury’s Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions](#) (as of July 14, 2021), and [Michigan Department of Treasury resources](#) and staff input, along with the federal [Interim Final Rule](#) and [NATaT FAQs](#), and updated with the January 2022 [Final Rule Summary](#) and the [Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule, January 2022](#).

This information is provided as a general overview, with some potential uses listed in the federal information edited out by MTA staff because they are not allowable expenditures for Michigan townships under Michigan law. This was done to make it easier for township boards to sort through the information and see uses and needs that are familiar to Michigan townships. It is not, however, a legal opinion on the specific lawfulness or appropriateness of any use listed or not listed for individual townships. Township boards should work with your consultants (auditor, attorney) to determine how your township’s Coronavirus Local Fiscal Recovery Fund allocation (CLFRF) through the American Rescue Plan Act (ARPA) can be put to use in your community.

1. COVID-19 Eligible Expenditures / Negative Economic Impact

Allowable Use #1: COVID-19 Eligible Expenditures

Eligible Uses	Details
<p>Containing/Mitigating COVID-19</p> <p>Retained in Final Rule, summary page 22: “Assessing whether a program or service “responds to” the COVID-19 public health emergency requires the recipient to, first, identify a need or negative impact of the COVID-19 public health emergency and, second, identify how the program, service, or other intervention addresses the identified need or impact. ... <i>eligible uses under this category must be in response to the disease itself or the harmful consequences of the economic disruptions resulting from or exacerbated by the COVID-19 public health emergency.</i>”</p>	<p>1. Personal protective equipment (for township EMS, fire, police and others while working)</p> <p>2. Capital investments in public facilities to meet pandemic operational needs. Consider the following examples:</p> <ul style="list-style-type: none"> • Install or upgrade building ventilation/filtration system • Expand or reconfigure building space to provide social distancing or improved sanitation • NATaT FAQs: Expand cemetery? If you require more space at the cemetery due to COVID-related deaths, there is an argument to be made, but if not, you may want clarification from Treasury. (If not, see also 3. Revenue Loss) • NATaT FAQs: Expand transfer station? Sanitation equipment is an eligible use. But expanding the transfer station because more people may be staying at home would require clarification from Treasury. (See instead 3. Revenue Loss) • NATaT FAQs: Our town rents space for our equipment with other tenants. May town purchase land and build a building so our employees do not have to share space with other people? If you can show that the reason for building the new space is to ensure adequate social distancing. (If you cannot, see 3. Revenue Loss)
<p>Payroll/Benefits to:</p> <p>Public health/safety</p> <p>Human services</p> <p>Similar employees</p> <p>Public Employees who are sick or quarantining due to COVID-19:</p>	<ul style="list-style-type: none"> • Eligible to the extent that the work completed was for COVID-19 response/mitigation. • Use funds to cover the full payroll and covered benefits costs for employees or operating units or divisions primarily dedicated to the COVID-19 response. • Payroll and covered benefits payments can also be used by an employee as part of their payroll contribution to their pensions. BUT township CANNOT use ARPA funds for deposit into any pension fund. (MI Treasury ARPA presentation) <p>Final Rule Summary, starting page 414: § 35.6 Eligible Uses. ... (b)(1)(xiv) “Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID–19 public health precautions” (Added Dec. 2021)</p>

Allowable Use #1: Negative Economic Impact

Eligible Uses	Details
<p>Rebuilding Public Sector Capacity to Pre-Pandemic Levels</p>	<ul style="list-style-type: none"> • Rehiring public-sector staff: The IFR includes as an eligible use payroll, covered benefits, and other costs associated with rehiring public sector staff, up to the pre-pandemic staffing level of the government. FR Summary, starting page 171 • Replenishing Unemployment Trust funds: <i>Note that only a few townships are contributing employers. Most townships are reimbursing employers and pay the full amount assessed.</i>
<p>Hardest-Hit Communities</p> <p>Final Rule Summary starting page 416: The Final Rule provides that Treasury will presume that certain types of services, outlined here, are eligible uses when provided in a Qualified Census Tract or to families and individuals living in QCTs. (View a map of QCTs here.)</p> <p>Recipients may also provide these services to other populations, households, or geographic areas disproportionately impacted by the pandemic. See Final Rule Summary starting page 30. Recipients should be able to support their determination that the pandemic resulted in disproportionate public health or economic outcomes to the specific populations, households, or geographic areas to be served.</p>	<ul style="list-style-type: none"> • Building Stronger Communities through Investments in Housing and Neighborhoods. For example, if a township provides housing under the Housing Facilities Act, Public Act 18 of 1933, MCL 125.651, et seq.) • NATaT FAQs: Expanded law enforcement presence to handle the overwhelming amount of people moving into our area from the cities due to pandemic? This would be eligible if you are in an area disproportionately impacted by the pandemic or if you are in a Qualified Census Tract. (If not, see also 3. Revenue Loss) • NATaT FAQs: Park/trail and park/trail improvements? This would be eligible if you are in an area disproportionately impacted by the pandemic or if you are in a Qualified Census Tract. (If not, see also 3. Revenue Loss)

2. Premium Payments

Allowable Use #2: Premium Payments

Eligible Uses	Details
<p>Workers Performing Essential Work During COVID</p> <p>Townships may provide premium pay retrospectively for work performed at any time since the start of the COVID-19 public health emergency.</p> <p>Such premium pay must be “in addition to” wages and remuneration already received and the obligation to provide such pay must not have been incurred by the recipient prior to March 3, 2021.</p> <p>Treasury encourages recipients to consider providing premium pay retroactively for work performed during the pandemic, recognizing that many essential workers have not yet received additional compensation for their service during the pandemic.</p>	<p>Eligible workers are those:</p> <p>“...needed to maintain continuity of operations of essential critical infrastructure sectors and additional sectors.”</p> <p>Examples include:</p> <ul style="list-style-type: none">• Janitors and sanitation workers• Truck drivers, transit staff and warehouse workers• Public health and safety staff• Social service and human services staff• Other sectors can be added, as long as they are deemed critical to protect the health and well-being of residents• ADDED IN FINAL RULE: ‘Eligible workers’ means workers needed to maintain continuity of operations of essential critical infrastructure sectors, including ... elections work...” Final Rule (FR Summary, pages 406-407) <p>Eligible workers:</p> <p>The Final Rule (FR Summary starting page 229) provides that premium pay is responsive to eligible workers performing essential work during the public health emergency if each eligible worker who receives premium pay falls into one of three categories: (1) the worker’s pay is below the wage threshold, (2) the worker is not exempt from the FLSA overtime provisions, or (3) the recipient has submitted a written justification to Treasury.</p> <p>Allowable Payment:</p> <ul style="list-style-type: none">• Additional pay up to \$13/hour for all work (including overtime pay already received)• Cannot reduce or substitute normal earnings• May not exceed \$25,000/person (for entire period of performance, not annual cap)• Justification required if worker’s pay will be above 150% state or county average annual wage• Retroactive pay allowed

3. Revenue Loss

Allowable Use #3: Revenue Loss

Eligible Uses	Details
<p>Per the Final Rule, townships may determine their revenue loss by choosing between two options:</p> <ul style="list-style-type: none"> • A standard allowance of up to \$10 million in aggregate, not to exceed your township’s award amount, during the ARPA fund period <p>OR</p> <ul style="list-style-type: none"> • Calculating the township’s specific revenue loss each year using federal Treasury’s formula, which compares actual revenue to a counterfactual trend. <p>The calculation of lost revenue begins with the township’s revenue in the last full fiscal year prior to the COVID-19 public health emergency and includes the 12-month period ending December 31, 2020. Revenue loss can be calculated at four points in time: December 31, 2020, December 31, 2021, December 31, 2022, and December 31, 2023. The calculation assumes at least a 4.1% growth adjustment for each year.</p> <p>NATaT Revenue Loss Calculator GFOA Revenue Loss Calculator</p> <p>“Revenue” that you <u>can</u> count toward loss:</p> <ul style="list-style-type: none"> • Taxes, current charges, rentals, miscellaneous revenues • All revenue streams (i.e., entity-wide) • Other government transfers (i.e., revenue sharing) <p>Excludes (you <u>cannot</u> count toward loss):</p> <ul style="list-style-type: none"> • Federal Transfers (including CRF) • Refunds and other correcting transactions • Proceeds issuance of debt • Sale of investments • Revenue generated by utilities (water supply, electric power, gas supply, and public mass transit systems) 	<p><i>With the issuance of the Final Rule, most townships will choose to use the “standard allowance” of up to \$10 million dollars of its total ARPA payment INSTEAD of calculating lost revenue.</i></p> <p>Use of funds for government services must be forward-looking for costs incurred by the township after March 3, 2021.</p> <p>Government Services includes (not limited to):</p> <ul style="list-style-type: none"> • Providing police, fire, or other public safety services • Maintenance of infrastructure OR pay-as-you-go spending for building new infrastructure, including: <ul style="list-style-type: none"> ○ Roads, bridges ○ Township hall, fire station or other building construction, including new or expansion ○ Parks or outdoor recreation facilities ○ Installation/maintenance of utilities ○ Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure ○ Election equipment ○ GIS mapping system and programs ○ Environmental remediation <p>“Pay-as-you-go” means paying directly for new infrastructure you just built or are building, including paying current contractors without financing.</p> <p>Does NOT include:</p> <ul style="list-style-type: none"> • Issuance of new debt or payment of outstanding debt (you cannot spend the funds on the issuance cost of new debt or on debt that you issued for the new infrastructure) • Reserves • Paying settlements/judgements

4. Investment in Water, Sewer and Broadband Infrastructure

Allowable Use #4: Investment in Infrastructure

Eligible Uses	Details
<p>Recipients may use funds to make “necessary investments” in water/sewer or broadband infrastructure.</p> <p>Funds may be used to cover costs incurred for eligible projects planned or started prior to March 3, 2021, provided that the project costs were incurred after March 3, 2021.</p> <p>Water and Sewer Infrastructure</p> <p>“Treasury considers a necessary investment in infrastructure to be one that is (1) responsive to an identified need to achieve or maintain an adequate minimum level of service, which may include a reasonable projection of increased need, whether due to population growth or otherwise and (2) a cost-effective means for meeting that need, taking into account available alternatives. ...</p> <p>In the case of investments in infrastructure that supply drinking water in order to meet projected population growth, the project must be projected to be sustainable over its estimated useful life.” (Final Rule Summary starting page 261)</p> <p>The Final Rule eliminates requirement in the interim final rule that the project be unlikely to be made using private sources of funds. Treasury has eliminated this standard from the meaning of necessary but still encourages recipients to prioritize projects that would provide the greatest public benefit in their respective jurisdictions.</p> <p>[Continued on next page]</p>	<p>NATaT FAQs: May include drinking water/sanitary facilities for township hall, park, etc.</p> <p>Clean Water State Revolving Fund (CWSRF)</p> <ul style="list-style-type: none">• Construct, improve and repair wastewater treatment plants• Control non-point sources of pollution• Improve resilience of infrastructure to severe weather events• Create green infrastructure• Protect waterbodies from pollution• Includes stormwater, cybersecurity, physical security, green infrastructure and climate change <p>Drinking Water State Revolving Fund (DWSRF)</p> <ul style="list-style-type: none">• Building or upgrading facilities and transmission, distribution, and storage systems, including replacement of lead service lines• Includes consolidation, cybersecurity and climate change <p>Additional Reporting (<i>additional guidance at later date</i>)</p> <ul style="list-style-type: none">• Workforce plans and practices related to water, sewer and broadband projects undertaken with Fiscal Recovery Funds

<p>DWSRF and CWSRF eligible projects continue to be presumed to be necessary investments under the final rule, with the exception of projects for the rehabilitation of dams and reservoirs (Per Final Rule Summary, page 266)</p>	
<p>Broadband Infrastructure</p> <p>“Necessary investments” in broadband infrastructure that increase access over the long term, as well as the necessary supports to purchase internet access or gain digital literacy skills needed to complete activities of daily living during the pandemic. (Final Rule Summary, page 86)</p> <p>“The final rule (FR Summary, page 308) provides additional requirements to address the affordability needs of low-income consumers in accessing broadband networks funded by SLFRF. Recipients must require the service provider for a completed broadband infrastructure investment project that provides service to households to:</p> <ul style="list-style-type: none"> • Participate in the Federal Communications Commission’s (FCC) Affordable Connectivity Program (ACP); or • Otherwise provide access to a broad-based affordability program to low-income consumers in the proposed service area of the broadband infrastructure that provides benefits to households commensurate with those provided under the ACP.” 	<p>Unserved or Underserved</p> <ul style="list-style-type: none"> • Less than 25 Mbps download and 3 Mbps upload • Prioritize provision of at least 100 Mbps download/20 Mbps upload <p>Required level</p> <ul style="list-style-type: none"> • 100 Mbps symmetrical upload/download • Exception for lower speed due to geography or excessive costs

General FAQs

Excerpted from [U.S. Treasury's Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions](#) (as of November 15, 2021). See the [complete FAQs](#) for additional information.

Note that those FAQs currently have the following disclaimer as of January 2022:

Update (January 2022): The FAQs in this document pertain to the Interim Final Rule (IFR), which is in effect until April 1, 2022. In addition to this document, recipients are encouraged to consult the Statement Regarding Compliance with the Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule and Final Rule, which provides guidance on use of funds until the Final Rule takes effect. Treasury anticipates issuing FAQs for the Final Rule at a later date. Recipients may find helpful the Overview of the Final Rule, which provides a summary of major provision of the Final Rule for informational purposes.

2. Eligible Uses – Responding to the Public Health Emergency / Negative Economic Impacts

2.3. If a use of funds is not explicitly permitted in the Interim Final Rule as a response to the public health emergency and its negative economic impacts, does that mean it is prohibited?

The Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. The Interim Final Rule also provides flexibility for recipients to use Fiscal Recovery Funds for programs or services that are not identified on these non-exclusive lists but which meet the objectives of section 602(c)(1)(A) or 603(c)(1)(A) by responding to the COVID-19 public health emergency with respect to COVID-19 or its negative economic impacts.

2.4. May recipients use funds to respond to the public health emergency and its negative economic impacts by replenishing state unemployment funds?

Consistent with the approach taken in the Coronavirus Relief Fund, recipients may make deposits into the state account of the Unemployment Trust Fund up to the level needed to restore the prepandemic balances of such account as of January 27, 2020, or to pay back advances received for the payment of benefits between January 27, 2020, and the date when the Interim Final Rule is published in the Federal Register.

2.7. May funds be used to reimburse recipients for costs incurred by state and local governments in responding to the public health emergency and its negative economic impacts prior to passage of the American Rescue Plan?

Use of Fiscal Recovery Funds is generally forward looking. The Interim Final Rule permits funds to be used to cover costs incurred beginning on March 3, 2021.

2.14. The Coronavirus Relief Fund (CRF) included as an eligible use: "Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What has changed in CLFRF, and what type of documentation is required under CLFRF? [5/27]

Many of the expenses authorized under the Coronavirus Relief Fund are also eligible uses under the Coronavirus Local Fiscal Recovery Fund. However, in the case of payroll expenses for public safety, public

health, health care, human services, and similar employees (hereafter, public health and safety staff), the CLFRF does differ from the CRF. This change reflects the differences between the ARPA and CARES Act and recognizes that the response to the COVID-19 public health emergency has changed and will continue to change over time.

In particular, funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, including first responders, to the extent that the employee's time that is dedicated to responding to the COVID-19 public health emergency. For administrative convenience, the recipient may consider a public health and safety employee to be entirely devoted to mitigating or responding to the COVID-19 public health emergency, and therefore fully covered, if the employee, or his or her operating unit or division, is primarily dedicated (e.g., more than half of the employee's time is dedicated) to responding to the COVID-19 public health emergency. Recipients may use presumptions for assessing whether an employee, division or operating unit is primarily dedicated to COVID-19 response. The recipient should maintain records to support its assessment, such as payroll records, attestations from supervisors or staff, or regular work product or correspondence demonstrating work on the COVID-19 response. Recipients need not routinely track staff hours. Recipients should periodically reassess their determinations.

2.15. What staff are included in “public safety, public health, health care, human services, and similar employees”? Would this include, for example, 911 operators, morgue staff, medical examiner staff, or EMS staff? [5/27]

As discussed in the Interim Final Rule, funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, for the portion of the employee's time that is dedicated to responding to the COVID-19 public health emergency. Public safety employees would include police officers (including state police officers), sheriffs and deputy sheriffs, firefighters, emergency medical responders, correctional and detention officers, and those who directly support such employees such as dispatchers and supervisory personnel. Public health employees would include employees involved in providing medical and other health services to patients and supervisory personnel, including medical staff assigned to schools, prisons and other such institutions, and other support services essential for patient care (e.g., laboratory technicians, medical examiner or morgue staff) as well as employees of public health departments directly engaged in matters related to public health and related supervisory personnel. Human services staff include employees providing or administering social services; public benefits; child welfare services; and child, elder or family care, as well as others.

2.18. Would investments in improving outdoor spaces (e.g., parks) be an eligible use of funds as a response to the public health emergency and/or its negative economic impacts? [6/23]

There are multiple ways that investments in improving outdoor spaces could qualify as eligible uses; several are highlighted below, though there may be other ways that a specific investment in outdoor spaces would meet eligible use criteria.

First, in recognition of the disproportionate negative economic impacts on certain communities and populations, the Interim Final Rule identifies certain types of services that are eligible uses when provided in a Qualified Census Tract (QCT), to families and individuals living in QCTs, or when these services are provided by Tribal governments. Recipients may also provide these services to other populations, households or geographic areas disproportionately impacted by the pandemic. These programs and services include services designed to build stronger neighborhoods and communities and to address health

disparities and the social determinants of health. The Interim Final Rule provides a non-exhaustive list of eligible services to respond to the needs of communities disproportionately impacted by the pandemic, and recipients may identify other uses of funds that do so, consistent with the Rule's framework. For example, investments in parks, public plazas and other public outdoor recreation spaces may be responsive to the needs of disproportionately impacted communities by promoting healthier living environments and outdoor recreation and socialization to mitigate the spread of COVID-19. ...

Third, many governments saw significantly increased use of parks during the pandemic that resulted in damage or increased maintenance needs. The Interim Final Rule recognizes that "decrease[s to] a state or local government's ability to effectively administer services" can constitute a negative economic impact of the pandemic.

3. Eligible Uses – Revenue Loss

3.8. Once a recipient has identified a reduction in revenue, are there any restrictions on how recipients use funds up to the amount of the reduction?

The Interim Final Rule gives recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue. Government services can include, but are not limited to, maintenance of infrastructure or pay-go spending for building new infrastructure, including roads; modernization of cybersecurity, including hardware, software and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire and other public safety services.

However, paying interest or principal on outstanding debt, replenishing rainy day or other reserve funds, or paying settlements or judgments would not be considered provision of a government service, since these uses of funds do not entail direct provision of services to citizens. This restriction on paying interest or principal on any outstanding debt instrument, includes, for example, short-term revenue or tax anticipation notes, or paying fees or issuance costs associated with the issuance of new debt. In addition, the overarching restrictions on all program funds (e.g., restriction on pension deposits, restriction on using funds for non-federal match where barred by regulation or statute) would apply.

4. Eligible Uses – General

4.1. May recipients use funds to replenish a budget stabilization fund, rainy day fund or similar reserve account?

No. Funds made available to respond to the public health emergency and its negative economic impacts are intended to help meet pandemic response needs and provide immediate stabilization for households and businesses. Contributions to rainy day funds and similar reserves funds would not address these needs or respond to the COVID-19 public health emergency, but would rather be savings for future spending needs. Similarly, funds made available for the provision of governmental services (to the extent of reduction in revenue) are intended to support direct provision of services to citizens. Contributions to rainy day funds are not considered provision of government services, since such expenses do not directly relate to the provision of government services.

4.2. May recipients use funds to invest in infrastructure other than water, sewer and broadband projects (e.g., roads, public facilities)?

Under 602(c)(1)(C) or 603(c)(1)(C), recipients may use funds for maintenance of infrastructure or pay-go spending for building of new infrastructure as part of the general provision of government services, to the extent of the estimated reduction in revenue due to the public health emergency.

Under 602(c)(1)(A) or 603(c)(1)(A), a general infrastructure project typically would not be considered a response to the public health emergency and its negative economic impacts unless the project responds to a specific pandemic-related public health need (e.g., investments in facilities for the delivery of vaccines) or a specific negative economic impact of the pandemic (e.g., affordable housing in a Qualified Census Tract).

4.3. May recipients use funds to pay interest or principal on outstanding debt?

No. Expenses related to financing, including servicing or redeeming notes, would not address the needs of pandemic response or its negative economic impacts. Such expenses would also not be considered provision of government services, as these financing expenses do not directly provide services or aid to citizens. This applies to paying interest or principal on any outstanding debt instrument, including, for example, short-term revenue or tax anticipation notes, or paying fees or issuance costs associated with the issuance of new debt.

4.4. May recipients use funds to satisfy nonfederal matching requirements under the Stafford Act? May recipients use funds to satisfy nonfederal matching requirements generally?

Fiscal Recovery Funds are subject to pre-existing limitations in other federal statutes and regulations and may not be used as non-federal match for other federal programs whose statute or regulations bar the use of federal funds to meet matching requirements. For example, expenses for the state share of Medicaid are not an eligible use. For information on FEMA programs, please [see here](#).

4.5. Are governments required to submit proposed expenditures to Treasury for approval? [5/27]

No. Recipients are not required to submit planned expenditures for prior approval by Treasury. Recipients are subject to the requirements and guidelines for eligible uses contained in the Interim Final Rule.

4.6. How do I know if a specific use is eligible? [5/27]

Fiscal Recovery Funds must be used in one of the four eligible use categories specified in the American Rescue Plan Act and implemented in the Interim Final Rule:

a) To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses and nonprofits, or aid to impacted industries such as tourism, travel and hospitality

For recipients evaluating potential uses under (a), the Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. See Section II of the Interim Final Rule for additional discussion.

b) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers

For recipients evaluating potential uses under (a), the Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. See Section II of the Interim Final Rule for additional discussion. See Sections 5 and 6.

c) For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency

For recipients evaluating potential uses under (c), the Interim Final Rule gives recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue. See FAQ #3.8 for additional discussion.

d) To make necessary investments in water, sewer or broadband infrastructure.

For recipients evaluating potential uses under (d), see Sections 5 and 6.

Recipients should consult Section II of the Interim Final Rule for additional information on eligible uses.

4.8. How can I use CLFRF funds to prevent and respond to crime, and support public safety in my community? [6/23]

[Excerpt] Under Treasury’s Interim Final Rule, there are many ways in which the State and Local Fiscal Recovery Funds (“Funds”) under the American Rescue Plan Act can support communities working to reduce and respond to increased violence due to the pandemic. Among the eligible uses of the Funds are restoring of public sector staff to their pre-pandemic levels and responses to the public health crisis and negative economic impacts resulting from the pandemic. The Interim Final Rule provides several ways for recipients to “respond to” this pandemic-related gun violence, ranging from community violence intervention programs to mental health services to hiring of public safety personnel.

Below are some examples of how Fiscal Recovery Funds can be used to address public safety:

- In all communities, recipients may use resources to rehire police officers and other public servants to restore law enforcement and courts to their pre-pandemic levels. Additionally, Funds can be used for expenses to address COVID-related court backlogs, including hiring above pre-pandemic levels, as a response to the public health emergency. See FAQ 2.19.
- In communities where an increase in violence or increased difficulty in accessing or providing services to respond to or mitigate the effects of violence is a result of the pandemic, they may use funds to address that harm. This spending may include:
 - Hiring law enforcement officials – even above pre-pandemic levels – or paying overtime where the funds are directly focused on advancing community policing strategies in those communities experiencing an increase in gun violence associated with the pandemic
 - Community Violence Intervention (CVI) programs, including capacity building efforts at CVI programs like funding and training additional intervention workers
 - Additional enforcement efforts to reduce gun violence exacerbated by the pandemic, including prosecuting gun traffickers, dealers, and other parties contributing to the supply

of crime guns, as well as collaborative federal, state and local efforts to identify and address gun trafficking channels

- Investing in technology and equipment to allow law enforcement to more efficiently and effectively respond to the rise in gun violence resulting from the pandemic

As discussed in the Interim Final Rule, uses of CLFRF funds that respond to an identified harm must be related and reasonably proportional to the extent and type of harm experienced; uses that bear no relation or are grossly disproportionate to the type or extent of harm experienced would not be eligible uses.

- Recipients may also use funds up to the level of revenue loss for government services, including those outlined above. *[Excerpt]*

4.9. May recipients pool funds for regional projects? [7/14]

Yes, provided that the project is itself an eligible use of funds and that recipients can track the use of funds in line with the reporting and compliance requirements of the CSFRF/CLFRF. In general, when pooling funds for regional projects, recipients may expend funds directly on the project or transfer funds to another government that is undertaking the project on behalf of multiple recipients. To the extent recipients undertake regional projects via transfer to another government, recipients would need to comply with the rules on transfers specified in the Interim Final Rule, Section V. A recipient may transfer funds to a government outside its boundaries (e.g., county transfers to a neighboring county), provided that the recipient can document that its jurisdiction receives a benefit proportionate to the amount contributed.

5. Eligible Uses – Premium Pay

5.1. What criteria should recipients use in identifying essential workers to receive premium pay?

Essential workers are those in critical infrastructure sectors who regularly perform inperson work, interact with others at work, or physically handle items handled by others. Critical infrastructure sectors include healthcare, education and childcare, transportation, sanitation, grocery and food production, and public health and safety, among others, as provided in the Interim Final Rule. Governments receiving Fiscal Recovery Funds have the discretion to add additional sectors to this list, so long as the sectors are considered critical to protect the health and well-being of residents. The Interim Final Rule emphasizes the need for recipients to prioritize premium pay for lower income workers. Premium pay that would increase a worker's total pay above 150% of the greater of the state or county average annual wage requires specific justification for how it responds to the needs of these workers.

5.2. What criteria should recipients use in identifying third-party employers to receive grants for the purpose of providing premium pay to essential workers?

Any third-party employers of essential workers are eligible. Third-party contractors who employ essential workers in eligible sectors are also eligible for grants to provide premium pay. Selection of third-party employers and contractors who receive grants is at the discretion of recipients. To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided.

5.3. May recipients provide premium pay retroactively for work already performed?

Yes. Treasury encourages recipients to consider providing premium pay retroactively for work performed during the pandemic, recognizing that many essential workers have not yet received additional compensation for their service during the pandemic

6. Eligible Uses – Water, Sewer, and Broadband Infrastructure

6.1. What types of water and sewer projects are eligible uses of funds?

The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF). Under the DWSRF, categories of eligible projects include: treatment, transmission and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation and new systems development. Under the CWSRF, categories of eligible projects include: construction of publicly owned treatment works, nonpoint source pollution management, national estuary program projects, decentralized wastewater treatment systems, stormwater systems, water conservation, efficiency and reuse measures, watershed pilot projects, energy efficiency measures for publicly owned treatment works, water reuse projects, security measures at publicly owned treatment works, and technical assistance to ensure compliance with the Clean Water Act. As mentioned in the Interim Final Rule, eligible projects under the DWSRF and CWSRF support efforts to address climate change, as well as to meet cybersecurity needs to protect water and sewer infrastructure. Given the lifelong impacts of lead exposure for children, and the widespread nature of lead service lines, Treasury also encourages recipients to consider projects to replace lead service lines.

6.2. May construction on eligible water, sewer or broadband infrastructure projects continue past December 31, 2024, assuming funds have been obligated prior to that date?

Yes. Treasury is interpreting the requirement that costs be incurred by December 31, 2024, to only require that recipients have obligated the funds by such date. The period of performance will run until December 31, 2026, which will provide recipients a reasonable amount of time to complete projects funded with Fiscal Recovery Funds.

[See FAQs 6.5. through 6.12. for more information on broadband projects.](#)

10. Miscellaneous

10.3. Are recipients required to remit interest earned on CSFRF/CLFRF payments made by Treasury?

[5/27, updated 7/14]

No. CSFRF/CLFRF payments made by Treasury to states, territories, and the District of Columbia are not subject to the requirement of the Cash Management Improvement Act and Treasury's implementing regulations at 31 CFR part 205 to remit interest to Treasury. CSFRF/CLFRF payments made by Treasury to local governments and Tribes are not subject to the requirement of 2 CFR 200.305(b)(8)–(9) to maintain balances in an interest-bearing account and remit payments to Treasury. Moreover, interest earned on CSFRF/CLFRF payments is not subject to program restrictions. Finally, States may retain interest on payments made by Treasury to the State for distribution to NEUs that is earned before funds are distributed to NEUs, provided that the State adheres to the statutory requirements and Treasury's guidance

regarding the distribution of funds to NEUs. Such interest is also not subject to program restrictions. Among other things, States and other recipients may use earned income to defray the administrative expenses of the program, including with respect to NEUs.



Townships and Broadband Internet

There is no general prohibition in the law on a township spending public money on broadband infrastructure. But there are state laws that limit the authority for the state to finance a local government broadband infrastructure project, and for the most part, a local government cannot provide broadband/telecommunications services to residential or commercial customers unless it is in partnership with the private sector.

Resources:

Broadband USA (*National Telecommunications and Information Administration, U.S. Dept. of Commerce*)—Serves state, local, and tribal governments, industry, and nonprofits that need to enhance broadband connectivity and promote digital inclusion.

Merit Network/Michigan Moonshot (*Broadband Internet Access*)—Informing policy makers, fostering public-private partnerships and convening collaboration between citizens and organizations in Michigan.

1) What current Michigan laws authorize:

Broadband internet is one form of **telecommunications service**.

The Michigan Telecommunications Act, PA 179 of 1991, MCL 484.2101, et seq., authorizes a township to provide telecommunications services within its boundaries (services offered to customers for the transmission of two-way interactive communication and associated usage). However, MCL 484.2252 does limit the situations in which that may be done, including a requirement to start with a competitive bid process involving private providers:

484.2252 Telecommunication services offered by public entity.

Sec. 252.

(1) A public entity may provide telecommunication services within its boundaries if the public entity has complied with the requirements of section 14 of the metropolitan extension telecommunications right-of-way oversight act, 2002 PA 48, MCL 484.3114, and all of the following apply:

(a) The public entity has issued a request for competitive sealed bids to provide telecommunication services.

(b) The public entity has received less than 3 qualified bids from private providers.

(c) It is more than 60 days from the date the request for bids was issued.

(d) The public entity is providing the telecommunication services under the same terms and conditions as required under the request for bids issued pursuant to subdivision (a).

(2) Except as provided under subsection (3), a public entity shall not provide telecommunication services outside its boundaries.

(3) Two or more public entities may jointly request bids under subsection (1) and provide telecommunication services if all participating public entities meet the requirements of this section. **If a public entity does not receive a qualified bid as required under subsection (1), the public entity may contract with another public entity to receive telecommunication services.**

(4) A public entity shall not establish a board or other entity for the purpose of providing regulation of a private provider of services under this section.

(5) This section does not apply to all of the following:

(a) Public safety systems.

(b) Systems used only for the internal use of the public entity or for the sharing of information between the public entity and another public entity.

(c) A public entity that is currently providing telecommunication services or that has held a public hearing by November 1, 2005 on a proposal to provide telecommunication services, or has issued a request for bids by November 1, 2005 to provide telecommunication services, or has an enforceable contract to begin construction of a telecommunication system by November 1, 2005.

(d) A public entity that is currently providing service in another public entity's boundaries.

(e) Services offered by a public entity to the public within a facility owned and operated by the public entity.

(f) Systems or services used or offered by 1 or more public entities or consortiums to advance or promote the public health, safety, and provision of e-government services.

(6) This section may not be construed to prevent a municipally-owned utility from providing to its energy customers, either directly or indirectly, any energy related service involving the transfer or receipt of information or data concerning the use, measurement, monitoring, or management of energy services provided by the municipally-owned utility, including services such as load management or automated meter reading.

(7) As used in this section, "public entity" means a county, city, village, township, or any agency or subdivision of the public entity.

History: Add. 2005, Act 235, Imd. Eff. Nov. 22, 2005

Compliance with Section 14 of the Metropolitan Extension Telecommunications Rights-of-Way Oversight (METRO) Act, PA 48 of 2002, MCL 484.3101, et seq., including a public hearing with notice, is also required.

MCL 484.3114 provides authority under limited circumstances for a township to construct telecommunication facilities or provide cable modem service through a broadband internet access transport service:

484.3114 Telecommunication or cable modem service through broadband internet access transport service; requirements; exceptions; violation; complaint.

Sec. 14.

(1) Except as otherwise provided by subsection (2), a county, municipality, or an affiliate, shall comply with all of the following requirements:

(a) Before the passage of any ordinance or resolution authorizing a county or municipality to either construct telecommunication facilities or provide a telecommunication or cable modem service provided through a broadband internet access transport service, **a county or municipality shall conduct at least 1 public hearing.** A notice of the public hearing shall be provided as required by law.

(b) Not less than 30 days before the hearing required under subdivision (a), the county or municipality shall **prepare reasonable projections of at least a 3-year cost-benefit analysis.** This analysis shall identify and disclose the total projected direct costs of and the revenues to be derived from constructing the telecommunication facilities and providing the telecommunication or cable modem service through a broadband internet access transport service. The costs shall be determined by using accounting standards developed under the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a.

(c) A county or municipality shall prepare and maintain accounting records in accordance with accounting standards developed under the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a. The accounting records required under this subdivision are subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(d) **Charges for telecommunication service and cable modem services provided through a broadband internet access transport service shall include all of the following:**

(i) All capital costs attributable to the provision of the service.

(ii) All costs attributable to the provision of the service that would be eliminated if the service was discontinued.

(iii) The proportionate share of costs identified with the provision of 2 or more county or municipal services including telecommunication services.

(e) **A county or municipality that provides a telecommunication service or cable modem service provided through a broadband internet access transport service shall not adopt an ordinance or a policy that unduly discriminates against another person providing the same service.** Subject to other requirements of this section, this subsection shall not be construed as precluding a county or municipality from establishing rates different from those of another person providing the same service.

(f) In providing a telecommunication or cable modem service provided through a broadband internet access transport service, **a municipality shall not employ terms more favorable or less burdensome than those imposed by the municipality upon other providers of the same service within its jurisdiction concerning access to public rights-of-ways.**

(g) **A municipality shall not impose or enforce against a provider any local regulation with respect to public rights-of-way that is not also applicable to the municipality** in its provision of a telecommunication or cable modem service provided through a broadband internet access transport service.

(h) **In providing a telecommunication or a cable modem service provided through a broadband internet access transport service, a municipality shall not employ terms more favorable or less burdensome than those imposed by the municipality** upon other providers of the same service within its jurisdiction concerning access to and rates for pole attachments.

(2) **Subsection (1) does not apply to either of the following:**

(a) **Telecommunication facilities constructed and operated by a county, municipality, or an affiliate, to provide telecommunication service or a cable modem service provided through a broadband internet access transport service that is not provided to any residential or commercial premises.**

[continued]

(b) Telecommunication facilities that are owned or operated by a county, municipality, or an affiliate for compensation, and that are located within the territory served by the county, municipality or its affiliate that provided a telecommunications service or a cable modem service provided through broadband internet access transport service before December 31, 2001 or that allowed any third party to use the county's or municipality's telecommunication facilities for compensation before December 31, 2001, to provide such a service.

(3) If a complaint is filed under section 18 alleging a violation of this section, the commission shall allow a county or municipality to take reasonable steps to correct a violation found by the commission before the commission imposes any penalties.

(4) The commission, in reviewing a complaint under subsection (3), shall consider, in determining whether charges imposed by a county or municipality are in compliance with subsection (1), the applicable federal, state, county, and local taxes and fees paid by the complainant or providers serving that county or municipality.

History: 2002, Act 48, Eff. Nov. 1, 2002

2) Funding broadband:

A township may finance broadband/wireless communications using:

- General operating or other unrestricted funds (including revenue sharing),
- Extra-voted millage for the specific purpose, or
- User fees.

There is no current statutory authorization for a special assessment, but [House Bill 5673](#) proposes to authorize townships to create special assessment districts for the construction, improvement and maintenance of communications infrastructure, including broadband and high-speed internet.

ARPA: Without changes in state or federal law, it is unlikely that guidance on the use of federal ARPA funds would provide statutory authorization to a township to use such funds in any way counter to the existing state laws. But to the extent that Michigan law allows a township to provide broadband, it is one of the areas that townships may find the ARPA funds helpful.

[MCL 21.604](#) places limitations on what government-owned broadband projects the state's **Michigan Infrastructure Council** may fund:

“(2) The multiyear programs, work plans, budgets, and funding recommendations required in subsection (1)(a), the annual reports required by subsection (1)(c), the 3-year strategy for establishing a statewide integrated asset management system required by subsection (1)(e), and the second phase of the statewide system for asset management implementation required in subsection (1)(f) **shall comply with both of the following:**

[continued]

(a) Not propose, recommend, or fund any government-owned broadband or telecommunications network to provide service to residential or commercial premises, except that this prohibition does not apply to state expenditures for a transportation purpose, connected vehicle communication technologies, or other transportation-related activities.

(b) To the extent government funding is proposed or recommended to subsidize non-government-owned broadband networks to expand service to residential or commercial premises, require that the proposals and recommendations must be limited to areas unserved by broadband, must be technology neutral, and include a competitive bid process that results in the award of the subsidy based on objective and efficient procedures.

The Michigan Broadband Development Authority Act, PA 49 of 2002, puts limits on how the Authority may finance any broadband infrastructure for a governmental entity:

484.3207 Powers of authority.

Sec. 7.

(2) Notwithstanding any other provision of this act, the authority **shall not** make loans to, or enter into any joint venture and partnership arrangements or participation with, any governmental entity or nonprofit organization except in connection with the financing or refinancing of development costs for that allocable portion of the broadband infrastructure used or to be used exclusively by governmental entities or nonprofit organizations, including, but not limited to, universities, colleges, hospitals, school districts, public safety agencies, judicial organizations, libraries, cities, townships, and counties. **No allocable portion of the broadband infrastructure financed by a loan to a governmental entity or a nonprofit organization shall be used to serve residential, business, or other commercial customers.**

(3) Notwithstanding any other provision of this act, except in connection with financing or refinancing under subsection (2) or enforcement procedures authorized under subsection (1)(m), the authority shall acquire real or personal property constituting portions of the broadband infrastructure **only in connection with the participation of persons other than governmental entities or nonprofit organizations** through joint ventures and partnership arrangements, or other co-ownership arrangements and only if the participation is necessary to assure availability of financing or refinancing derived from the issuance by the authority of bonds or notes, the interest on which is exempt from taxation under the United States internal revenue code, and the financing derived from the tax-exempt bonds or notes is allocated only to those development costs relating to that portion of the broadband infrastructure that is to be used by governmental bodies or nonprofit organizations.

Memo

To: Whitewater Township Board

From: Ron Popp, Supervisor

CC: None

Date: 1.25.2022

Re: Marihuana Applications

Board -

The progress of the Marihuana Sub-Committee has been slow. All of the deficiencies described by the Clerk in her Memo Dated 10.06.2021, remain undiscussed as of this writing.

The topics identified in the memo hold the same importance and relevance today as they did in October and deserve discussion.

In consideration of the above, the following motion is provided. Additionally, the Clerk's memo follows.

An appropriate motion would be: Motion to delay the acceptance of MMFLA and MRTMA applications until 4/09/2021.

Respectfully submitted,



Ron Popp

Supervisor, Whitewater Township

MEMO

To: Whitewater Township Board
From: Cheryl A. Goss, Clerk
Date: 10/06/2021
Re: **Temporary Delay in Acceptance of MMFLA/MRTMA Applications**

After meeting with Cash Cook, Village of Kalkaska Downtown Development Authority Director, and touring the area where Village of Kalkaska marihuana facilities are located on 09/24/2021, I believe the board needs to put some additional process and procedure in place before accepting MMFLA or MRTMA applications in Whitewater Township.

For instance, the board could decide, as the Village of Kalkaska has, that potential applicants must submit to an interview ahead of receiving an application. Cash Cook, the Village's Downtown Development Authority Director, noted that they quiz applicants on their community sensitivity and financial wherewithal to see the process through, among other things.

The Village's Licensed Marihuana Facilities Ordinance describes that the Village of Kalkaska Marihuana Officer and his designees perform this function. It offers an opportunity for an informal meeting to take place ahead of receipt of an application, for expectations to be discussed, for clarifying questions to be answered in both directions.

If this type of interview becomes part of the process, the board would need to decide who from the township will be present, what questions will be asked of all applicants, how will the determination be made to provide an application or not to provide an application.

Additionally, an administrative checklist and/or flow chart has not yet been developed detailing an orderly method of processing applications. I believe it would be helpful for the township as well as applicants to have what I hope would be a 1-page document outlining the process to ensure that it proceeds in an orderly and timely fashion through each step.

If the board agrees with these suggestions, I will volunteer to be part of a subcommittee to develop the interview process as well as the administrative checklist. This would necessitate a temporary delay in the acceptance of applications of no more than two months.

An appropriate motion would be: Motion to delay the acceptance of MMFLA and MRTMA applications until 12/15/2021.

###

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 1-26-2022
Re: Additional Activities Compensation Program

Board Members,

For some time now I have watched Board and Commission members install, gather, assemble, and distribute apparatus, documents and arrange special meetings for Township business, that are not correctly compensated by the meeting stipends they receive. Be it a complete ordinance review similar to the Municode Transcript, FIOA requests, legal mandates, installation of trail signs, or training, all these additional tasks can require significant administration time from various appointed posts that go beyond reasonable expectations.

Elected offices can use deputies and Elections has worker hours to offset some of the workload. This proposal contemplates similar allowances for Park and Recreation Advisory Committee (PRAC), Planning Commission (PC), Board of Review (BOR), and Zoning Board of Appeals (ZBA). Realizing few perspective appointees apply for the compensation package offered by the Township, the fact we offer some vehicle for additional compensation sends the message we appreciate their commitment to the post they serve.

As discussed by Board Members at the 10.19.2021 Special Meeting, the following proposal is put forth in two parts for Board approval. Part one specifically addresses the per hour segment of the conversation. To address eligibility concerns, a basic rationale and description of the “Additional Activities Compensation Program” was added to the Section 3.4 of the Whitewater Township Policy and Procedure Manual.

Motion one could look like this: Motion to amend the Salary/Wage Schedule 2021/2022 adding an hourly rate for the “Additional Activities Compensation Program.”

Motion two could look like this: Motion to amend Section 3.4 of the Whitewater Township Policy and Procedure Manual adding the words:

“The Whitewater Township Board, recognizing the demands of an appointment to a Board or Commission operating within the Township can occasionally require an additional time investment not contemplated by existing job descriptions or by-laws of the body and wishes to create a compensation method to address the need as follows:

Any non-salaried Board or Commission member who accepts additional occasional duties assigned by the body is eligible to request compensation thru the Additional Activities Compensation Program. The request must be preapproved by Board or Commission Chairperson, or the Personnel Director or Personnel Administrator if the request is from a Chairperson. The request shall be submitted in accordance with Whitewater Township’s Policy and Procedure Manual Section 4.2 et al on approved time sheets. Rate of compensation shall be published annually in the Salary/Wage Schedule. It is strictly understood the Additional Activities Compensation Program does NOT create an ongoing employment agreement of any type or establish eligibility to any benefit program offered by the Township.”

Thank you for your work.

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

Ron Popp

Supervisor, Whitewater Township

WHITEWATER TOWNSHIP
SALARY/WAGE SCHEDULE 2021/2022
Adopted by the Township Board on 03/23/2021
Revised 01/11/2022 – Addition of Marihuana Subcommittee
Proposed Revision 02.08.2022 – Addition of Board/Committee Additional Duties

SALARIES	2020/2021	2021/2022
Supervisor	\$27,585	\$27,585
Clerk	\$28,115	\$28,115
Treasurer	\$27,585	\$27,585
Trustee	\$200/meeting	\$200/meeting
Board of Review	\$50/meeting or \$15/hour	\$70/meeting or \$15/hour
Assessor	\$100/month or \$25/hour	\$100/month or \$25/hour
Abandoned Buildings Hearing Officer	\$100 per case	\$100 per case
Planning Commission Members	\$70/meeting	\$70/meeting
Planning Commission Chairperson	\$100/meeting	\$100/meeting
Planning Commission Subcommittee (including chair)	\$70/meeting	\$70/meeting
Planning Commission Recording Secretary	\$50 for 1 st hour or portion of an hour, plus \$50 for each additional hour or portion of an hour	\$50 for 1 st hour or portion of an hour, plus \$50 for each additional hour or portion of an hour
Zoning Board of Appeals Member	\$70/meeting	\$70/meeting
Zoning Board of Appeals Chairperson	\$100/meeting	\$100/meeting
Zoning Board of Appeals Recording Secretary	\$50 for 1 st hour or portion of an hour, plus \$50 for each additional hour or portion of an hour	\$50 for 1 st hour or portion of an hour, plus \$50 for each additional hour or portion of an hour
Parks & Recreation Advisory Committee Member	\$50/meeting	\$50/meeting
Parks & Recreation Advisory Committee Chairperson	\$80/meeting	\$80/meeting
Parks & Recreation Advisory Committee Rec. Sec'y	\$50 for 1st hour or portion of an hour, plus \$50 for each additional hour or portion of an hour	\$50 for 1st hour or portion of an hour, plus \$50 for each additional hour or portion of an hour

Marihuana Subcommittee		2021/2022
Subcommittee Member		\$50/meeting
Subcommittee Chairperson		\$80/meeting
Subcommittee Recording Secretary		\$50 for 1st hour or portion of an hour, plus \$50 for each additional hour or portion of an hour
	2020/2021	2021/2022
Historical Society Recording Secretary	\$50 for 1st hour or portion of an hour, plus \$50 for each additional hour or portion of an hour	\$50 for 1st hour or portion of an hour, plus \$50 for each additional hour or portion of an hour
WAGES		
Fire Chief	\$55,000 - \$70,000/yr	\$55,000 - \$70,000/yr
Assistant Fire Chief	\$3,605/yr	\$3,713/yr
Fire Captain	\$0	\$0
Fire Lieutenants	\$17.50/hour	\$17.50/hour
Safety Officer	\$17.50/hour	\$17.50/hour
Firefighter - Training Time (including probationary)	\$15.00/hour	\$15.00/hour
Firefighter – Response Time	\$18.00/hour	\$18.00/hour
Interim Fire Chief	\$18/hour	\$18/hour
Interim Deputy Fire Chief	\$18/hour	\$18/hour
Interim Fire Captain	\$18/hour	\$18/hour
Ambulance Personnel	Paid by Mobile Medical Response	Paid by Mobile Medical Response
Ambulance Coordinator	Paid by Mobile	Paid by Mobile
Assistant Ambulance Coordinator	Medical Response	Medical Response
Election Inspectors	\$13.50/hour	\$13.50/hour
Election Chairperson	\$15.00/hour	\$15.00/hour
Building & Grounds Worker	\$18.00/hour	\$18.00/hour
Additional Activities Compensation Program		\$18.00/hour

###

3.0 Personnel Administration

3.1 Personnel Director

3.1(a) Designation of Personnel Director

To provide for efficient and uniform administration of personnel matters, the township board appoints the township supervisor as the township personnel director.

3.1(b) Personnel Director's Duties

The personnel director shall do the following:

1. Work with Personnel Administrator to develop and recommend to the township board job descriptions for all township positions; update as needed.
2. Work with Personnel Administrator to recruit applicants for position vacancies in accordance with Section 3.6.
3. Work with Personnel Administrator to recommend to the township board necessary changes in the personnel policies manual.
4. Discuss with Personnel Administrator and provide interpretations of the township personnel policies and procedures when requested by department heads or employees. The interpretation of the personnel director shall be considered final, unless an appeal of the interpretation is filed with the township board.
5. Work with the personnel administrator to recommend to the township board appropriate pay grade or compensation for employees.
6. Develop and implement a standard employee evaluation form.
7. Oversee disciplinary actions for employee misconduct pursuant to the township personnel policies manual.
8. Prepare and present letters of appreciation to terminating employees.

3.2 Personnel Administrator

3.2(a) Designation of Personnel Administrator

To provide for efficient and uniform administration of personnel matters, the township board appoints the township clerk as the township personnel administrator.

3.2(b) Personnel Administrator's Duties

The personnel administrator shall do the following:

1. Provide new employees with a current copy of the township personnel policies manual; provide all employees with copies of amendments made to the township personnel policies manual.
2. Maintain a permanent personnel record of each township employee.

3. Work with the personnel director to recommend to the township board appropriate pay grade or compensation for employees.
4. Keep a record of paid holidays, vacation time, sick days, jury duty pay, and funeral leave for employees pursuant to the township personnel policies manual.
5. Monitor changes in state and federal law that impact on township personnel practices.
6. Work with Personnel Director to develop and recommend to the township board job descriptions for all township positions; update as needed.
7. Work with Personnel Director to recruit applicants for position vacancies in accordance with Section 3.6.
8. Work with Personnel Director to recommend to the township board necessary changes in the personnel policies manual.
9. Discuss with Personnel Director and provide interpretations of the township personnel policies and procedures when requested by department heads or employees.
10. Designated as chief privacy officer, responsible for coordinating the township's privacy policies and compliance with those policies.

3.3 Employee Recordkeeping

3.3(a) Personnel Records

The township clerk (personnel administrator) shall maintain a permanent personnel record for each township employee. Each employee's personnel file shall contain the following:

1. Application and/or resume submitted
2. Licensure records, if applicable
3. Employment interview record, if available
4. Reference check
5. Offer of employment
6. Contract/salary resolution, if applicable
7. Job description
8. Applicant release form; employee release form(s), if applicable
9. Background and driver record checks
10. Physical examination information, if applicable (to be kept in separate file)
11. Employee information sheet
12. Record of township asset issued
13. Beneficiary information
14. Federal W-4, Michigan W-4, and I-9 forms and documentation
15. Signed acknowledgment page from personnel policies manual
16. New hire checklist
17. Record of positions held
18. Performance evaluations
19. Use of authorized leaves
20. Commendations and/or disciplinary actions
21. Insurance and pension records
22. Letter of resignation/notice of termination

3.3(b) Confidentiality of Personnel Files

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

3.3(c) Freedom of Information Act Requests for Personnel Files

Requests for copies of documents contained in the personnel files that are made pursuant to the Freedom of Information Act will be released only after confidential information that may be contained on the document is deleted. The clerk may contact the township attorney for advice in responding to a Freedom of Information Act request involving personnel records. Pursuant to the Michigan Freedom of Information Act, the township supervisor, after consulting with the township attorney, shall notify in writing any party requesting confidential information that the request is denied.

3.3(d) Social Security Number Privacy Policy

Only personnel who have legitimate business reasons to know will have access to records containing Social Security numbers. The department heads having access to records containing Social Security numbers shall determine which other personnel within their departments have a legitimate reason in the Township's ordinary course of business to have access to such Social Security numbers. Personnel using records containing Social Security numbers must take appropriate steps to secure such records when not in immediate use.

3.4 Classification and Compensation (Amended 5/18/2004)

The township board shall establish an equitable compensation system for township employees. The board shall determine a pay range for all township positions. Each employee shall be entitled to the annual salary or hourly wage determined by the township board and as appropriated in the township budget.

Merit increases may be given at the employee's anniversary date. A merit increase is one given for a job performance that is clearly outstanding and is granted in addition to any adjustment or progression increase for which the employee may otherwise be eligible. Requests for merit increases shall be recommended by the department head and/or personnel director at the time of the employee's evaluation and shall be approved by the township board.

The Whitewater Township Board, recognizing the demands of an appointment to a Board or Commission operating within the Township can occasionally require an additional time investment not contemplated by existing job descriptions or by-laws of the body and wishes to create a compensation method to address the need as follows:

Any non-salaried Board or Commission member who accepts additional occasional duties assigned by the body is eligible to request compensation thru the Additional Activities Compensation Program. The request must be preapproved by Board or Commission Chairperson, or the Personnel Director or Personnel Administrator if the request is from a Chairperson. The request shall be submitted in accordance with Whitewater Township's Policy and Procedure Manual Section 4.2 et al on approved time sheets. Rate of compensation shall be published annually in the Salary/Wage Schedule. It is strictly understood the Additional Activities Compensation Program does NOT create an ongoing employment agreement of any type or establish eligibility to any benefit program offered by the Township.

3.5 Employee Safety

It shall be the duty of the supervisor and clerk, working cooperatively, to assess the general working conditions of the township on a continual basis and comply with related state and federal laws.

3.6 Employee Selection

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

3.6(a) A notice of position vacancy shall be developed based on the current job description. The posting shall provide the title, brief position description, education and experience requirements, application deadline and state that the township is an EOE.

3.6(b) The position vacancy shall be published in the Traverse City Record-Eagle and, with board approval, in selected trade journals.

3.6(c) The applications and/or resumes submitted will be screened and a list of qualified candidates will be developed.

3.6(d) Interviews will be conducted and references contacted.

3.6(e) The selected candidate shall be submitted to the township board, who may schedule an interview with the candidate at a board meeting. Following board concurrence, the candidate will be offered the position, pending a suitable background check, driver record check, when applicable, and satisfactory completion of a physical examination, when applicable.

3.7 Employee Supervision

Department heads shall provide direction to employees in a manner that complies with the provisions of this administrative policies and procedures manual, as well as all federal and state laws, township ordinances, and the township personnel policies manual.

In the absence of a department head, the personnel director will assume this role.

3.8 Employee Evaluation

Employees shall be evaluated by their department head (or the personnel director in the absence of a department head). During the ninety (90) day probationary period for all new employees, the employee's job performance shall be reviewed at thirty (30) days and sixty (60) days, with an employee performance evaluation at ninety days. Following the probationary period, evaluations will be done at the discretion of the department head, but at least yearly, within one month of the employee's anniversary date. An evaluation shall be signed by both the department head/personnel director and the employee, and placed in the employee's personnel file. Department heads shall be evaluated by the personnel director.

3.9 Employee Discipline

3.9(a) Warnings

The personnel director and department heads may administer verbal or written warnings pursuant to guidelines adopted in the township personnel policies manual. A warning shall be documented, signed by both the personnel director/department head and the employee, and placed in the employee's personnel file.

3.9(b) Suspension

The application of suspension shall be authorized by the personnel director after consultation with the department head, pursuant to guidelines adopted in the township personnel policies manual. All relevant facts that gave rise to the suspension shall be documented, signed by both the personnel director and the employee, and placed in the employee's personnel file.

A suspension may be appealed within three (3) days or at the next township board meeting, whichever comes first. An appeal shall be requested in writing to the personnel director, who shall promptly notify the board of the appeal and all relevant facts that gave rise to the suspension. The appeal shall be heard at the next township board meeting or at a special meeting called for that purpose.

3.9(c) Discharge

The application of discharge shall be authorized by the personnel director after consultation with the department head, pursuant to guidelines adopted in the township personnel policies manual. All relevant facts that gave rise to the discharge shall be documented, signed by the personnel director and the employee, and placed in the employee's personnel file.

A discharge may be appealed within three (3) days or at the next township board meeting, whichever comes first. An appeal shall be requested in writing to the personnel director, who shall promptly notify the board of the appeal and all relevant facts that gave rise to the suspension. The appeal shall be heard at the next township board meeting or at a special meeting called for that purpose.

3.10 Appointments

The supervisor shall oversee the appointment of members to boards, commissions and committees. Where procedure is not specified in state statute, the supervisor shall recommend appointments to the township board for their approval.

3.11 Elected Officials

While recognizing that the duties of the supervisor, clerk, and treasurer are defined by state statute, the township board expects that each official will devote sufficient hours of work, including appropriate office hours, to effectively perform the duties of their office.

3.12 Employee Recognition

The supervisor will present a letter of appreciation from the township board to any township employee, volunteer or appointed official who resigns from their township position.

Appointments, resignations and other special recognition given to any township employee, volunteer or appointed/elected official will be published in the township newsletter.

3.13 Ethical Standards

All elected and appointed officials, employees and volunteers shall fulfill their duties with the utmost attention to serving the best interests of the township citizens, and no official, employee or volunteer shall participate in a decision or transaction on behalf of the township that would result in a direct financial benefit to the township official, employee or volunteer.

Any official, employee or volunteer who believes that he or she may be placed in a potential conflict of interest shall immediately notify the township board, and any subsequent action shall be in conformance with state law.

No employee shall accept employment that conflicts with performing his or her township duties. No officer or employee shall accept any gift or consideration from a person or company providing goods or services to the township, or who is soliciting township business.

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Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 1.25.2022
Re: Town Hall Meeting – Master Plan/ARPA Funds

Board -

The Township has a lot of important happenings that could benefit from public input. From Master Plan to needs studies, to ARPA fund expenses. The subject of a townhall style meeting even came up during the 1.11.2022 Township Board Meeting.

Proper planning may allow a single townhall event to cover many topics as noted above. Correlation with the Park and Recreation advisory Committee, the Planning Commission, Zoning Administrator, Grobbel Environmental, and possible others will need to take place, if that is the direction the Board wants to pursue. After an initial event, more in depth specialized sessions could be developed as needed. Mill Creek School has the multi-purpose room on a regular basis however, we may want to see if the gym is also available.

Please bring your calendars for scheduling purposes the goal is to schedule something in early April. Another topic of discussion is marketing of the event. Please bring your ideas!

No motion is made at this time pending discussion of program scope, venue, scheduling, and probably many more things.

Respectfully submitted,



Ron Popp

Supervisor, Whitewater Township

MEMO

To: Whitewater Township Board

From: Cheryl A. Goss, Clerk

Date: 01/31/2022

Re: Set March Budget Work Session and Budget Public Hearing Dates

Since we are now into February and calendars fill up quickly, the township board should discuss and agree on March budget work session dates, as well as the date of the budget public hearing.

There are five nearly full weeks in March. Typically, we would schedule budget work sessions in the first three weeks of March, with the budget public hearing in the 4th week (the week of 3/21 through 3/24).

No motion is necessary.

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