

**WHITEWATER TOWNSHIP BOARD**  
**AGENDA FOR REGULAR MEETING – MAY 11, 2021**  
**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 for the public due to Michigan Department of Health and Human Services limitations on indoor public gatherings.

**Join Zoom Meeting**

<https://zoom.us/j/93616679326?pwd=VklnVlE4VjlmYkFFZjk0WlA4TU92UT09>

Enter Meeting ID: 936 1667 9326

Enter Passcode: 103924

**To join by phone, call +1 646 558 8656 US**

Enter Meeting ID: 936 1667 9326

Enter Passcode: 103924

Find your local number: <https://zoom.us/u/adIXV2jNgz>

**Contact Information for Board Members:**

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

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

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

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

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

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities upon reasonable advance notice. Contact the township clerk at 231-267-5141 or the TDD at 800-649-3777 at least 5 days in advance of the meeting.

A. Call to Order/Pledge of Allegiance

B. Roll Call of Board Members

C. Set/Adjust Meeting Agenda

D. Declaration of Conflict of Interest

E. Public Comment

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

1. Comments shall be directed to the board, with questions directed to the chair.
2. Any person wishing to address the board shall speak from the lectern and state his or her name and address.
3. Persons may address the board on matters that are relevant to township government issues.
4. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer board 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

G. Reports/Presentations/Announcements/Comments

1. County Commissioner Report
2. Fire Department Report
3. Planning Commission Report
4. Parks & Recreation Advisory Committee Report
5. Paul Olson, Municipal Underwriters

H. Consent Calendar

Receive and File

1. Supervisor's Report for April 2021
2. Clerk/Parks & Recreation Administrator's Report for April/May 2021
3. Zoning Administrator Staff Report May 2021
4. Mobile Medical Response April 2021 Activity Reports
5. Fire Department April 2021 Report
6. Historical Society Report for April 2021
7. Approved 03/03/2021 Planning Commission Minutes
8. Approved 03/08/2021 Parks & Recreation Advisory Committee Minutes
9. Approved 03/24/2021 Planning Commission Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for March 2021 and 1st Quarter Totals 2021
2. Benak Memo 05/11/2021 re: Clarification on Face Mask Exemption
3. Vern Gutknecht Ethics Comment
4. Kim Elliott Marijuana Comments
5. MDHHS Epidemic Orders 4.19.2021 to 5.24.2021
6. Linda Slopsema Petition Submission
7. Networks Northwest Newsletter
8. Grand Traverse County Road Commission Gravel Road Brine Agreement
9. Honorable John Roth 104th District State Representative Newsletter 04/20/2021

Minutes

1. Recommend approval of 04/13/2021 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 46491 through 46599

Budget Amendments (none)

Revenue & Expenditure Report (none)

I. Unfinished Business

1. CPO Program Update February 2021
2. Skegemog Point Road Update
3. Whitewater Township Park Playground Project

J. New Business

1. Resolution #2021-11 Recommend Approval of Petitions and Certification of Ballot Language
2. Fire Department Request for Replacement of Brush 3 Vehicle
3. Proposed Cell Tower Lease Amendment Right of First Refusal
4. Approval of Lawn Maintenance Contractor
5. Grand Traverse Plastics Letter of Support
6. Introduction/Discussion of Industrial Facility Tax Exemption
7. Authorize Additional Compensation to Robert Hall and Kim Mangus re: Municode Manuscript Review
8. Appointment of Township Board Representative to Planning Commission and ZBA

K. Tabled Items (none)

L. Board Comments/Discussion

M. Announcements

1. Next regular meeting June 8, 2021 @ 9:00 a.m.

N. Public Comment

O. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the township clerk at 231-267-5141 or the TDD at 800-649-3777.

To: Township Board Members

From: Cheryl A. Goss, Township Clerk

Date: 05/05/2021

Re: Consent Calendar for 05/11/2021

---

Receive and File

1. Supervisor's Report for April 2021
2. Clerk/Parks & Recreation Administrator's Report for April/May 2021
3. Zoning Administrator Staff Report May 2021
4. Mobile Medical Response April 2021 Activity Reports
5. Fire Department April 2021 Report
6. Historical Society Report for April 2021
7. Approved 03/03/2021 Planning Commission Minutes
8. Approved 03/08/2021 Parks & Recreation Advisory Committee Minutes
9. Approved 03/24/2021 Planning Commission Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for March 2021 and 1st Quarter Totals 2021
2. Benak Memo 05/11/2021 re: Clarification on Face Mask Exemption
3. Vern Gutknecht Ethics Comment
4. Kim Elliott Marihuana Comments
5. MDHHS Epidemic Orders 4.19.2021 to 5.24.2021
6. Linda Slopsema Petition Submission
7. Networks Northwest Newsletter
8. Grand Traverse County Road Commission Gravel Road Brine Agreement
9. Honorable John Roth 104th District State Representative Newsletter 04/20/2021

Minutes

1. Recommend approval of 04/13/2021 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 46491 through 46599

Budget Amendments (none)

Revenue & Expenditure Report (none)

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

Roll call vote required.

**From:** Paul Olson <polson@muwm.net>  
**Sent:** Wednesday, April 28, 2021 11:31 AM  
**To:** clerk@whitewatertownship.org  
**Cc:** Ron Popp  
**Subject:** Emailing: Whitewater Township (2)  
**Attachments:** Whitewater Township (2).pdf

Cheryl and Ron enclosed you will find your insurance renewal information through the Michigan Township Par Plan. Your renewal date is 06/01/2021. Please review and if you should have any questions or concerns I stand ready to assist you. Thank you for your business over the years. Let me know if you would like me to attend a meeting in May.

Paul Olson

Municipal Underwriters of West MI  
4171 Wolverine Drive  
Williamsburg, MI 49690

Phones:  
Toll Free: 888-883-6391  
Local: 231-421-5008  
Fax: 231-421-3509

Your message is ready to be sent with the following file or link attachments:  
Whitewater Township (2)

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Municipal Underwriters of West MI  
4171 Wolverine Drive  
Williamsburg, MI 49690  
Toll Free 888-883-6391  
Local 231-421-5008  
polson@muwm.net

April 28, 2021

Cheryl Goss, Clerk  
Whitewater Township  
PO Box 159  
Williamsburg, MI 49690

Dear Cheryl:

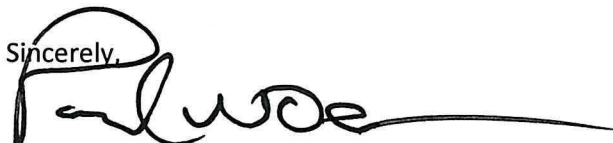
Enclosed you will find a Summary of Coverage's and an Invoice for **Whitewater Township's 2021-2022** insurance years. The renewal date of your policy is 06/01/2021.

Presently, the structure of the Par Plan is better than ever, consisting of US Specialty Insurance Company. US Specialty Insurance Company's operating strategy is based on prudent capital management, and specializes in insuring specialty market business like the Michigan Township Participating Plan's program.

The Michigan Township Par Plan Grant Program is also available to all members, to date, \$2,000,000 has been provided back to our members for the grant program. I pleased to announce that your dividend was **\$1,476.91 for the 2020 year.**

The quoted premium is **\$27,992.00. This is a increase of 1,647.00 from last year's beginning premium of \$26,345.00. The increase is due solely to the addition of 2020 Frieghtliner M2 106 Pumper/Tanker valued at \$400,000. At the same time we deleted a 2000 Chevy Tanker valued at \$195,000.**

If you have any questions regarding your insurance coverage's, please do not hesitate to contact me at **888-883-6391.** Your continued confidence of the Michigan Township Participating Plan is appreciated. It's been a privilege to have served **Whitewater Township's** insurance needs for the past **36 years.** **Your business is appreciated and important. Please stay safe!**

Sincerely,  


Paul W. Olson  
Regional Risk Manager  
MUWM

Municipal Underwriters of West MI Inc.

4171 Wolverine Drive  
Williamsburg, MI 49690  
888-883-6391  
polson76@charter.net

# Invoice

Date	Invoice #
4/28/2021	3978

Bill To
Whitewater Township PO Box 159 Williamsburg, MI 49690

Account #	Policy Number
	HMTP-371444

Effective Date	Expiration Date	Insurance Company	Type of Coverage	Charge
6/1/2021	06/01/2022	Michigan Township Par Plan	Package Plan	27,992.00

YOUR POLICY IS IN FULL FORCE AND PAYABLE ON EFFECTIVE DATE. IF NOT WANTED, PLEASE RETURN IMMEDIATELY.

Fax #
231-421-3509

<b>Total</b>	\$27,992.00
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$27,992.00

# AUTOMOBILE CERTIFICATE OF NO FAULT PROTECTION

Entity Name: **WHITEWATER TOWNSHIP**

NAME AND ADDRESS OF COMPANY


Entity Number: MI11444  
Policy Number: HMTP-371444

**U.S. Specialty Insurance Company**  
13403 Northwest Freeway  
Houston, TX 77040

Effective date: 06/01/2021  
Expiration Date: 06/01/2022

An authorized Michigan insurer, certifies that is has issued a policy complying with Act 294, P.A. 1972, as amended for the described motor vehicle.

NAME OF AGENCY

By   
Authorized Representative

**HCC Public Risk**  
**MUNICIPAL UNDERWRITERS OF WEST MI, INC.**  
888-883-6391

on this 28 04 2021  
Day Month Year

Year	Description	Vehicle Identification Number
------	-------------	-------------------------------

**Covers all vehicles owned by the member**

**Number of Vehicles: 7**

**Warning:** Keep this certificate in your vehicle at all times. If you fail to produce it upon a police officer's request, you will be responsible for a civil infraction.

## PENALTY FOR OPERATION WITHOUT INSURANCE

Michigan Law (MCLA 500.3101) requires that the owner or registrant of a Motor Vehicle registered in this state must have insurance or other approved security for the payment of no-fault benefits on the vehicle at all times. An owner or registrant who drives or permits a vehicle to be driven upon a public highway without proper insurance or other security is guilty of a misdemeanor.

An owner or registrant convicted of such misdemeanor shall be fined not less than \$200.00 nor more than \$500.00, or imprisoned for not more than 1 year, or both.

**THIS FORM MUST BE PRESENTED AS EVIDENCE OF INSURANCE WITH YOUR APPLICATION FOR LICENSE PLATES, EITHER BY MAIL OR AT ANY SECRETARY OF STATE LICENSE PLATE BRANCH OFFICE. A PERSON WHO ISSUES OR SUPPLIES FALSE INFORMATION TO THE SECRETARY OF STATE OR USES AN INVALID CERTIFICATE OF INSURANCE IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR, OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.**

# HCC Public Risk Claim Service, Inc.

Report Date: 4/23/2021 7:04:18 AM

File No.	Occur Date	Major/Minor Code	DESCRIPTION	LOSS PAYMENT	EXPENSE PAYMENT	RECOVERY	TOTAL INCURRED
<b>WHITEWATER TOWNSHIP-GRAND TRAVERSE - MI11444</b>							
954	CL	8/3/1989		\$0.00	\$0.00	\$0.00	\$0.00
1964	CL	7/2/1989	170-101 Bodily Injury	\$2,250.00	\$0.00	\$0.00	\$2,250.00
7353	CL	5/16/1992	090-105 Pager/Radio/Personal	\$340.00	\$0.00	\$0.00	\$340.00
11232	CL	11/19/1993	171-101 Zoning	\$5,000.00	\$3,502.28	\$0.00	\$8,502.28
12548	CL	12/15/1993	090-200 Misc - Inland Marine	\$601.80	\$0.00	\$0.00	\$601.80
15598	CL	7/16/1995	170-124 Medical Pay	\$50.00	\$0.00	\$0.00	\$50.00
17511	CL	10/22/1996	020-108 Personal Effects of	\$226.00	\$0.00	\$0.00	\$226.00
19997	CL	7/16/1997	090-200 Misc - Inland Marine	\$2,346.50	\$0.00	\$0.00	\$2,346.50
20471	CL	3/11/1998	090-200 Misc - Inland Marine	\$827.07	\$0.00	\$0.00	\$827.07
20493	CL	1/5/1998	090-107 Power Surge	\$1,125.00	\$0.00	\$0.00	\$1,125.00
21087	CL	7/2/1998	090-107 Power Surge	\$3,396.00	\$0.00	\$0.00	\$3,396.00
91456	CL	11/18/1998		\$0.00	\$0.00	\$0.00	\$0.00
96781	CL	8/16/2000	170-109 Property Damage	\$212.74	\$0.00	\$0.00	\$212.74
97459	CL	10/6/2000	020-106 Vehicle Damage ( Our Bldg)	\$1,684.00	\$0.00	\$0.00	\$1,684.00
98806	CL	2/9/2000	090-105 Pager/Radio/Personal Equip	\$1,031.00	\$0.00	\$0.00	\$1,031.00
101078	CL	6/15/2001	090-200 Misc - Inland Marine	\$2,689.88	\$0.00	\$0.00	\$2,689.88
107351	CL	8/16/2002	170-109 Property Damage	\$0.00	\$0.00	\$0.00	\$0.00
121020	CL	12/22/2004	171-101 Zoning	\$0.00	\$57,139.29	\$0.00	\$57,139.29
122297	CL	7/13/2005	170-109 Property Damage	\$568.97	\$0.00	\$0.00	\$568.97
123345	CL	9/28/2005	090-200 Misc - Inland Marine	\$365.00	\$0.00	\$0.00	\$365.00
127699	CL	6/29/2006	090-200 Misc - Inland Marine	\$1,426.48	\$0.00	\$0.00	\$1,426.48
128819	CL	1/9/2007	170-124 Medical Pay	\$0.00	\$0.00	\$0.00	\$0.00
131154	CL	7/3/2007	090-105 Pager/Radio/Personal Equip	\$406.00	\$0.00	\$0.00	\$406.00
142343	CL	8/15/2009	170-109 Property Damage	\$0.00	\$0.00	\$0.00	\$0.00
147715	CL	7/3/2010	090-200 Misc - Inland Marine	\$997.23	\$0.00	\$997.23	\$0.00
150952	CL	12/14/2010	090-106 Vehicle Physical Damage	\$1,356.46	\$0.00	\$0.00	\$1,356.46
156281	CL	9/19/2011	171-200 Misc - E&O	\$0.00	\$7,254.25	\$0.00	\$7,254.25

## HCC Public Risk Claim Service, Inc.

Report Date: 4/23/2021 7:04:18 AM

File	Occur					LOSS	EXPENSE	TOTAL	
No.		Date	Major/Minor Code		DESCRIPTION	PAYMENT	PAYMENT	RECOVERY	INCURRED
156760	CL	10/29/2011	170-101	Bodily Injury	BROWN - CLAIMANT'S ANKLE WAS INJURED DURING HALLOWEEN EVENT	\$250,000.00	\$37,420.84	\$0.00	\$287,420.84
159913	CL	5/1/2012	212-101	Collision	2009 FORD EXPEDITION BACKED INTO A POLE CAUSING DAMAGE TO VE	\$934.05	\$0.00	\$0.00	\$934.05
166213	CL	8/15/2013	194-109	Property Damage	GROOMBRIDGE - 2008 CHEVY SILVERADO PU/OV - INSURED'S VEHICLE	\$1,068.59	\$0.00	\$0.00	\$1,068.59
172564	CL	8/28/2012	171-101	Zoning	SUIT-JPMORGAN CHASE BANK-CLAIMAMT ALLEGING BREACH OF CONTRAC	\$0.00	\$0.00	\$0.00	\$0.00
177065	CL	8/18/2015	170-124	Medical Pay	MONCHER - CLAIMANT FELL THROUGH HOLE IN BOAT DOCK WHILE AT T	\$6,998.16	\$0.00	\$0.00	\$6,998.16
178341	CL	8/2/2015	020-103	Windstorm	STORM CAUSED TREES TO FALL IN THE TOWNSHIP CEMETERY.	\$1,000.00	\$0.00	\$0.00	\$1,000.00
178342	CL	8/2/2015	170-101	Bodily Injury	STORM CAUSED TREES TO FALL DAMAGING HEADSTONES IN THE TOWNSH	\$0.00	\$0.00	\$0.00	\$0.00
187265	CL	5/1/2018	020-102	Lightning	DAMAGE TO PHONE SYSTEM.	\$1,952.23	\$0.00	\$0.00	\$1,952.23
194009	CL	6/29/2019	212-101	Collision	2002 HME Engine VIN#0036- OV backed into insured parked vehi	\$1,417.91	\$0.00	\$1,417.91	\$0.00
Report Totals:						\$290,271.07	\$105,316.66	\$2,415.14	\$393,172.59

**MICHIGAN  
TOWNSHIP  
PARTICIPATING  
PLAN**

**SUMMARY OF COVERAGES  
FOR  
WHITEWATER TOWNSHIP 2021**

Presented By:  
**PAUL W. OLSON - RISK MANAGER**  
Municipal Underwriters of West MI Inc.

## **SUPPORT/SERVICE COMPANIES**

### ***MARKETING AND SERVICE:***

PAUL W. OLSON  
Municipal Underwriters of West MI. Inc.  
4171 Wolverine Drive  
Williamsburg, MI 49690  
1-888-883-6391 Michigan Watts  
231-421-3509 Fax

### ***TECHNICAL ADMINISTRATION:***

Michigan Township Participating Plan  
1700 Opdyke Court  
Auburn Hills, Michigan 48326  
(248) 371-3100 - LOCAL  
(800) 783-1370 - MICHIGAN WATTS  
(248) 371-3069 - FAX

### ***RISK CONTROL ADMINISTRATION***

Midwest Risk Control  
1700 Opdyke Court  
Auburn Hills, Michigan 48326  
(248) 371-3100 - LOCAL  
(800) 783-1370 - MICHIGAN WATTS  
(248) 371-3091 - FAX

### ***CLAIMS ADMINISTRATION***

Midwest Claims Service  
1700 Opdyke Court  
Auburn Hills, Michigan 48326  
(248) 371-3100 - LOCAL  
(800) 783-1370 - MICHIGAN WATTS  
(248) 371-3069 - FAX

**I. COMPREHENSIVE MUNICIPAL LIABILITY COVERAGE:\***

Limit of Liability Per Occurrence	\$ 3,000,000
Limit of Liability Per Aggregate	\$ None
Deductible	\$ 1,000

**ADDITIONAL INSURED:**

1. **Any** member of the governing body of the Named Insured
2. **Any** member of boards or commissions of the Named Insured
3. **Any** elected or appointed official of the Named Insured
4. **Any** employee of the Named Insured – Including **Contracted Assessor**
5. **Any** volunteer

**ADDITIONAL INCLUDED COVERAGES:**

1. Public Officials **RESIDENCE AND PLACE OF EMPLOYMENT**
2. Premises Medical Payments - \$10,000 Limit, includes volunteers
3. Host Liquor Law Liability
4. Special Events Liability - Fireworks Liability by Endorsement
5. Governmental Professional Malpractice Liability
6. Incidental Medical Malpractice Liability
7. Cemetery Professional Liability
9. Employee Benefit Liability \$1,000,000/\$3,000,000 Aggregate
10. Extended Bodily Injury and Property Damage Liability
11. Completed Operations
12. Property Legal Liability - \$500,000 Limit
13. Premises and Operations
14. Care, Custody and Control Coverage - \$25,000 per occurrence
15. Explosion, Collapse and Underground (exclusions deleted)
16. Vicarious Liability
17. Fellow Member Liability
18. Governmental Tort Immunity Waiver
19. Non-Owned and Hired auto liability coverage
20. Non-Owned and Owned Watercraft Liability-under 26'in length
21. Personal Injury Protection Includes:
  - A. FALSE ARREST, DETENTION OR IMPRISONMENT
  - B. MALICIOUS PROSECUTION
  - C. WRONGFUL ENTRY OR EVICTION OR OTHER INVASION OF THE RIGHT OF PRIVATE OCCUPANCY
  - D. LIBEL, SLANDER, ORAL OR WRITTEN PUBLICATION
  - E. MENTAL ANGUISH & MENTAL INJURY

**PUBLIC OFFICIALS WRONGFUL ACT LIABILITY  
(Errors & Omissions)**

Limit of Liability Per Occurrence:	\$ 3,000,000
Limit of Liability Aggregate:	\$ None
Deductible:	\$ 0

**The following are areas of exposure to public officials and employees, which most generally are covered by a legal liability policy:**

1. A decision or opinion of the municipal board
2. A decision or opinion of the fire & ambulance department
3. A decision or opinion of the zoning or planning board and zoning board of appeals
4. Restrictive Use Sublimit (\$100,000) Suits for Loss resulting from the Insured controlling or restricting the use of private property, while not taking legal ownership of said property, we will cover such claims or Suits subject to the Sublimit.
5. Decisions or opinions of Building, Electrical, Plumbing Inspectors and Contracted Assessors
6. Alleged negligence or incompetence on the part of any public official or employee including the failure to carry out duties.
7. Accusations regarding mismanagement of municipal owned assets
8. Inadequate supervision of voter registration & elections
9. Improper hiring or firing of employees
10. Failure to check auditing & accounting practices
11. Violation of Civil Rights: Civil Rights are defined as "means the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, including discrimination based upon religion, race, color, national origin, age, gender (including sexual harassment, unwelcome sexual advance, request for sexual favors, and other verbal or physical conduct or communication of a sexual nature), height, weight, disability, or marital status"
12. Back Wages- \$25,000 per person

Note: Failure of assured to provide or maintain valid insurance policies is not a covered exposure.

**II. FLEET LIABILITY COVERAGE:**

**LIMITS**

A. Bodily Injury & Property Damage [CSL]	\$ 3,000,000
B. Personal Injury Protection	Statutory
C. Personal Property Insurance	\$ 3,000,000
D. Uninsured Motorists	\$ 100,000
E. Non-owned & Hired Auto Liability	\$ 3,000,000
F. Mini-Tort Liability	\$ 500
G. Underinsured Motorists	\$ 100,000

**III. FLEET PROPERTY COVERAGE:**

Property limit      \$ 1,265,000.00

A. Comprehensive	\$ 500 ACV Deductible, Actual Cash Value
B. Collision	\$ 500 Deductible, ACV, Broadened

**IV. INLAND MARINE COVERAGE:**

Providing **ALL RISK, REPLACEMENT COST COVERAGE** for property and equipment while on or off the premises. **NO CO-INSURANCE**

Property limit      \$ 134,700.00  
Deductible          \$ 500

**SEE ATTACHED SCHEDULE**

# AUTO

**Application:**  
**T000020013635**

# WHITEWATER TOWNSHIP

🚗 Auto #▼	💰 New Cost ▼	🔧 Comp. Ded.▼	🔧 Coll. Ded.▼	📅 Year ▼	🚗 Description ▼	VIN #▼	🚗 Type ▼	💡 AUX Running Lights ▼	🔒 Anti-Theft Device▼	🚗 Anti-Lock Brakes ▼	🚗 Traction Control ▼	🚗 Five MPH Bumper ▼
15	\$ 10,000	\$ 500	\$ 500	2021	US Cargo Trailer fire	7828	13	No	0	No	No	No
14	\$ 400,000	\$ 500	\$ 500	2020	Freightliner M2 Pumper/Tanker	5631	5	Yes	0	Yes	Yes	No
4	\$ 50,000	\$ 500	\$ 500	2009	FORD EXPEDITION FIRE CHIEF	1819	5	No	0	No	No	No
7	\$ 275,000	\$ 500	\$ 500	2006	Chevy 5500 Air supply	4295	5	No	0	No	No	No
8	\$ 440,000	\$ 500	\$ 500	2002	HME Engine	0036	5	No	0	No	No	No
10	\$ 15,000	\$ 500	\$ 500	1985	Chevy Brush Rig DNR	0101	18	No	0	No	No	No
11	\$ 75,000	\$ 500	\$ 500	1969	AM general Brush rig DNR	2279	5	No	0	No	No	No
Total: \$1,265,000												

# INLAND MARINE

**Application:**  
**T000020013635**

**WHITEWATER TOWNSHIP** 

▲ number ▼	▲ Serial # ▼	▲ Year ▼	▲ Make ▼	▲ Model ▼	▲ Department ▼	▲ Type ▼	▲ AR ▼	▲ Limit ▼	▲ Spec Ded ▼
1		2016	SEA WOLF RESCUE BOAT	WITH TRAILER	Fire	Commercial Articles	RC	\$ 18,700	\$ 0
2	KUBOTA RTV	2010	WITH TRAILER		Fire	Commercial Articles	RC	\$ 36,000	\$ 0
<b>Total:</b>								<b>\$54,700</b>	

<b>Schedule Total:</b>	<b>\$54,700</b>
<b>Miscellaneous Property &amp; Equipment:</b>	<b>\$30,000</b>
<b>Ancillary Equipment:</b>	<b>\$50,000</b>
<b>Contractors Equipment Rented From Others:</b>	<b>\$0</b>
<b>Aircraft Limit:</b>	<b>\$0</b>
<b>Inland Marine Total:</b>	<b>\$134,700</b>

**V. PROPERTY [FIRE] COVERAGE:**

Total Blanket Building and Contents Limit	\$ 1,639,403.00
Deductible	\$ 500
Per Schedule on File with company	

A. Inflation Guard - 2.5% per quarter

B. Special Municipal Property Endorsement to include:

1. Personal Property off Premises - \$100,000
2. Personal effects of Employees - \$ 1,000 per person
3. Transportation - \$50,000 Limit
4. Flood Coverage- \$100,000
5. Earthquake Coverage- \$1,000,000
6. Loss of Business Income Coverage- \$500,000 per occurrence
7. Extra Expense Coverage - \$500,000 per occurrence
8. Newly Acquired and Constructed Property- \$1,000,000 180 Days
9. Law Ordinance Coverage- Actual Sustained Loss
10. Power Surge Coverage - \$25,000 Limit
11. Glass Coverage- 00 Deductible Glass Breakage
12. Tree Removal - \$500 per tree and \$1,500 annual aggregate on covered losses
13. Accounts Receivable- \$250,000
14. Underground Pipes, Flues or Drains- \$1,000,000
15. 1<sup>st</sup> Party Sewer and Drain Back up- \$25,000
16. Pollutant Clean up and Removal- \$10,000

**VI. VALUABLE PAPERS AND RECORDS COVERAGE\*:**

Broad Form Coverage for the reconstruction of valuable papers and records \$250,000 year round limit of protection with \$0 deductible.

**\* NOTE: Higher limits available upon request.**

# PROPERTY

**Application:**  
**T000020013635**

# WHITEWATER TOWNSHIP

Loc ▼	Bldg ▼	100ft ▼	Fac Loc ▼	Street Address▼	City▼	ST ▼	Zip▼	County ▼	POK ▼	BC ▼	Bldg Lim▼	Cont Lim▼	Mine Sub ▼	Yr Built ▼	FAR ▼	BF ▼	Special Ded▼	Sprinkler ▼
1	1	No	0	5777 VINTON RD	WILLIAMSBURG	MI	49690		10	1	\$ 443,661	\$ 115,474	\$ 0	1889	R	100	0	No
2	1	No	0	8380 OLD STATE HWY 72	WILLIAMSBURG	MI	49690		15	1	\$ 625,000	\$ 42,543	\$ 0	1975	R	925	0	No
3	1	No	0	ELK LAKE ROAD DUGOUT	WILLIAMSBURG	MI	49690		11	1	\$ 6,078	\$ 0	\$ 0	1993	R	614	0	No
3	2	No	0	ELK LAKE RD DUG	WILLIAMSBURG	MI	49690		11	1	\$ 7,779	\$ 0	\$ 0	1993	R	614	0	No
3	3	No	0	ELK LAKE ROAD MAINT. & RESTROOM BLDG	WILLIAMSBURG	MI	49690		11	2	\$ 85,086	\$ 1,216	\$ 0	1970	R	615	0	No
3	4	No	0	ELK LAKE RD STORAGE	WILLIAMSBURG	MI	49690		11	1	\$ 2,917	\$ 0	\$ 0	1998	R	403	0	No
4	1	No	0	9500 PARK ROAD OFFIC	WILLIAMSBURG	MI	49690		11	1	\$ 14,587	\$ 6,078	\$ 0	1980	R	602	0	No
4	2	No	0	9500 PARK ROAD OUT	WILLIAMSBURG	MI	49690		11	1	\$ 18,233	\$ 0	\$ 0	1990	R	615	0	No
4	3	No	0	9500 PARK ROAD REST.	WILLIAMSBURG	MI	49690		11	2	\$ 212,714	\$ 6,078	\$ 0	2002	R	615	0	No
4	4	No	0	9500 PARK ROAD STORAGE	WILLIAMSBURG	MI	49690		11	1	\$ 4,620	\$ 2,431	\$ 0	1985	R	403	0	No
4	5	No	0	9500 PARK ROAD PAVILION	WILLIAMSBURG	MI	49690		11	1	\$ 37,133	\$ 0	\$ 0	1990	R	614	0	No
5	1	No	0	5184 VINTON ROAD STORAGE	WILLIAMSBURG	MI	49690		11	2	\$ 15,775	\$ 0	\$ 0	1950	R	403	0	No
Totals:								\$1,473,583	\$173,820	\$0								
Grand Total:								\$1,647,403										

**VII. CRIME COVERAGE:**

- A. Limit of Coverage - \$ 100,000
- B. "Broad Form" Money & Securities
- C. Inside Coverage:
- D. Outside Coverage:
- E. Money Order and Counterfeit Paper Currency
- F. Depositors' Forgery
- G. Locations to Include:
  - 1. All Officials Homes
  - 2. Place of Employment
  - 3. Banking Facility

**VIII: PUBLIC OFFICIAL BONDS\***

Treasurer	\$25,000
Deputy Treasurer	\$15,000
Clerk	\$10,000
Deputy Clerk	\$10,000
Supervisor	\$ 5,000
BLANKET BOND	\$100,000

**NOTE:** THE ABOVE BONDS ARE INCLUDED AT NO ADDITIONAL CHARGE

ADDITIONAL POSITIONS AND HIGHER LIMITS AVAILABLE  
(Those who collect money or fees should be bonded)

**\* NOTE: Higher limits available upon request.**

**X. LAW ENFORCEMENT PROFESSIONAL LIABILITY COVERAGE:**

Limit of Liability Per Occurrence	\$ 0
Limit of Liability Per Aggregate	\$ 0
Deductible	\$ 0

- A. PERSONAL INJURY
- B. WRONGFUL ACT
- C. HOT PURSUIT ENDORSEMENT

**XI. BUSINESS ELECTRONIC EQUIPMENT COVERAGE:**

- A. Combined Media and Extra Expense Coverage - \$ 100,000
- B. Computer Coverage- \$100,000 Deductible \$500**
- C. System Breakdown Coverage Endorsement
  - 1. Mechanical Breakdown; Machinery Breakdown
  - 2. Short Circuit; Blow out; other Electrical Disturbance
  - 3. Electrical or Magnetic Injury

**XII. BOILER AND MACHINERY:**

- A. Repair of Replacement Coverage Included
- B. Direct Damage Coverage as follows: Unfired Pressure Vessels, Motors and Centrifugal Pumps. Internal Combustion Engines, Generators and
- C. Miscellaneous Electrical Apparatus

**Deductible of \$ 1,000 Applies      Limits \$ 1,639,469.00**

**XIII. CYBER LIABILITY: Included in Premium.**

**SEE ATTACHED**

PREMIUM SUMMARY

I. COMPREHENSIVE MUNICIPAL LIABILITY	INCLUDED
II. FLEET LIABILITY	INCLUDED
III. FLEET (PROPERTY)	INCLUDED
IV. INLAND MARINE	INCLUDED
V. PROPERTY (FIRE)	INCLUDED
VI. VALUABLE PAPERS AND RECORDS	INCLUDED
VII. CRIME	INCLUDED
VIII. BONDS	INCLUDED
IX. WORKERS COMPENSATION	
X. POLICE PROFESSIONAL	
XI. BUSINESS ELECTRONIC EQUIPMENT	INCLUDED
XII. BOILER AND MACHINERY	INCLUDED
XIII. CYBER LIABILITY	INCLUDED

TOTAL PAR-PLAN ANNUAL PREMIUM: **\$ 27,992.00**

**NOTE:** The **MICHIGAN TOWNSHIP PARTICIPATING PLAN** is formed under the enabling legislation of Public Act #138. It is a 'fixed cost, fully reinsured, **non-assessable program**', controlled by the Board of Directors of the Michigan Township Participating Plan.

# Whitewater Township Supervisor's Report

## April 2021

### 1) Investigate citizen observations:

- A. None this month! I do expect when the rainy season gets here flooding concerns will again be on the rise. For now, I will continue to send/forward pictures and narratives to the Road Commission to be addressed. Currently Vinton, Watson and Hillendale Roads are being watched. In the meantime, dusty roads it is.

### 2) Office duties:

#### A. Meetings:

- 1) Municode the company that is recodifying our Ordinances hosted an electronic meeting to begin the review process of the proposed manuscript. Once the first review is complete, streamlining the document will be a high priority. Thank to Planning Commission Chairwoman Kim Mangus, Clerk Goss and the Township's legal team for attending.
- 2) Development interests in the Township is on a record setting course. Proposed new investment in the Industrial and Commercial District is requiring a significant effort to address municipal services (water and sewer) to various locations in the Township. Thank you to Jessie Mitchell, Tino Breithaupt, Jibran Ahmed, and Tom Durkee members of the Michigan Economic Development Corporation for hosting several meetings in support of local businesses, the Williamsburg Community, and the greater Northwest Region. I look forward to a great relationship.
- 3) Due to a scheduling conflict, the monthly Supervisor's meeting was not attended.
- 4) The monthly Michigan Township Association (MTA) meeting was held one week later than normal due to Spring Break and Easter Weekend. A scheduling conflict required my attention elsewhere. April topics were Brownfield Development, grants, loans, and EGLE programs.
- 5) Webinar Highlights for April Include:
  - A) **Tip of the Mitt Water Shed Council – A guide to Water Resources Permitting.** The webinar provided educational information about the permit process for high impact users of the State's Water Resources.
  - B) **Board Member Basics** – The Prosecuting Attorney's Office sets up training for newly, and existing, Elected Officials. Kit Tholen, Assistant Prosecuting Attorney and Deputy Civil Counsel presented the material. The 3-hour presentation focused major topics of the Open Meeting Act, Parliamentary Procedure Conflict of Interest and the Freedom of Information Act. All relevant issues in the Local, County, State and Federal stages.


- C) **Department of Environment, Great Lakes and Energy EGLE - Not in MIWaters** – Responding to the aquatic plant invasion of our lakes and streams. This is a great series for everyone to participate in. This webinar explained how new invasive plant are located and who addresses the threat. Early detection is key. Follow this link to view the recorded and upcoming training venues provided free of charge.  
[https://www.michigan.gov/egle/0,9429,7-135-3308\\_3333-539592--,00.html](https://www.michigan.gov/egle/0,9429,7-135-3308_3333-539592--,00.html)

### 3. Other Items of Interest:

- 1) Michigan Department of Health and Human Services (MDHHS) Epidemic Orders are slated to remain in effect thru May 24, 2021 unless modified otherwise. You can visit the department's website at [https://www.michigan.gov/coronavirus/0,9753,7-406-98178\\_98455-533660--,00.html](https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-533660--,00.html) for more information than you want.....
- 2) Research into Public Act 198 of 1974, Industrial Facility Tax as amended has begun. This act provides a local unit of government (like Whitewater Township) a process for partial abatement of property taxes on certain new industrial investment. Early takeaways include a 50% relief from certain property taxes for a predetermined length of time. The process is used to maintain and attract industrial capital investment. More information is elsewhere in the May Board Packet.
- 3) Brine agreements with the Grand Traverse County Road Commission are completed for 2021. Enormous price hikes have limited the Township to two applications and it will not begin until Mid-June. I expect an abundance of nuisance dust complaints especially with such a dry spring. This may offer another reason for us to "Mask Up." Please reach out with reasonable workarounds for this bad situation!
- 4) Word has been delivered, the revised opinion of probable cost for Skegemog Point Road is delayed in policy discussion at the Road Commission. No new information or progress can be reported at this time. With construction season now underway, I see additional delays headed our way.
- 5) Save the date, the Township's Annual Clean Up day is scheduled for June 12, 2021 beginning at 8:00 am and Noon. Reminders of this Township favorite event will be coming to a mailbox near you as the spring newsletter will go out early in May.
- 6) April 22, 2021 the Township received petitions to place on the ballot, at the next regular election, the question of whether the proposed ordinance to prohibit adult-use (also known as recreational) marihuana establishments within the boundaries of Whitewater Township should be adopted by the township electors' initiative. If the petitions are deemed valid, the Township will generate and approve ballot language and certify it to the County Clerk by May 11, 2021 at 4:00 for August 3, 2021 Election

- 7) Easter, spring break, and proposed development in the industrial district, hampered research on the motorized use of the Lossie Road Nature Trail. Trustee Heidi Vollmuth and I have requested Township Records from the Clerk's Office beginning Monday May 3, 2021.
- 8) Met with a perspective candidate for an open seat on the Planning Commission. The Township has a great need for board and commission members. Please contact me at [Supervisor@whitewatertownship.org](mailto:Supervisor@whitewatertownship.org) to discuss the possibilities.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Ron Popp', with a stylized, cursive script.

Ron Popp  
Whitewater Township Supervisor.

## **Clerk/Parks & Recreation Administrator's Report for April/May 2021**

To: Whitewater Township Board and Community

From: Cheryl A. Goss, Township Clerk

Date: 05/05/2021

This report details activity in the Clerk's office since my last report dated 04/03/2021.

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

1. 04/12/2021 Parks & Recreation Advisory Committee
2. 04/28/2021 Municode Legal Manuscript Review

### **Educational Sessions Attended:**

1. MTA 2021 Virtual Conference and Expo 04/19/2021 through 04/21/2021

**Elections:** Discussed under New Business #1.

**Recodification of General/Zoning Ordinances:** The first conference with Municode regarding the first unedited rough draft of the township's ordinances was held virtually on 4/28. Some questions were answered; other questions arose. All parties to the conference call will be gathering their questions and comments in one location going forward.

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

**Whitewater Township Park:** The online reservation site activated on April 5th with an unusually high number of campers seeking reservations. The site was briefly not available to some. I was not able to get on the site until 9:10 a.m., but at that point, 317 reservations had already been completed. It was the highest grossing first day ever at \$83,032. Since COVID hit, the popularity of camping is off the charts.

The EGLE permit has been issued for the boat launch renovation. I am waiting to hear from Fleis & VandenBrink on the next step.

**Hi Pray Park/Battle Creek Natural Area/Lossie Road Nature Trail/Petobego Natural Area:** Since the last meeting, PRAC members and myself have been following up on getting new quotes for the Hi Pray Park dugouts. That information will be discussed at their meeting on 5/10 and I will update the board on 5/11. Two park benches for Battle Creek Natural Area have been purchased. Devin Melton will assemble and install those as part of a community service project. Nothing new to report concerning Lossie Road Nature Trail or Petobego Natural Area.

### **Request for Road Repairs on Skegemog Point Road**

This issue is on the agenda under Unfinished Business #2.

(continued)

**FOIA Requests:** One new FOIA request was received in April from Vern Gutknecht requesting information related to the 5-acre issue.

**Appraisal of 6400 Elk Lake Road:**

Field work for the appraisal has been conducted. We should have the report soon.

**Township Hall Painting/Flooring:**

Two installers from Home Depot inspected the floors on May 3rd. They strongly recommended that if the Lifeproof product is chosen, that we go with the commercial grade of that product as it is more durable and has a 10-year warranty. They also recommended purchasing the primed quarter round as it is actual wood.

**Other News:** It's nice to see the leaves popping on trees and bushes! Summer is on the horizon.

# # #

## Whitewater Township

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

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

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

231-267-5141 x 21

---

### APRIL 2021 – Planning and Zoning Report

#### Points to Ponder –

The Zoning Administrator has been fielding calls for Whitewater Township related to (among other things), Marihuana Facilities and Establishments, RV Park development potential (along the M-72 corridor), zoning / possible use inquiries along the M-72 corridor, Short-Term Rentals<sup>1</sup>.

These calls are very frequent – as far as short-term rentals, the calls are predominantly from real estate agents and brokers on behalf of their clients searching for ‘secondary’ homes as investment property. While Whitewater Township has not become inundated with the quality-of-life issues that often times are associated with these properties, it is a concern that should be considered when reviewing the Master Plan.

As I have heard discussions surrounding (existing development expansion) current needs that may involve water and or sewer availability, I would like to remind everyone that **NOW** is an excellent opportunity to encourage ‘planning’ for the future in the MASTER PLAN. If and when more development does take place, does Whitewater Township have a n infrastructure plan, a capital improvement plan?<sup>2</sup>

Residential development continues to be strong in Whitewater Township – as well, land is being divided and split off from larger traditional farm-land tracts. If rural and / or farm-land preservation appears as a priority during the Master Plan review process, what tools will we use to ensure that we ‘plan’ appropriately?

Speaking of Residential development – Is it okay for residential development to happen everywhere and / or anywhere, or should future development be directed to where the future of required infrastructure will be located (such as sewer and water) to support the growth? If Whitewater Township experiences extreme development pressure for higher density housing – do we have a plan to direct that growth that will be in conformance with the goals and visions contained in the Master Plan?

For your review,



---

<sup>1</sup> New bill introduced that would deem short-term rentals in dwelling units (up to a 4-plex) as a permitted residential use and (NOT Commercial Use) not subject to anything other than the single-family home standards already in place

<sup>2</sup> **125.3865 Capital improvements program of public structures and improvements; preparation; basis.**

(1) To further the desirable future development of the local unit of government under the master plan, a planning commission, after adoption of a master plan, shall annually prepare a capital improvements program of public structures and improvements, unless the planning commission is exempted from this requirement by charter or otherwise. If the planning commission is exempted, the legislative body either shall prepare and adopt a capital improvements program, separate from or as a part of the annual budget, or shall delegate the preparation of the capital improvements program to the chief elected official or a nonelected administrative official, subject to final approval by the legislative body. The capital improvements program shall show those public structures and improvements, in the general order of their priority, that in the commission's judgment will be needed or desirable and can be undertaken within the ensuing 6-year period. The capital improvements program shall be based upon the requirements of the local unit of government for all types of public structures and improvements. Consequently, each agency or department of the local unit of government with authority for public structures or improvements shall upon request furnish the planning commission with lists, plans, and estimates of time and cost of those public structures and improvements.

(2) Any township may prepare and adopt a capital improvement program. However, subsection (1) is only mandatory for a township if the township, alone or jointly with 1 or more other local units of government, owns or operates a water supply or sewage disposal system.

# Fractile Response Time

Company IS MOBILE MEDICAL RESPONSE INC; AND Trip Date IS BETWEEN 04/01/2021 AND 04/30/2021; AND Dispatch Zones IS GT-Whitewater; AND Dispatch Status IS Complete; AND the time 'Save' was clicked

## MOBILE MEDICAL RESPONSE INC

	Call Count	Cumulative Call Count	Percent of Total Calls	Cumulative Percent of Total Calls
00:00 - 01:59	2	2	15%	15%
03:00 - 03:59	1	3	8%	23%
04:00 - 04:59	1	4	8%	31%
05:00 - 05:59	1	5	8%	38%
07:00 - 07:59	2	7	15%	54%
08:00 - 08:59	3	10	23%	77%
10:00 - 10:59	1	11	8%	85%
13:00 - 13:59	1	12	8%	92%
15:00 - 15:59	1	13	8%	100%

Total Calls for MOBILE MEDICAL RESPONSE INC: 13

# Requests by Nature of Call in Whitewater Twp

From 04/01/2021 to 04/30/2021

---

	Total
Abdominal Pain/Problems	1
Back Pain (Non-traumatic or Non Recent Trauma)	1
Breathing Problems	1
Falls	1
Headache	1
Overdose / Poisoning (Ingestion)	1
Sick Person (Specific Diagnosis)	3
Traffic/Transportation/Accidents	3
Unconscious/Fainting (Near)	1
Total	13

---

# Demand Analysis by Day of Week for Whitewater Twp

From 04/01/2021 to 04/30/2021

*Time  
of Day*

---

	1.SUN	2.MON	3.TUE	5.THU	6.FRI	7.SAT	Total
02:00 - 02:59	1	0	0	1	0	0	2
03:00 - 03:59	0	0	0	1	0	0	1
06:00 - 06:59	0	0	0	0	0	1	1
09:00 - 09:59	0	0	0	0	1	0	1
14:00 - 14:59	0	1	0	0	1	0	2
16:00 - 16:59	0	4	0	0	0	0	4
18:00 - 18:59	0	0	1	0	0	0	1
20:00 - 20:59	0	0	0	0	0	1	1
Total	1	5	1	2	2	2	13

---

## Transport Count by Month

---

	4/2020	5/2020	6/2020	7/2020	8/2020	9/2020	10/2020	11/2020	12/2020	1/2021	2/2021	3/2021	4/2021	Total
Village of Elk Rapids	10	12	16	14	17	19	10	4	10	16	14	10	11	163
Elk Rapids Twp	5	2	5	6	5	8	9	4	6	7	8	8	3	76
Milton Twp	9	14	10	16	9	16	20	12	10	8	5	2	10	141
Whitewater Twp	6	8	19	17	26	18	16	18	7	18	16	18	13	200
Torch Lk Twp	0	0	1	0	0	1	2	1	1	0	1	0	0	7
Helena Twp	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Kalkaska County	0	1	0	1	1	1	0	1	1	0	1	1	1	9
<b>Total</b>	30	37	51	54	59	63	57	40	35	49	45	39	38	597



# WHITEWATER TOWNSHIP FIRE DEPARTMENT

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

## April 2021 Monthly Report Fire Chief Brandon Flynn

**Alarms:** The fire department responded to 6 emergency calls in April.

- 2 – Powerline Down
- Smoke Investigation
- Wildfire assist to Fife Lake
- Illegal burn
- Car accident

**Training:** 4 training sessions were held in April.

- Vehicle maintenance, SCBA check
- Target Solutions, ICS review
- Respiratory Protection, SCBA review
- GIS/Map reading

### Meetings/Other:

- Regional Training Center, remote, April 1.
- Regional Medical Control, remote, April 13.
- County Fire Chief's, remote, April 14.
- LEPC, Cancelled, April 15
- 911 BOD, remote, April 15.
- Wednesday Wrap-Up with State Fire Marshal, remote, April 21.

### General:

Assistant Chief Carpenter attended two training classes this month with Air 3. On Saturday April 10 AC Carpenter assisted with a live burn training class at the RTC and on Saturday April 17, AC Carpenter and FF Dave Tilley attended a multi-county training class located in Suttons Bay on pump operations and water flow.

Chief Flynn conducted two CPR/BLS classes for the Elk Rapids Fire Department firefighters. One class on Monday April 19 and another on Monday April 26.



Committed to proudly serving the community with professionalism and integrity.

Two 2022 Polaris 800 Titan XC 155 snowmobiles were ordered through Classic Power Equipment on April 19. These two snowmobiles will replace the fire departments existing snowmobiles and are partially funded by 2% grant money.

Work has begun on purchasing a new cab & chassis truck to replace Brush 3. Delays may be encountered due to COVID which has caused supply chain issues with the auto manufacturers.

\*\*\*

## **Historical Society Report for April 2021**

To: Whitewater Township Board Members

From: Luann Snider, Historical Society Director

Date: May 3, 2021

**Meetings:** There were no meetings in April, because of not having a Quorum.

**Public Inquiries:** No public Inquiries in April.

**Scan/Catalog Documents:** There were no hours spent in April, because of taking care of my mother.

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

**Williamsburg School Reunion:** No new information regarding the school reunion.

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

WHITEWATER TOWNSHIP PLANNING COMMISSION  
MINUTES FOR REGULAR MEETING via ZOOM  
March 3, 2021

Call to Order at 7:00 p.m.

Roll Call: Via Zoom: Mangus in East Bay Twp, MI; Dean in Williamsburg, MI; Wroubel in Williamsburg, MI

In person: Jacobson

No Board Representative or ZBA Representative available

Also in attendance: Recording Secretary MacLean

Set / Adjust Agenda: Address New Business before Old Business

Declaration of Conflict of Interest: None.

Public Comment: Michael Corcoran, represents Northpoint Farms, appreciate your work on the marihuana ordinance. Requesting a special meeting be held as allowed by the Township zoning ordinance. The ordinance was passed in November, took effect in December and the client would like to move forward on this.

Public Hearing a:

Site Plan Review and Special Land Use Review – Commercial Campground in the RC-Recreational zoning district as listed in Article XI, Section 11.11.B. Parcel #28-13-008-003-01, 4575 Moore Rd., Williamsburg, Michigan.

Request to operate a Commercial Campground subject to Article XXV, Section 25.21.D. Article XI, Section 11.11.B lists Commercial Campgrounds as a use permitted by special use permit subject to site plan review.

Applicant/owner: Robert Evina, 546 M-72 SE, Kalkaska, Michigan.

Agent: Mansfield Land Use Consultants, PO Box 4015, Traverse City, Michigan

Published in the Traverse City Record Eagle February 14, 2021.

Notices sent out to property owners within 300' of property.

Open public hearing at 7:09 p.m.

Presentations: Zoning Administrator, Hall: Staff report included in packet. It follows chronological order of the process. They are in the appropriate zoning district. Standards are included in the packet along with ZA comments. Recommend that the PC approve after deliberation.

Received several emails: Kim: Reading of comments received:

Letter in support - Shirley and Rick Palatte (sp).

Letter in support Kim and Deane Elliott.

Letter in opposition to campground, Brenda Irish Heintzelman. Current driveway and buildings need to be addressed.

Letter in support, project brings people in and then they leave, small footprint. John Hinkle.

Letter in support, best way to preserve property, small footprint. Becky Barker.

Hall: received a couple emails in response to the public hearing notice.

Mansfield presentation: Doug Mansfield: started working on this project in 2019. Property zoned RC that provides for campgrounds. The state regulates and licenses campgrounds. Has a lot of state and other open land around it. Moore Road is a public road. There are wetlands with a valley and a pond and woods. Good soils for septic systems. There will be a contact station for busy times. There will be 40 sites on 74 acres. The campground is not going to be a normal campground. We have created a different experience for clientele. The township fire chief has made his recommendation and finds it suits the needs for emergency service access. The campground will run May to October only. Owner info will be available in case of a nuisance. No ATVs will be allowed to run on the property, no fireworks allowed. The state calls for a 10 o'clock quiet time. Several years ago small cottages were put up as a private/family campground. Worked out a declaration of deed restrictions to address the private campground with the township zoning department. This is a good use of the property. Look forward to working with the various agencies and answering any questions.

Public Speaking in favor of proposed site plan: None.

Public Speaking in Opposition to proposed site plan: Brenda Irish Heintzelman, 4074 Moore Rd., Williamsburg:

Speaking on my own behalf and on behalf of my father, who live right across the road. We contacted the township a few years ago about building a second home. We were told this is a very low density area. We were talking about 2 homes on 39 acres. Here, we are talking about 40. We are hearing about benefits to the community. The only benefit I can see is to the land owner. I see no benefit to the neighbors. At what cost is this land owner going to be the only beneficiary? What

cost to wildlife? How close will the structures be to our home? How close will the campfires be? We did not build here to be near party central. Many of our neighbors are in FL currently. What investigation has been done on behalf of the neighbors who will likely lose value in their property? Who wants to be near a campground - answer no body.

Anyone wishing to speak on the proposed site plan who has not already commented: None  
Close public hearing at 7:39 p.m.

#### Public Hearing b:

Site Plan Review and Special Land Use Review – Major Home Occupation in the A1- Agricultural zoning district as listed in Article VI, Section 1.10.G. Parcel #28-13-109-010-00, 10937 Elk Lake Rd., Williamsburg, Michigan.  
Request to operate a Major Home Occupation in an Accessory Building as a special land use subject to site plan review subject to provision in Article XXV, Section 25.22.C.

Applicant: Paul and Susan Hubbell, 10937 Elk Lake Rd., Williamsburg, Michigan

Applicant: Steve and Sadie Merchant, 10114 Elk Lake Rd., Williamsburg, Michigan

Published in the Traverse City Record Eagle February 14, 2021.

Notices sent out to property owners within 300' of property.

Comments received: None

Open public hearing at 7:40 p.m.

Presentations: Hall: Staff report included in packet. Received one call regarding basic information. Please pay particular attention to the staff report. Major Home Occupations require a Special Land Use. Recommend approval based on sound, substantiated decisions.

Merchant, Sadie and Steve: Reading through of application information. Encouraging people to shop local and promoting agri-tourism. Small farmers adapting to current life situations. Preserve farmland. After discussion with the zoning administrator we would like the flexibility to be open seven days a week and more flexible hours. We will need to discuss signs, permanent and temporary.

Mangus received some general phone calls with no leanings for or against.

Public Speaking in favor of proposed site plan: None.

Public Speaking in Opposition to proposed site plan: None

Anyone wishing to speak on the proposed site plan who has not already commented: None

Close public hearing at 7:48 p.m.

#### Approval of Minutes:

**MOTION** by Dean, second by Jacobson to approve February 3, 2021, Meeting Minutes.

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

Correspondence: None

#### Reports:

*Zoning Administrator Report, Hall:* Annual report to township board, included in packet. Encourage training for ZBA, PC and Board. The one ZBA case in 2020 was not representative of a zoning issue in the township.

*Chair's Report, Mangus:* None.

*Township Board Rep.,* Not Available

*ZBA Representative,:* Not Available

*Committee Reports:* None.

*Additional Items:* None.

#### New Business:

1. Site Plan Review and Special Land Use Review – Commercial Campground

Discussion of Appeal: There is currently an approved existing drive with a private campground. We had a preliminary review of this over a year ago.

Dean: Just for clarification, Evina was before the PC previously. Evina addressed the previous “issues” with the zoning department and had reached an agreement.

Dean: Agree to maintain a dust free condition on Moore Road? Mansfield-yes. Mansfield: we will hire a contractor company to do the brining, probably an extra minimum of two brinings and “as needed”.

Mangus: You have no jurisdiction over the road, you cannot regulate the speed limit but a mention in the campground rules would be nice. Possibly a departure sign.

Mangus: Any concerns on the time of the year, etc.?

Dean: Will be dealing with all of the appropriate entities such as GTCRC, health department, fire code for road design, soil erosion, state board, then township and state approvals.

Dean: Phase two looks like there will be a bridge across the creek. That will be engineered and built to code.

Mangus: Lack of clarity in the fire chief's report. Fire department review needs some clarification. Please communicate with the ZA. A quick glance through and a detail fire code review are two very different things.

Mangus: Day to day running of the campground. This is a high bear population area. Will you be making special accommodations to deal with bears? Mansfield: yes, and raccoons.

Mangus: Any time frame for phase two of the operation? Evina: We are hoping to be in phase two in 18 to 24 months. Mangus: Approvals are usually given with a specific time frame. Would three years be sufficient?

Jacobson: Run off water is mentioned in the packet. Mansfield: Soil erosion, storm water has to not leave the property. It will be part of the engineering that will be approved by the county and EGLE, if necessary.

Mangus: Yert deck size and material? Evina: largest yert is 24x24 and a nice deck. Will need to include a maximum size deck/platform. Yert definition = fabric over a frame. Standard size. Up to maximum number of persons per site – state maximum is eight per site and there will be no additional tents allowed on the sites.

Mangus: Residential campground onsite manager. Mansfield: One of the sites will be for the site manager.

Mangus: Will there be any layout or designation for campsites being ADA compliant? Mansfield: As state mandated, 2% have to be ADA accessible and that will be addressed.

Mangus: Guidelines: We can approve with stipulations or we can have them come back with answers.

Jacobson: Approve now with stipulations. Construction season is upon us.

Wroubel: Move forward now.

Dean: Move forward now. Excellent package of information.

Additional Conditions: approval by fire department and all other relevant agencies; inspection and approval of all existing structures and sanitary services to construction, building and health standards; sign is pending approval; lighting to comply with the ordinance; all permanent structures requiring a permit will have a permit and be inspected by GTC; phase two, up to three years to be started and are moving forward on the project; maximum occupancy will be eight; minimum additional applications of road brine; departure signage- respect the neighbors and the road; deck structure not to exceed 2500 sf total each; will develop a wildlife trash implementation process. These are all to be addressed to the satisfaction of the zoning administrator.

Findings of Fact: The proposed project is in full compliance with the intent in the district and with the standards of our zoning ordinance and fits with the Master Plan in keeping the district recreational and rural. Compatible form of economic growth.

Minor verbiage change: no ATV or four wheeler use on the property.

**MOTION** by Dean second by Jacobson to approve site plan review and special land use based on the standards with stipulations: approval by fire department and all other relevant agencies; inspection and approval of all existing structures and sanitary services to construction, building and health standards; sign is pending approval; lighting to comply with the ordinance; all permanent structures requiring a permit will have a permit and be inspected by GTC; phase two, up to three years to be started and are moving forward on the project; maximum occupancy will be eight; minimum additional applications of road brine; departure signage- respect the neighbors and the road; deck structure not to exceed 2500 sf total each; will develop a wildlife trash implementation process. These are all to be addressed to the satisfaction of the zoning administrator.

Minor verbiage change: no ATV or four wheeler use on the property.

Roll call vote: Wroubel yes; Dean yes; Jacobson yes; Mangus yes. Motion carried.

## 2. Site Plan Review and Special Land Use Review – Major Home Occupation

Discussion of Appeal: Antique, farm market, agri-tourism business

Jacobson: There will be a new building and a fire truck will be able to get around.

Dean: Estimate 25 – 35 cars in a gravel parking lot. There will be an additional cut off Gay Road. Additional drive that will connect with the main home drive.

Jacobson: Additional farm products? Merchant: Yes – local farm products.

Hours of operation maximum typical of hours of staffed operation 9 am – 9 pm excluding special events. Need flexibility for any special events.

Days of operation: seven days a week.

Annual permit is part of the home occupation. We cannot exempt them from it but we can address it in the future before their one year renewal comes up.

Mangus: The use runs with the land. Hall: The applicant is very clear in what types of products they are going to sell.

Hubbell: Did talk to the road commission about an additional address. Not going to do an additional address. The zoning administrator will work with the sign regulations, permanent and temporary signs. Signs on state highways have to be approved and permitted by the state.

Findings of Fact: Supported in our Master Plan of local farming and agri-tourism, compliant with zoning ordinance standards. Compatible form of economic growth.

Stipulations: Sign(s) will have to be approved and lighting regulations will need to meet zoning ordinance. It will be seasonal as determined by owner, hours of operation not in excess of 9 – 9 seven days a week, excluding special events.

**MOTION** by Dean second by Wroubel to approve with stipulations: Sign(s) will have to be approved and lighting regulations will need to meet zoning ordinance. It will be seasonal as determined by owner, hours of operation not in excess of 9 – 9 seven days a week, excluding special events.

Roll call vote: Dean yes; Jacobson yes; Mangus yes; Wroubel yes. Motion carried.

#### Unfinished Business

1. Master Plan Review: next month we will have Chris Grobbel of Grobbel Environmental & Planning Associates come and make a presentation to the commission regarding the Master Plan in person or via zoom.
2. Marihuana Zoning Ordinance: Special meeting to address the marihuana ordinance? We do have the option of splitting up the medical and the recreational ordinances. Need to address districts, standards and guidelines. Gather information from other township ordinances.  
Consensus for a special meeting to handle both medical and recreational ordinances at the same time.

Provided it is allowed we could allow people to view or possibly participate via zoom.

Consensus to continue with zoom access if possible. Up to a certain number of people (approx. 17) can be in person.

Next meeting: March 24, special meeting at 7 p.m. Marihuana ordinances and home occupation annual permit.

Next Regular Meeting is scheduled for April 7, 2021.

Agenda: Master Plan Review; Marijuana ordinances

Tabled items: RC District review and Event Barns review

Public Comment: Vern Gutknecht, 6801 Bunkerhill Rd., – you guys do a great job, thank you.

Commission Discussion/Comments: Carl: Will we have a chance to look at other ordinances before hand? Yes – we will try to find some. We need to address districts and standards for approval.

Thank you to Bob for the excellent packages put together.

Continuing Education: Year in Review: 2020 Zoning and Planning Court Decisions-FSBR (fsbrlaw.com)

Adjournment: 9:40 p.m.

Respectfully Submitted  
Lois MacLean,  
Recording Secretary

**Whitewater Township  
Parks and Recreation Advisory Committee  
VIA ZOOM  
Minutes for Regular Meeting  
March 8, 2021**

**Call to order 7:03 p.m.**

**Roll Call:** Butler, Cosgrove, Hubbell, Melton, Slopsema

Absent:

Also in attendance Clerk Goss

**Set / Approve Agenda:** Set

**Declaration of Conflict of Interest:** None

**Public Comment:** None

**Approval of minutes:**

**Motion** by Butler, second by Melton, to approve January 11, 2021, meeting minutes. Roll call vote:  
Butler-yes ; Cosgrove-yes ; Hubbell-na ; Melton-yes ; Slopsema-yes Motion carried.

**Motion** by Slopsema , second by Butler, to approve February 8, 2021, meeting minutes as adjusted. Roll call vote:  
Cosgrove-yes; Hubbell-na; Melton-yes; Slopsema-yes; Butler-yes; Motion carried.

**Reports/Presentations/Announcements/Comments/Correspondence:** None

**Unfinished Business:**

1. Updates on current projects:

Dug-outs: Clerk heard from Barb at Perfect Fence for an update on the new price quote and status of the 2.5" clamps. Clerk let them know that we need this done as soon as possible before the permit expires and little league is ready to start May 1. Barb seems to understand that time is of the essence at this late date.

Melton would like to do a grand opening of the batting cages and kick the season off. Melton will speak with Amber Voice of the little league about clean up, diamond dust and a professional drag. Maybe do it in conjunction with some park and field clean up in May. Melissa will contact the middle and high school. Brandon will help with the diamond dust.

Discussion of the plaques of recognition for the batting cage and dug outs for Rotary and The Tribe.

Dug-out Benches: Multiple choices brought together for benches. Prefer benches with the back. Discussion of the various choices of benches. A+ Concrete quote for the concrete work was previously approved.

Consensus to go with the Spartan benches. Cheryl will get them ordered and delivered to Northpoint Farms.

Consensus to order more softballs and baseballs to have a total of three dozen each.

Trail Benches: Six benches at WTP and two for BCNA. 60139 Lifetime convertible benches from Amazon. Students from ER would like to help putting them together and installing them per Melissa. Possibly get tarps for the benches at the parks since they will not be able to be taken in each year.

2. 2021/2022 Budget: The budget was presented to the board and it was okay. Final budget approval will be March 23.

Discussion of repair of ball field lights at Hi Pray.

Tennis net replacement.

3. Parks and Rec Plan: Need to add or update descriptions and public input information. Add the survey as an appendix. Run through the DNR check list and compare to the plan. Census info should be out by the end of up April so hopefully we can get everything else done wrapped up, or close, to finalize.

Tart Trail – Chris Cushman. Tart system at one point was looking to come this way to go north. Ultimately, they decided on going up US31 through Acme into Elk Rapids. They are always interested in looking and evaluating. There is a project that the N MI Mountain Biking Association is looking to go from VASA to Kalkaska.

Has there been any discussion on the playground for Whitewater. Money is set aside and the whole project has been quoted and it will be updated.

Boat launch project is moving forward. It will not be done until fall, after Labor Day.

**New Business:**

1. None.

**Next regular meeting:** April 12, 2021.

Agenda: Rec Plan review;

**Public Comment:** None

**Adjournment:** 9:19 p.m.

Respectfully submitted,  
Lois MacLean  
Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION  
MINUTES FOR SPECIAL MEETING via ZOOM  
March 24, 2021

Call to Order at 7:00 p.m.

Roll Call: Via Zoom: Mangus in East Bay Twp, MI; Dean in Williamsburg, MI; Wroubel in Williamsburg, MI

In person: Jacobson

No Board Representative or ZBA Representative available

Also in attendance: Recording Secretary MacLean

Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None.

Public Comment: Mangus: Made a statement regarding the zoning approval process.

In person:

Mike Corcoran, attorney representing Northpoint Farms: and Two Peninsulas to purchase the property, noting the process to this point. The Police power ordinance is law, the zoning ordinance is to determine where in the Ag and Industrial districts and the special use permit. The Police power ordinance is very thorough. An overlay district would be very similar to the one created for adult book stores. This is a pretty simple deal and should not take seven months as the PC Chair has noted. A decision needs to be made on whether the Board or the PC will make the decision on the permit. The township lawyers added a section on caregivers. That should not hold up the police powers. Right now there is no referendum. The township must abide by its own law. The referendum would only apply to recreational marihuana. My clients have a right to use their property at its highest and best use. Make the changes that need to be made and put it up for public hearing at the next regularly scheduled PC meeting. Concerned that township officials are dragging their feet. Concerned about the influence of the township Supervisor, who has been at every one of these meetings and that is inappropriate. It is clear how he feels about this. I am here to ask you to take action.

Mangus: The Board adopts or rejects the zoning ordinance that the PC presents to them.

Corcoran: The Board has passed two police power ordinances so they have to pass something.

Zoom:

Rodney Rebants, 648 Island View Drive. Thank you for your explanation of the process. I believe the attorney is also an investor, please be accurate your interest in this issue. While this review is being done there have been other elements of the PC activities that have been side lined. The PC is trying to do it right. The issues in front of the PC, we have 5 acres, now we have marihuana ordinances. The township attorney has pushed this hard. I think that is wrong. I would like the discussion of this be part of an open meeting, having an open house. The general voters in Whitewater Township need to have a voice. Would like to have an open meeting with the PC and the board.

Linda Slopsema, 9693 Miami Beach Rd., Want to make sure everyone is aware of things happening in the township. A group of concerned citizens put through a petition to put the recreational marihuana question to a vote. Petitions were submitted and rejected for formatting issues. People have legitimate concerns. Be aware that people have concerns about property value, environmental impact, odor, crime, costly litigation. The ordinances passed in December seem pretty thorough. Suggest you focus on specific requirements in the zoning ordinance and special use permits.

John Mater, 464 Island View Dr., the township board is represented by five members, only three are pushing it through. One member has a conflict of interest. I do not understand about what is stated about Popp attending meetings. He has not been voicing an opinion, he has strictly been in attendance. The petitions were whitewashed by those same three votes. They seem to do anything to stall to make things go their way. That is the way the township seems to run. The PC is being thorough. People have been brought to the PC and three people do not accept them.

Brandon Hubbell, 8365 Park Rd. Someone mentioned the Corcoran has an investment interest and that is completely untrue. No interest in this other than being our attorney. Don't understand why the petitions are being talked about. This is about zoning. That has nothing to do with the zoning or this meeting.

In person:

Chris Hubbell, 8055 Angell Rd., Mr. Corcoran is not a vested party. Keep hearing people want a referendum to stop recreational marihuana. You cannot stop recreational marijuana from the township. It is legal in the state of Michigan. People can smoke it and there is nothing the township can do about it. Don't know why we are trying to fool each other, it is the law, anyone can smoke recreational marihuana. I am looking out for my property rights. I always thought the chair was for property rights too. I would like mine also.

Public Hearing: None

Special Meeting Business:

1. Article 25, 22.c. Annual review standards for major home occupations. The Zoning Administrator (ZA) noted an issue with line seven that requires an annual review of the special use. The special use runs with the property. The recommendation is that we strike that line item from the special use permit requirements. The ZA will make a draft of the change and bring it back for review at the next regular meeting and address at our next public hearing.
2. Marihuana Ordinance zoning standards. Discussion: Mangus: Provided information for review. February the PC had a consensus to not use an over-lay / spot zoning but to address special use standards. Where is this going to be located in the ordinance? Do want special use addressed in each district? In Article 6? And various locations throughout the ordinance? Or, we could use Article 26, keeping it all in one location. Consensus to keep it all in one place in the ordinance. Use the term Establishment or Facility? Be consistent. Article 3, Definitions, create a section of Marihuana related definitions. The Michigan law has all of the definitions. Do we need to add anymore? Do we need to remove any? Consensus to go with as presented.

Residential cultivation, personal use and caregiver standards. Deal with them now, later or not at all. Jacobson: We don't have a problem with it in the community. Leave it alone. That is not what we are working on. We can come back to it if necessary.

Mangus: Is a caregiver considered an establishment? Do we need to address caregiver standards? If we don't have standards does that mean primary caregivers are automatically illegal because they do not have a permit from the township? Will need input from the attorney. Mangus: Not change the practices of home grow. Residential cultivation is not regulated by the ordinance but is regulated by the MMA. Note that it is not regulated by the rest of this ordinance. Call it out by the uniqueness and let it be covered by the state. Mangus: One question is the number of plants per house. Jacobson notes that only one person in a household can be a caregiver, 72 plant max plus 12 for personal. Mangus: Is this a conflict with the Board approved opt in ordinance? We can get clarification from the attorney. Consensus to get clarification.

Come back to districts and move on to special use permit standards.

Does Ordinance 59 or 60 specifically state Ag and Industrial? There was discussion at the Board level but don't know if specific district language made it into the ordinances. Some in Ag, everywhere in industrial and possibly commercial district.

Do we treat grow and process separately? Do we want to treat medical and recreational separately? Dean: Marihuana is marihuana, keep it all together. Industrial yes to all, grow, process, medical and recreational. Hall, it was initially limited to Ag and Industrial, I think, to avoid residential districts. There have been many changes. Mangus: The attorney can do a line item to address.

Industrial: medical and recreational, grow and process. Consensus. Do we need to address any additional standards like building sizes and setbacks? Consensus, no extra rules.

Agricultural: Much of our Ag is actually residential use, waterfront, wetland, etc. Medical grow and process is allowed per state law. Do we go with the same with the recreational? Dean: Grow and process is allowed for medical. What is the difference between medical and recreational as far as impact? Consensus to go grow and process medical and recreational in Ag as they may merge the two

laws.

Special Use standards for roads? Consensus for no additional road standards.

Visibility issue? Consensus-no.

Distance requirements from other facilities/establishments? Consensus-no.

Property size minimum? Or distance from x number of homes by x number of feet.

Maximum facility size? There are no building size limits in Ag at this time. Jacobson does not want to see limitations on farmers. Wroubel does feel building size may need to be addressed. Mangus: Could go with a percent of the size of the land. Dean: Trust the market that it will be self-regulating. Mangus will look into other area ordinances to see what they do/say about building sizes. Jacobson: if we put a building size limit what is the difference between multiple small vs one large. A farmer may want to grow and expand. Mangus: percentage of land, big land=big building, small land=small building.

Neighboring uses. Distances from schools, parks, etc., are covered in the General police ordinance. Do we want to limit near residential home(s) or a neighborhood like Wintergreen Heights for example. Some facilities are already in use, it would be a different use. Dean: We need to keep distance in context. There are a lot of road front homes. 500 ft. is going to be very restrictive. Jacobson: We already have zoning restrictions regarding building location. Dean notes that there will be a site plan review for each one and it can be addressed individually. Mangus: Cannot enforce standards that are not in the special use standards. Dean: Noise abatement and odor impact to neighboring properties. Feet are arbitrary because every situation will be different. Mangus: Call it a buffer instead of a setback with any standards. Standard lot line distance is 15'. A buffer would be between uses not necessarily property lines. Jacobson notes that the operation is in a building. Consensus to require a buffering plan between uses but not alter the setbacks for these uses. For purposes of buffering, lighting and parking would be like the commercial district or require a buffering zone plan with no specific additional distance.

Commercial would be the same standards as Ag – Consensus. Utilize the same standards of buffer zone, no additional distance, building size, etc.

The Village District is very small. It has residential and the park. Jacobson says maybe we should just stay away from the Village or if they meet the standards they meet the standards. There are some structures and land available in the area. Wroubel is not in favor of having it in the village district, we are accommodating in other districts. We will leave it out for now and look at the map and bring it back next month.

Special Use Permit standards: We cannot require anything we do not ask for. Gathered information from our zoning ordinance regarding special uses in other areas and in other township zoning ordinances. We do not know if the township will do the special use permit or the license first but they will need it. Need to address chemical and plant waste disposal, odor, security, lighting, hours of operation can be part of the plan, distance as is in the general ordinance such as distance from parks, distance from schools, etc. Drop the definition of the hours of operation to be approved by the PC. Eliminate building distances or put in the standards that are in the general ordinance. A previously used building may be considered as distances are not being addressed.

Look over the standards applicable to licensed marihuana in all districts.

Will bring back the updated information for review at the next meeting.

Next Regular Meeting is scheduled for April 7, 2021.

Public Comment:.

Zoom:

Linda Slopsema: Everyone knows marihuana is legal. The issue is regarding the people being able to vote because of the items you have been talking about and how they affect property value, environment, etc.

In person:

Chris Hubbell: In reference to the comment just made, my property is not around any of these properties being talked about. This is my property and my property rights. You are taking up a petition to take away my rights and tell me what to do with my land.

Commission Discussion/Comments: Dean: Are the general ordinances available on the website? Would like to see them available on the township website.

Hall: Regarding public comment, zoning never has been or is it intended to promote or allow the highest and best use of property. Zoning is about segregated land uses into specific areas. Have an individual section regarding marihuana, and reference in the individual districts. State made it very clear that marihuana is not a farm product. Marihuana is not covered under Right to Farm or GAAMPS.

Dean: Tentative schedule, IF we can get to a final in April, what then? We can send it to the attorneys. We could possibly have it back in May and create a final draft then we could hold a public hearing in June, send to the Board and they would look at it in July. Dean: Would an additional meeting be beneficial? We can discuss at the April meeting.

Hall: We are a little behind with the PC not having had communication regarding the ordinance previously. The Board liaison would normally be sharing information back and forth to make the timeline more efficient.

An extra meeting could help. The board could schedule their meeting before the PC is completed by putting it on their agenda for June 8 after our June 2 meeting.

Adjournment: 9:01p.m.

Respectfully Submitted  
Lois MacLean,  
Recording Secretary

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

March 2021

Location	Citations	Traffic Crashes			Arrests		Traffic Crash Totals
		Fatal	PIA	PDA	OWI	Criminal	
01 Acme	18	0	1	9			10
02 Blair	22	0	2	8			10
03 East Bay	36	0	1	17			18
04 Fife Lake	2	0	0	2			2
05 Garfield	69	0	14	49			63
06 Grant	0	0	0	2			2
07 Green Lake	4	1	3	6			10
08 Long Lake	2	0	2	8			10
09 Mayfield	1	0	1	1			2
10 Peninsula	0	0	2	1			3
11 Paradise	2	1	2	7			10
12 Union	0	0	0	1			1
13 Whitewater	5	0	0	5			5
29 Fife Lake Vlg	0	0	0	0			0
30 Kingsley Vlg	2	0	4	2			6
66 Traverse City	0	0	0	0			0
84 Out of County	0	0	0	0			0
<b>Totals</b>	163	2	32	118	0	0	152

Ticket stats are based on what District Court has entered as of 4/06/21.

Arrest stats are as of 4/06/21.

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

First Quarter Totals January - March 2021

Location	Citations	Traffic Crashes			Arrests		Traffic Crash Totals
		Fatal	PIA	PDA	OWI	Criminal	
01 Acme	42	0	2	32	1	2	34
02 Blair	64	0	5	44	4	42	49
03 East Bay	132	0	7	78	4	29	85
04 Fife Lake	6	0	0	10	0	3	10
05 Garfield	226	0	28	188	17	101	216
06 Grant	3	0	0	6	0	0	6
07 Green Lake	12	1	4	26	4	11	31
08 Long Lake	11	0	2	25	1	6	27
09 Mayfield	8	0	2	10	1	1	12
10 Peninsula	1	0	2	13	0	0	15
11 Paradise	8	1	3	21	0	2	25
12 Union	1	0	0	3	0	1	3
13 Whitewater	12	0	2	23	1	3	25
29 Fife Lake Vlg	1	0	0	1	1	0	1
30 Kingsley Vlg	7	0	4	5	0	6	9
66 Traverse City	2	0	0	4	2	62	4
84 Out of County	0	0	0	0	1	8	0
<b>Totals</b>	536	2	61	489	37	277	552

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

Arrest stats are as of



## WHITEWATER TOWNSHIP

# Memo

To: Board Members

From: Ardella M. Benak, Treasurer/Workplace Coordinator

Date: May 11, 2021

Re: Clarification on face mask exemptions

---

The following information has been taken from the Michigan.gov - Coronavirus/State Orders & Directives. March 19, 2021 – Gatherings and Face Mask Order, sections 7 and 8.

[https://www.michigan.gov/coronavirus/0,9753,7-406-98178\\_98455-554922--,00.html](https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-554922--,00.html)

Hopefully this will help others understand why there may be people not wearing mask and that the township has taken all peoples rights in consideration.

### 7. Face mask requirement at gatherings.

- a. All persons participating in gatherings are required to wear a face mask.
- b. As a condition of gathering for the purpose of transportation, transportation providers must require all staff and patrons to use face masks, and must enforce physical distancing among all patrons to the extent feasible.
- c. Except as provided elsewhere in this order, a person responsible for a business, store, office, government office, school, organized event, or other operation, or an agent of such person, must prohibit gatherings of any kind unless the person requires individuals in such gatherings (including employees) to wear a face mask, and denies entry or service to all persons refusing to wear face masks while gathered.
- d. A person responsible for a business, store, office, government office, school, organized event, or other operation, or an agent of such person,**

may not assume that someone who enters the facility without a face mask falls within one of the exceptions specified in section 8 of this order, including the exception for individuals who cannot medically tolerate a face mask. An individual's verbal representation that they are not wearing a face mask because they fall within a specified exception, however, may be accepted.

- e. A person responsible for a child care organization or camp, or an agent of such person, must not allow gatherings unless face masks are worn by all staff. Children must wear face masks as indicated below:
  - 1. All children 2 years and older when on a school bus or other transportation provided by the child care organization or camp;
  - 2. All children 4 years and older when in indoor hallways and indoor common areas;
  - 3. All children 5 years and older when in classrooms, homes, cabins, or similar indoor settings.
- f. Participants in gatherings for any exercise activities, group fitness, or organized sports must comply with face mask requirements listed in the MDHHS publication entitled Interim Guidance for Athletics issued March 20, 2021.

## 8. Exceptions to face mask requirements

Although a face mask is strongly encouraged even for individuals not required to wear one (except for children under the age of 2), **the requirement to wear a face mask in gatherings as required by this order does not apply to individuals who:**

- a. Are younger than 5 years old, outside of a child care organization or camp setting (which are subject to requirements set out in section 7(e));
- b. Cannot medically tolerate a face mask;**
- c. Are eating or drinking while seated at a food service establishment or at a private residence;
- d. Are exercising outdoors and able to consistently maintain 6 feet of distance from others;
- e. Are swimming;

- f. Are receiving a medical or personal care service for which removal of the face mask is necessary;
- g. Are asked to temporarily remove a face mask for identification purposes;
- h. Are communicating with someone who is deaf, deafblind, or hard of hearing and whose ability to see the mouth is essential to communication;
- i. Are actively engaged in a public safety role, including but not limited to law enforcement, firefighters, or emergency medical personnel, and where wearing a face mask would seriously interfere in the performance of their public safety responsibilities;
- j. Are engaging in a religious service;
- k. **Are giving a speech for broadcast or to an audience, provided that the audience is at least 12 feet away from the speaker;** or
- l. Are participating in a testing program specified in the MDHHS publication entitled Interim Guidance for Athletics issued March 20, 2021, and are engaged in practice or competition where the wearing of a mask would be unsafe;
- m. Are engaging in an activity that requires removal of a mask not listed in another part of this section, and are in a facility that provides ventilation that meets or exceeds 60 ft<sup>3</sup>/min of outdoor airflow per person;
- n. Are at a residential gathering where all persons are fully vaccinated and not experiencing the principal symptoms of COVID-19.

**From:** Vern Gutknecht <verngutknecht@sbcglobal.net>  
**Sent:** Thursday, March 4, 2021 12:42 PM  
**To:** Ron Popp; clerk@whitewatertownship.org; treasurer@whitewatertownship.org; trustee02@whitewatertownship.org; heidivourtrustee@gmail.com  
**Subject:** Whitewater Township Board - Ethical Problems  
**Attachments:** January 2021 - Ardella Benak - Public Comment.pdf; January 2021 Board Meeting - PC discussion.pdf

To: Whitewater Township Board

March 3, 2021

Mr. Ron Popp

Ms. Chery Goss

Ms. Ardella Benak

Ms. Heidi Vollmuth

Mr. Paul Hubbell

Subject: Ethics Training for WWT Board Members

As you are aware, the State of Michigan and the MTA have expressed great concern regarding the Ethical Behavior of many Township and City Elected Officials.

I understand that, for most of you, your exposure on how to conduct yourself at Board Meetings and Ethical Behavior is limited to past WWT Officials and Meetings. Having been involved in 2 SE Michigan Cities and one in Pennsylvania, I can assure you that what I have observed the past 2 years is of great concern. Many residents have expressed the identical concerns, and that the actions taken by, and the behavior of some WWT Officials is extremely embarrassing, and concerning

Americans have become very frustrated with many of our Elected Officials in Washington and this has become more and more evident this past year. I can assure you that the vindictive, cantankerous, self-serving, and privileged attitude is not limited to our Elected Officials in Washington.

**BE A PART OF THE SOLUTION AND NOT THE PROBLEM.**

**YOU ARE HERE TO SERVED THE PEOPLE.**

I have attached, to this correspondence, 2 transcripts from the recent January 2021 WWT Board Meeting discussions. At the end of the January meeting, several residents expressed great concern regarding some Board members behavior. At the February 2021 WWT Board Meeting, during the Opening Public Comments session, a long-time resident, expressed his concern again about the behavior and asked the Board to behave in a more civil fashion, yet nothing changed. From what I have observed, this type of behavior has been very consistent over the past 2 yrs., of my attendance.

I would like the Board to consider, taking some Ethics courses. As in any corporation, training like this is mandatory and is tracked throughout the year. I would then like to see a simple matrix showing each Board Member and the training that they have taken. Included in the monthly meeting minutes.

If you have any questions or concerns, please feel free to contact me.

Sincerely

Vern Gutknecht

[verngutknecht@sbcglobal.net](mailto:verngutknecht@sbcglobal.net)

## **January 2021 Board Meeting - Illegal attempt to position Ms. Benak on the Planning Commission**

In the December 2020 Board Meeting, Ms. Goss, Mr. Hubbell, and Ms. Benak, voted to put Ms. Benak on the Planning Commission, and would not approve Ms. Vollmuth's appointment.

Township Legal advised the Board that this had been done illegally, by Ms. Goss, Mr. Hubbell, and Ms. Benak.

### **The Following is a Transcript of the January 2021 Board Meeting, regarding the Planning Commission Board Assignment.**

**Ms. Goss** (to Mr. Popp) -The Legal Opinion made it clear that Ardella's appointment was not valid. So Ardella, by the motion made in December, is not on the Planning Commission, you have proposed someone else for the Planning Commission in December, the Board, your recommendations are subject to approval by a majority vote of the Board. That is what the statute says, and your recommendation has been turned **down** by the Board, and so you have the duty to bring another recommendation.

**Mr. Popp** - And I will fulfil that duty.

**Ms. Goss** – When

**Mr. Popp** - When the Supervisor is prepared to do it.

**Mr. Hubbell** – A Board Member?

**Ms. Goss** – Yes, a Board Member.

**Mr. Hubbell** – You're going to fill that position with a Board Member?

**Ms. Goss** – But he says that when he is prepared to do it. He's had the legal opinion, but he says he has to prepare to do it.

**Mr. Hubbell** – I think it's pretty; I think it's pretty sad that when we have someone here that has had all the years of experience and is offering to do it, we aren't going to do it.

**Ms. Vollmuth** – we also have another person that offered to do it. Me!

**Mr. Hubbell** – Heidi I understand that, and it's nothing against you, believe me ....I

**Ms. Vollmuth** – Well, you know what Paul, and I really wouldn't care, except I've been sitting in the Planning Commission Meeting for a lot of years, so, I'm up to date, I can give you the reports that you want, and you know what, you also have the choice if I'm not doing my job, to put someone else in it.

**Ms. Benak** – That goes for me too, if I'm not doing my job, you have the ability to put you in it. But in the meantime, I did submit my resignation to the Zoning Board of Appeals .... To the ZBA, and Ron you are now going to have to find another Board Member to fill that position..... I'm done.

**Mr. Popp** – Very Good.

**Mr. Hubbell** – Where I was going with that, Heidi its nothing against you, I, I truly think that you need just need a little, its only my opinion, its only my opinion, you just need a little more experience, it's nothing personal, I think that Ardella is the right one for this job. My Opinion.

**Ms. Vollmuth** – Ok, and it's my opinion, I've sat in those meetings, and she is not the best person for the job, so I'm sorry I have to disagree with you.

**Mr. Hubbell** – Well, that fine, your entitled to your opinion and I am to mine, Good Luck finding another Board Member Ron.

**Ms. Vollmuth** – Then maybe we just don't have one, and then you'll just have to figure out what happened in your meetings, because so far no one has joined me in the meetings but Ron. The last Planning Commission Meeting was the first time we ever had some more Board Members,

**Ms. Benak** – and on that note Heidi, Ron really shouldn't be attending those meetings, and he should not be giving reports to the Township Board.....

**Ms. Goss** – No

**Ms. Benak**- and if he is the Representative.....

**Ms. Goss** - That's right.

**Ms. Benak** – it is totally inappropriate.

**Ms. Goss** – Totally inappropriate

**Ms. Vollmuth** – It is, I agree with you, it is very inappropriate, but when the person responsible for it, doesn't bring you the appropriate information it's a problem.

**Ms. Benak** – Stop, you need to let other people talk, you can't keep interrupting.

**Mr. Hubbell** – so, no body heard what Della said, no body heard what Heidi said, no body heard what Ron said, so let's start over, what were you saying Della

**Ms. Benak** – Ron should not be attending the Planning Commission Meetings, in New Official Training., they tell you, because he has appointment powers, over those Commission Members, he should not be attending, it puts undo stress on them. If you don't like me saying that, but that's the truth.

Attend some of those, and you can through Zoom, Umm, New Official Training, they tell Board Member to stay away from other Planning Commissions, and other Boards unless they have been assigned to it. If they've been assigned to it, they bring that information back for the rest of the Board Members. You should not be attending those, so you criticize me for not being at the Planning Commission is wrong.

**Ms. Vollmuth** – Ok....

**Ms. Benak** – (interrupting Heidi) you had an opportunity to go and do that, I read the minutes ..... that's what I'm supposed to do. Listen to the Township Board Representative when they come with their information. I'm following what we are supposed to do, and I don't care if you don't like it.

**Mr. Gutknecht** – (interrupted) Why were you at the last meeting Ardella?

**Ms. Benak** - Who's talking, I was there because I wanted to be on the Zoom. Heidi was going to be there, Ron, was going to be there. Why aren't you asking them why they weren't. Why they were on there.....

**Ms. Goss** – why do we have a member of the public.....

**Ms. Benak** – Yes, why is the member of the public being allowed to insert themselves.

**Ms. Goss** – discussion, that needs to stop, let's get the Supervisor to get control of the meeting.

**Mr. Popp** – if you remember correctly, the Board took that away from me and gave it to Lois.

**Ms. Goss** - (turns to Mr. Hubbell and says) **DEMOCRAT** (In reference to Mr. Gutknecht)

#### **Background:**

- The Planning Commission is short 3 people (numerous candidates have been rejected by the Board) At the January PC Meeting, Mr. Popp was facilitating the PC Zoom Meeting, so that the Public can attend.
- Mr. Tim Arends (Executive Director of Traverse City Light and Power) was recommended for a 3-year position on the Planning Commission. Ms. Vollmuth recommended Mr. Arends and the Board did not even second the motion.

#### **Conclusion / Observation.**

- It is very clear that Ms. Goss, Mr. Hubbell, and Ms. Benak are attempting to stack the PC with members that can be intimidated by them and follow and support their agenda.
  - o This can be validated by Ms. Goss, Mr. Hubbell, and Ms. Benak, not approving the appointment of Mr. Arends who is extremely qualified.
  - o Also, the illegal attempt by Ms. Goss, Mr. Hubbell, and Ms. Benak to force the appointment of Ms. Benak to represent the Board on the Planning Commission.
- It is also very interesting to note the Bias in the Clerks meeting minutes, when compared to the actual transcript.
- 
- **Ms. Goss, Mr. Hubbell, and Ms. Benak** – overstepped their authority, and Illegally attempted to assign Ardella to the Planning Commissions. This is being done in an attempt to pressure the PC in supporting their self-serving agenda.
  - o Township Legal said that it was not valid and illegally done.
- **Mr. Hubbell** – stated that it was his opinion that Ms. Vollmuth needed a little more experience to represent the Board on the Planning Commission
  - o This opinion has absolutely zero merit.

- Ms. Vollmuth has attended virtually every PC meeting for many years and is very experienced. Ms. Benak on the other hand has not attended a single PC meeting in many, many years.
- It may be best that Ms. Benak stay on the ZBA, where she has experience and Ms. Vollmuth be assigned to the PC, where she has the most experience.
- **Ms. Benak** – is criticizing Mr. Popp and Ms. Vollmuth for attending the Planning Commission Meeting and that per the “New Official Training”, that it was inappropriate and putting undo stress on the Members, this was supported by Ms. Goss.
  - Ms. Benak also attended the same January 2021, PC meeting. When this was pointed out to the Board by Mr. Gutknecht, the wheels on the Hypocrisy bus started falling off and Ms. Goss quickly interrupted and made a chaotic attempt to distract and end the discussion.
- **Ms. Goss** – Made a very Derogatory, Childish, Unprofessional, and Inappropriate comment toward Mr. Gutknecht, calling him a Democrat.
  - Ms. Goss –
    - **I expect a public apology for this Derogatory, Childish, and Unprofessional, and Inappropriate comment.**
    - In the words of Ms. Goss, “this is a grossly inaccurate statement”.
    - Please do some fact checking.
    - These derogatory, childish, unprofessional, and inappropriate comments, coming from you, appear to be very common and need to stop.

## **Ardella Benak – January 2021 - Board Meeting Public Comment**

In the Meeting Minutes for the January 2021 Board Meeting, Ms. Benak spoke.

In the meeting Minute it was briefly mentioned that:

**Della Benak, 8190 Bunker Hill Road, addressed the accusations and assumptions in a letter sent to the township board by Mr. Gutknecht dated 12/8.**

**Out of respect for Ms. Benak, I would like to share with the people of WWT the transcript of Ms. Benak's comments.**

### Ms. Benak – Public Comment January 2021 Board Meeting

I'm doing something tonight that I normally do not do.

I am addressing a letter that was sent to the township board, dated December 8, by a Mr. Vern Gutknecht

He has made several accusations, several assumptions, and I just want to take a moment and clarify.

It appears that he is under the assumption that an outgoing Board Member positioned on board is automatically replaced by an incoming Board Member. That is not the rule and there are no guidelines that says this is the way it is supposed to be. Just because something has been done like that in the past does not necessarily mean that that's the way it's going to be. So, there is no reason that they should be assigned. He objects to me being on the Planning Commission and he has every right to do that. Just as other people have to right to say they want me on the Planning Commission.

He says that I have a conflict of interest, regarding the Zoning Ordinances Issues. No Example  
So that is slander

He says that it is very well documented that Ms. Benak .... And that's Mrs. Benak. Her immediate and extended family members have significant personal and financial interest in making zoning and ordinance changes that will benefit them.

I would question, how will it benefit me, or family, my land is worth more than 5 Acres, arrangement today than it is 1 Acre, give our land away to our children to build their forever home, to raise their children, and we receive no money and no compensation for that, so that right there takes your conflict of interest out.

He has also said that I have made public unvalidated disingenuous comments all in an effort to support my personal needs. I would like to know what those disingenuous and unvalidated comments are, or is this just more slander.

This goes on more to threaten the Board with Legal ramification, if I get appointed to the Board. I don't respond well to threats, and I would hope a legislative body such as this Township Board would not wander to threats, can you imagine making your decision on whether someone is threatening you or not,

This particular gentleman bought in the 5 Acre district in 2004, before that, he lived in Farmington Hills. This appears to be another Down Stater moving into the Northern area, this beautiful area that we live in, but now that he has moved in, he wants to shut the door. This is how he wants it to stay.

I have been a member of this community since 1983, before that I lived just west of here in Acme, that's where I grew up. My husband's family has owned land on Bunker Hill Rd since before the Depression, the land has always been passed down from one generation to the next, the land is not sold, it is given to our children, so that they ....., so there is no Conflict of Interest. All you gotta do is look at public records to find out if what I am saying is actually true. There is no profit to be made.

Mr. Gutknecht claims that I have a bias regarding the zoning, what I think he is really saying is that I have a Bias against the 5 Acre rule and I'm not gonna deny that, I have never denied that. I actually ran on that. Mr. Gutknecht bought in the 5 Acre after it became 5 Acre.

I have addressed the Planning Commission in Public Comment and talked about the injustice that was done to all the property owners in the RC1 District. Mr. Gutknecht wouldn't know about that because he bought after others rights had been taken away from them. He only cares about keeping his 5 Acres, and the value that he believes will diminished if the Acreage minimum is reduced, Sir, I call that a conflict of interest, and self-serving bias

I normally don't do this, but this is the second time he has chosen to speak out against me on being on the Planning Commission over the 5 Acre area, and I really believe that someone needs to stand up for those people who had their rights taken away from them, and I live there.

**From:** Longview Ranch <kelliottwill@gmail.com>  
**Sent:** Friday, April 23, 2021 2:40 PM  
**To:** [supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)  
**Cc:** S and K; Linda Slopsema  
**Subject:** Re: Fwd: Planning Commission Comment

Thank you for your reply Mr. Popp. If you would please share with the upcoming trustee meeting. I sincerely hope they see the overwhelming majority of residents against this proposal by the trustees and how it is being conducted.

Sincerely

Kim Elliott

7692 Crisp Rd

Williamsburg MI 49690

On Fri, Apr 23, 2021, 8:54 AM <[supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)> wrote:

Thank you Mr. Elliot for reaching out to the Planning Commission, with comments. This is how the process should work and how public input can be used to guide decisions. We appreciate your time and effort.

If you like, I can reserve this email as correspondence to the Board of Trustees. Just let me know.

Regards,

Ron Popp

Whitewater Township Supervisor

5777 Vinton Road, P.O. Box 159

Williamsburg, Michigan 49690

231.267.5141 X 23

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

---

**From:** Longview Ranch <[kelliottwill@gmail.com](mailto:kelliottwill@gmail.com)>  
**Sent:** Thursday, April 22, 2021 4:38 PM  
**To:** S and K <[skmangus@ymail.com](mailto:skmangus@ymail.com)>  
**Cc:** [supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org); Linda Slopsema <[lindaslopsema@gmail.com](mailto:lindaslopsema@gmail.com)>  
**Subject:** Re: Fwd: Planning Commission Comment

Thank you Kim for the update and your prompt reply. Perhaps the planning committee can delay any decisions until a complete and thorough process is completed. This whole issue is way to controversial to push forward quickly and without residents being informed. I will be contacting the township board as well. I cant even believe this can happen without informing the residents. The residents had voted on this. It is not the decision to make by a few trusties. To argue they do work for the people and the people voted no.

Thank you

Sincerely

Kim Elliott

On Thu, Apr 22, 2021, 4:22 PM S and K <[skmangus@ymail.com](mailto:skmangus@ymail.com)> wrote:

Kim Elliot,

Thank you for taking the time to comment on the proposed amendment to our Zoning Ordinance. I will submit and read your comment at tonight's meeting.

Please note that licensing was permitted by the Township Board. The Planning Commission cannot alter that, we can only set some of the standards for how and where. Please feel free to contact me if you would like an update or have any additional questions.

Kim Mangus

231-631-2326

[Sent from Yahoo Mail for iPhone](#)

On Thursday, April 22, 2021, 3:34 PM, Longview Ranch <[kelliottwill@gmail.com](mailto:kelliottwill@gmail.com)> wrote:

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

From: **Longview Ranch** <[kelliottwill@gmail.com](mailto:kelliottwill@gmail.com)>  
Date: Thu, Apr 22, 2021, 3:32 PM

Subject: Planning Commission Comment

To: <[pc4@whitewatertownahip.org](mailto:pc4@whitewatertownahip.org)>

Cc: <[supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)>, Linda Slopsema <[lindaslopsema@gmail.com](mailto:lindaslopsema@gmail.com)>

Ms. Kim Mangus

Chairperson

Whitewater Township Planning

Dear Kim:

Do to my schedual I will not be able to attend tonight's meeting. If you could please enter my brief comments into the record.

First of all I do not have a problem with the substance of marijuana. What I do have a problem with and 99% of the people I have spoken with in recent weeks is the manner of our elected township officials proposing and affirmative voting of this high profile issue quickly without residents knowledge.

Numerous issues are very clear. I suggest a slow down and breather to ask the residents if this is appropriate.

> We did have a survey in the past

> We did have a vote before

> There is an ordinance to not put up building without a residence.

> etc etc etc etc

Residents of Whitewater Township are justifiably very concerned as well as myself.

I suggest nothing moves forward by our elected officials on this controversial topic until a vote of the people is conducted and let the results prevail from the residents of Whitewater Township.

Thank you

Sincerely,

Kim Duane Elliott

7692 Crisp Road

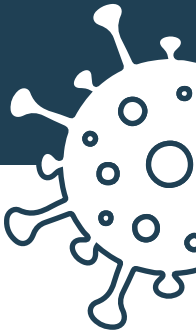
Williamsburg, MI 49690



COVID-19

# MDHHS EPIDEMIC ORDER

## EFFECTIVE APRIL 19 THROUGH MAY 24

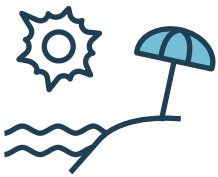


### Limits on attendance at residential gatherings.

- Face masks are required at all times, unless eating or drinking. Fully vaccinated individuals (persons for who at least two weeks has passed after receiving the final dose of a FDA-approved or authorized COVID-19 vaccine) may remove their mask as long as not exhibiting symptoms of COVID-19.
- Residents should follow MDHHS [guidelines for safe social gatherings](#) and are encouraged to form a “pod” of people to socialize with consistently.

INDOORS: UP TO 15 PERSONS FROM 3 HOUSEHOLDS

OUTDOORS: UP TO 50 PERSONS



### Limits on attendance at non-residential gatherings.

- Everyone must wear a face mask at all times, unless eating or drinking while seated in a designated area.
- Consumption of food or beverages is permitted only while seated in a designated area with a group of no more than 6 people.
- While eating or drinking, each group must be at least 6 feet apart and may not intermingle.

INDOORS: UP TO 25 PERSONS

OUTDOORS: UP TO 300 PERSONS

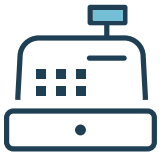
“Gathering” means any occurrence where two or more persons from more than one household are present in a shared space. Incidental gatherings (where people do not mingle with others outside their group) are excepted. For more information on gathering rules, please see the FAQs.



### Face masks are still required.

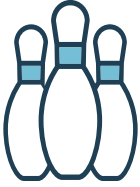
Businesses, government offices, schools, child care organizations, operators of public transit, and all other gathering organizers must not allow indoor or outdoor gatherings of any kind unless they require individuals to wear a face mask. These entities may not assume that someone who enters the business without a face mask falls in one of the exceptions; but may accept an individual’s verbal representation that they are not wearing a face mask because they fall within a specified exception.

Beginning April 26, all face mask requirements apply to children ages 2-4. A good faith effort must be made to ensure that these children wear masks while in gatherings at childcare facilities or camps.



## Retail and personal services

- Gatherings at a retail setting, library or museum, may not exceed 50% of total occupancy limits established by the fire marshal. Spaces for indoor dining, including food courts, must comply with the requirements for food service establishments.
- Gatherings to receive personal care services, including hair, nail, tanning, massage, spa, tattoo, body art, and piercing services are permitted by appointment. Masks must be worn at all times except if a customer is receiving a medical or personal care service for which the removal of the face mask is necessary.



## Recreation and entertainment

- The following recreation and entertainment venues are open for enjoyment by individuals or groups of up to 25 persons: auditoriums; arenas; cinemas; concert halls; performance venues; sporting venues; stadiums; theaters; archery ranges; amusement parks; arcades; bingo halls; bowling alleys; gun ranges; laser tag; and trampoline parks.
  - Indoor Facilities: must not exceed 50% of the limits established by the fire marshal, and must not exceed an overall total of 300 people.
  - Outdoor Facilities: must not exceed 50% of the limits established by the fire marshal (if applicable), and must not exceed an overall total of 1000 people.
  - Everyone must wear a face mask at all times, unless eating or drinking while seated in a designated area.
  - Consumption of food or beverages is permitted only while seated in a designated area with a group of no more than 6 people.
  - Groups must be spaced 6 feet apart.
  - Large Indoor Stadiums/Arenas: up to 375 patrons for large venues with a seating capacity greater than 5,000 seats, and up to 750 patrons for large venues with a seating capacity greater than 10,000 seats.



## Outdoor stadiums or arenas

- Gatherings may be permitted up to 20% capacity in an OUTDOOR stadium or arena, if they do all of the following:
  - “Stadiums and arenas” are venues with fixed seating for at least 5,000 spectators.
  - Establish and abide by an infection control plan that complies with the protocols included in MDHHS’s Enhanced Outdoor Stadium and Arena Guidance.
  - Post their plan publicly.
  - Infection control plans must be made available to the local health department and MDHHS at least seven days before scheduled events.
  - Outdoor stadiums and arenas that do not establish and abide by an infection control plan in accordance with MDHHS’s Enhanced Outdoor Stadium and Arena Guidance must not exceed an overall total of 1000 people.
  - Sports organizers of events occurring at outdoor stadiums must administer a testing program as specified in MDHHS’s Interim Guidance for Athletics all players.



## Food service

- Indoor and outdoor dining is only allowed in designated dining areas where patrons are seated, groups of patrons do not exceed 6 people at a table, and each table is separated by at least 6 feet. See the [Dining Guide Infographic](#) for more details.
- **Indoor dining** at restaurants and bars is permitted up to 50% normal seating capacity or 100 persons, whichever is less. All indoor dining areas must close at 11 p.m.
- **Outdoor dining** is permitted at 100% capacity, as long as all groups of patrons are 6 feet apart.
- Food service for takeout and delivery is permitted.
- Dining in an igloo, hut, or small tent is permitted as outdoor dining so long as there is only one group inside.



## Exercise, fitness, and sports

- **Exercise facilities:** Gatherings are permitted both indoors and outdoors for individual exercise, group classes, and individual and group instruction. Exercise facilities include gymnasiums; fitness centers; exercise studios; tracks; sports complexes, pools, yoga, dance, gymnastics, and cycling studios; ice rinks; roller rinks; and trampoline parks.
  - Attendance must not exceed 30% of the total occupancy limits.
  - There must be at least 6 feet of distance between each occupied workout station
  - Spaces and activities must be set up to maintain 6 feet between all persons at all times.
  - Masks are required, except for swimming.
- Capacity limits for ice and roller rinks must not exceed 10 persons per 1,000 square feet (approximately 175 people at once on a typically sized rink).
- **Youth Sports:** Athletes ages 13-19 are required to be tested consistent with the testing protocol specified in MDHHS Interim Guidance for Athletics. A mask must be worn unless a sports organizer has deemed a type of sport to be unsafe to play while masked and a more frequent testing protocol is followed. All participants across the entire organization must be tested consistent with the testing protocol specified in [MDHHS Interim Guidance for Athletics](#) (April 15, 2021).
- For more information on sports and athletics: [Coronavirus - Sports and Athletics \(Michigan.gov\)](#).

To read the complete MDHHS April 16, 2021, Epidemic Order, visit [Michigan.gov/Coronavirus](https://Michigan.gov/Coronavirus). Questions or concerns can be emailed to [COVID19@michigan.gov](mailto:COVID19@michigan.gov).

DATE: 04/22/2021

TO: Cheryl Goss, Whitewater Township Clerk

CC: Whitewater Township Board Members

From: Whitewater Citizens Action Group

SUBJECT: INITIATIVE PETITION TO PROHIBIT ADULT-USE MARIHUANA ESTABLISHMENTS

This petition is to place on the ballot, at the next regular election, the question of whether the proposed ordinance to prohibit adult-use (also known as recreational) marihuana establishments within the boundaries of Whitewater Township should be adopted by the township electors' initiative.

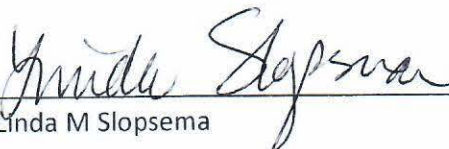
Attached are 23 petition pages containing 169 signatures.

Should you have any questions or concerns with the petitions or signatures, please contact me immediately as follows:

Email: [lindaslopsema@gmail.com](mailto:lindaslopsema@gmail.com)

Telephone: 517-614-4887

Thank You,

 4/22/21  
Linda M Slopsema

RECEIVED  
4-22-21  
Cb

**From:** Linda Slopsema <lindaslopsema@gmail.com>  
**Sent:** Thursday, April 22, 2021 2:52 PM  
**To:** Cheryl A. Goss; Ron Popp; treasurer@whitewatertownship.org; trustee02@whitewatertownship.org; Heidi Vollmuth  
**Subject:** INITIATIVE PETITION TO PROHIBIT ADULT-USE MARIHUANA ESTABLISHMENTS  
**Attachments:** Petition submission to WWT 04222021 received by Clerk Goss.pdf; Petition action item tracker Goss.docx

This petition is to place on the ballot, at the next regular election, the question of whether the proposed ordinance to prohibit adult-use (also known as recreational) marihuana establishments within the boundaries of Whitewater Township should be adopted by the township electors' initiative.

23 petition pages containing 169 signatures were delivered to Clerk Goss this morning 4/22/21.

Below is the open actions tracker on this activity:

Item Description	Date Requested	Due Date	Completed / Comments
Provide detail of 4 invalid signatures on petition	3/11/21	3/15/21	3/15/21 email from Clerk indicating just 1 invalid signature from Bates Road. Bates Road is not in Whitewater Township
List of township registered voters	3/11/21	3/17/21	3/15 email from Clerk CSV disc ready 3/16 disc picked up
Review of revised petition for acceptability	3/11/21	3/22/21	3/13/21 Clerk declined to complete evaluation per email
Quantity of signatures required for petition to be valid	3/14/21 (new)	3/15/21	3/15 email from Clerk need <u>at least 78 valid</u> signatures to submit the issue to the electors of the township.
Revised petition with adequate signatures	3/11/21	4/26/21	Ref memo from clerk on 3/11/21 Turned in petitions with 169 signatures 4/22/21
Ballot wording of proposal certified to county and local clerk for 8/3/21 election	4/22/21	5/11/21 by 4pm	

**Please let me know if you have any corrections or additions.**

I will update this list regularly to assure clear communication and completion of items.

Linda Slopsema  
[lindaslopsema@gmail.com](mailto:lindaslopsema@gmail.com)  
517-614-4887 (cell)

**From:** Cheryl A. Goss <clerk@whitewatertownship.org>  
**Sent:** Tuesday, April 27, 2021 2:16 PM  
**To:** Ron Popp  
**Cc:** 'Linda Slopsema'  
**Subject:** RE: Petition Status

Thanks! As I indicated earlier, it's being handled.

*Cheryl A. Goss, MIPMC*

Whitewater Township Clerk  
5777 Vinton Road, P.O. Box 159  
Williamsburg, Michigan 49690  
Telephone: 231.267.5141 X 24  
Fax: 231.267.9020

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

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

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

---

**From:** supervisor@whitewatertownship.org <supervisor@whitewatertownship.org>  
**Sent:** Tuesday, April 27, 2021 1:35 PM  
**To:** 'Cheryl A. Goss' <clerk@whitewatertownship.org>  
**Cc:** 'Linda Slopsema' <LindaSlopsema@gmail.com>  
**Subject:** RE: Petition Status

Cheryl –

Let's address Linda's question rather than redirect. Follow up with the attorney to verify receipt and schedule of your request is not insulting, it is professional conduct.

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

---

**From:** Cheryl A. Goss <[clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)>  
**Sent:** Tuesday, April 27, 2021 1:20 PM  
**To:** Ron Popp <[supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)>  
**Cc:** Linda Slopsema <[LindaSlopsema@gmail.com](mailto:LindaSlopsema@gmail.com)>  
**Subject:** RE: Petition Status

Let's get all the facts out on the table concerning the first petition WITH SIGNATURES. (The actual "first" petition, turned in by Glenn and Renee Savage, contained no signatures and, as I stated at the 4/13 meeting, was an attempt to challenge a police power ordinance with a zoning enabling act statute and required no action on the part of the township.)

Regarding the first petition WITH SIGNATURES, in a conference call approximately 10 days before 2/9 between yourself, Chris Patterson, Matt Kuschel, and me concerning those petitions and the Janet Bachi marijuana FOIA request, it was discussed and agreed that we would not attempt to meet the 2/9 deadline to get the proposal on the May ballot, largely because of the complicated FOIA request and the deadlines associated with that FOIA.

As it turned out, the petitions did not meet the law due to several errors on the part of the petitioners and were not valid for a May ballot proposal.

Your assertion that the review was "last minute which caused issues" is simply false.

Regarding the petitions filed 4/22, the township attorney's office is also well aware of the deadline. Let's not insult their intelligence.

Thank you!

*Cheryl A. Goss, MIPMC*

Whitewater Township Clerk  
5777 Vinton Road, P.O. Box 159  
Williamsburg, Michigan 49690  
Telephone: 231.267.5141 X 24  
Fax: 231.267.9020

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

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

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

---

**From:** [supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org) <[supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)>

**Sent:** Tuesday, April 27, 2021 12:40 PM

**To:** 'Linda Slopsema' <[lindaslopsema@gmail.com](mailto:lindaslopsema@gmail.com)>; 'Cheryl A. Goss' <[clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)>

**Cc:** [treasurer@whitewatertownship.org](mailto:treasurer@whitewatertownship.org); [trustee02@whitewatertownship.org](mailto:trustee02@whitewatertownship.org); 'Heidi Vollmuth' <[heidivyourtrustee@gmail.com](mailto:heidivyourtrustee@gmail.com)>

**Subject:** RE: Petition Status

Agreed Linda –

The first petition review was last minute which caused issues. Follow up is just good business.

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

---

**From:** Linda Slopsema <[lindaslopsema@gmail.com](mailto:lindaslopsema@gmail.com)>  
**Sent:** Tuesday, April 27, 2021 12:29 PM  
**To:** Cheryl A. Goss <[clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)>  
**Cc:** Ron Popp <[supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)>; [treasurer@whitewatertownship.org](mailto:treasurer@whitewatertownship.org);  
[trustee02@whitewatertownship.org](mailto:trustee02@whitewatertownship.org); Heidi Vollmuth <[heidivourtrustee@gmail.com](mailto:heidivourtrustee@gmail.com)>  
**Subject:** Re: Petition Status

It would probably be good to follow up and make sure there's no obvious problems. I would not think this would take very long given the fact that he is looked at this previously.  
I believe you have a deadline of May 11 to submit ballot language to the county.

On Tue, Apr 27, 2021, 11:07 AM Cheryl A. Goss <[clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)> wrote:

Linda –

They were forwarded to the attorney's office the same day you dropped them off. I have not received a reply yet.

*Cheryl A. Goss, MiPMC*

Whitewater Township Clerk

5777 Vinton Road, P.O. Box 159

Williamsburg, Michigan 49690

Telephone: 231.267.5141 X 24

Fax: 231.267.9020

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

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

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

---

**From:** Linda Slopsema <[lindaslopsema@gmail.com](mailto:lindaslopsema@gmail.com)>  
**Sent:** Tuesday, April 27, 2021 10:49 AM  
**To:** Cheryl A. Goss <[clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)>  
**Cc:** Ron Popp <[supervisor@whitewatertownship.org](mailto:supervisor@whitewatertownship.org)>; Heidi Vollmuth <[heidivourtrustee@gmail.com](mailto:heidivourtrustee@gmail.com)>;  
[trustee02@whitewatertownship.org](mailto:trustee02@whitewatertownship.org); [treasurer@whitewatertownship.org](mailto:treasurer@whitewatertownship.org)  
**Subject:** Petition Status

Cheryl -

Have you made a determination on the petitions I submitted on Thursday 4/22/21?

Linda Slopsema  
[lindaslopsema@gmail.com](mailto:lindaslopsema@gmail.com)  
517-614-4887 (cell)

**From:** Linda Slopsema <lindaslopsema@gmail.com>  
**Sent:** Wednesday, April 28, 2021 11:58 AM  
**To:** Cheryl A. Goss; treasurer@whitewatertownship.org  
**Cc:** Ron Popp; trustee02@whitewatertownship.org; Heidi Vollmuth  
**Subject:** Re: Petitions

Thank you for the update.

Linda Slopsema  
[lindaslopsema@gmail.com](mailto:lindaslopsema@gmail.com)  
517-614-4887 (cell)

On Wed, Apr 28, 2021 at 11:52 AM Cheryl A. Goss <[clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)> wrote:

I spoke to Attorney Matt Kuschel this morning. They are working on the issue. He planned to get back with me later today.

*Cheryl A. Goss, MiPMC*

Whitewater Township Clerk

5777 Vinton Road, P.O. Box 159

Williamsburg, Michigan 49690

Telephone: 231.267.5141 X 24

Fax: 231.267.9020

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

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

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

**From:** Networks Northwest <dan.boss.networksnorthwest.org@delivery6.emailcontact.com> on behalf of Networks Northwest <dan.boss@networksnorthwest.org>  
**Sent:** Wednesday, April 28, 2021 12:35 PM  
**To:** supervisor@whitewatertownship.org  
**Subject:** Networks Northwest eNews



**Networks  
Northwest**  
Talent / Business / Community

**Networks Northwest**

PO Box 506  
Traverse City, MI 49685-0506  
(231) 929-5000

[dan.boss@networksnorthwest.org](mailto:dan.boss@networksnorthwest.org)  
[www.networksnorthwest.org](http://www.networksnorthwest.org)

April 2021

## Business and Economic Development

### TentCraft Selected as PTAC Small Business of the Year

TentCraft's efforts to increase its government sales by producing portable, quick-deploy tents and shelters to support medical testing and containment has earned the company recognition as the Northwest Michigan PTAC Small Business of the Year.



[TentCraft Story](#)

### PTAC Webinars for Businesses

## Results!

*"Michigan Works! is inviting. They want to see you succeed. They are a good resource for young adults wanting a kick-start."*



Christopher Chesebro  
Northwest Michigan Works! Customer

## Did you know?

In March of 2021  
Northwest Michigan  
Works! filled 187 jobs.



Topics for upcoming training webinars offered by the Northwest Michigan PTAC include the *Virtual Boeing Industry Day* on May 12, *Doing Business With the U.S. Forest Service* on May 20, and *Doing Business With the National Park Service* on June 3.



[PTAC Webinar Information & Registration](#)

### SBDC Online Training for Businesses

Upcoming webinars offered by the Michigan Small Business Development Center (SBDC) include *Starting a Business*, *Financial Planning Basics*, and *How to Use Social Media to Sell Your Products & Services*. A full list of webinars is available on the SBDC website.



[SBDC Webinar Information & Registration](#)

### Community Development

#### Manistee County-Wide Park & Recreation Plan Survey

The Networks Northwest Community Development team is looking for input from people who live or recreate in Manistee County to help update the county-wide Park & Recreation Plan.



[Manistee Park & Recreation Plan Survey](#)

### [Northwest Michigan Works!](#)

#### Michigan WORKS! and Talent Development

##### Virtual Hiring Event May 25

This online event hosted by Northwest Michigan Works! will feature dozens of employers with hundreds of jobs in a variety of industries.



[Virtual Hiring Event Information](#)

#### JMG Welding Students Help Local Veterans Retreat

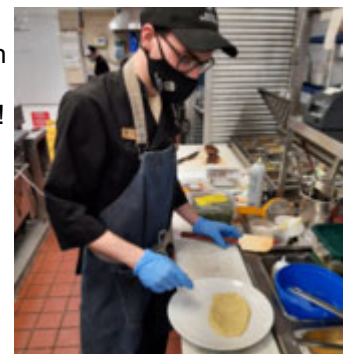
Jobs for Michigan's Graduates students in the Charlevoix-Emmet ISD Career and Technical Education welding program at Pellston High School used their welding skills to help Brave Hearts Estate, a retreat for injured soldiers and veterans.



[JMG Helping Veterans Story](#)

#### Apprenticeship Program Participant and Partners Receive Impact Awards

A culinary apprentice, Boyne Resorts, and North Central Michigan College received Michigan Works! Impact Awards for being part of a comprehensive culinary apprenticeship program to help prepare individuals for successful careers.



[Impact Award Story](#)

## About Networks Northwest

Networks Northwest delivers programs and services for the 10 counties of northwest Michigan. Our primary service categories are: workforce development; business & economic development; and community development.



The highlights in this eNewsletter are just a sampling of Networks Northwest's programs and initiatives. For more comprehensive information about Networks Northwest programs, follow us on [Facebook](#), [Twitter](#), [YouTube](#), and visit our website at: [networksnorthwest.org](http://networksnorthwest.org)

## Virtual Trade Mission to Canada for Specialty and Natural Products

Services provided for this August 30 - September 2 Virtual Trade Mission include one-on-one meetings with qualified buyers, and pre-event custom product research including market overview, importation analysis, and distribution analysis.



[Canada Trade Mission Information & Registration](#)

**Networks Northwest** | PO Box 506 | Traverse City, MI 49685-0506



[Unsubscribe](#) | [About our service provider](#)

**From:** Kylie Carpenter <kcarpenter@gtcrc.org>  
**Sent:** Friday, April 16, 2021 1:37 PM  
**To:** Ron Popp - Supervisor; Cheryl Goss - Clerk  
**Subject:** Brine  
**Attachments:** whitewater.pdf

Good Afternoon,

As Jay made you aware, the cost of brine drastically increased from last year. Please see the attached letter explaining the options. The agreement is also included with estimated costs. Please get this back to us by Friday, April 30, 2021. A hard copy will also be mailed.

Thank you and have a great weekend!

Kylie Carpenter

Kylie Carpenter  
Grand Traverse County Road Commission  
1881 LaFranier Road  
Traverse City, MI 49696  
231-922-4849 ext 207  
231-929-1836 fax



**April 13<sup>th</sup> 2021**

**Subject: Dust Control Brine Prices**

As you may already be aware, the Grand Traverse County Road coordinates the procurement and application of dust control brine. The brine, which is applied to gravel roads, is a method to both preserve the quality of the road and prevent dust in the air.

Historically, the application of the dust control brine was conducted by a perennial low-cost vendor. To our surprise, this vendor submitted a no-bid; signifying that they've reviewed the opportunity and are electing to not participate. The reason for the no-bid is unknown. The bid / specification was unchanged from prior iterations and we've received no formal feedback from the vendor.

The lowest-cost bid for the 2021 season is much more expensive. However, it is a significantly different product. For the last several years, the perennial vendor applied a "well brine." The vendor with the lowest bid for 2021 is proposing a commercially produced "38% LIQUIDOW" product.

A study in Midland County illustrated that the LIQUIDOW product is approximately 3x more effective at controlling dust emissions when compared to a well brine. While the result of this study indicates the LIQUIDOW is a much more effective product upon application, it does not provide other meaningful data relating to the efficacy of the product over time.

A potential alternate vendor may be available later in the summer season to apply traditional well brine. The prices are estimated to be higher than our old vendor yet lower than the 38% LIQUIDOW product. The discussions with this vendor are still in their infancy.

Understanding that this is a significant budgetary consideration, we are seeking your Township's preference for product. Attached you will find the summary of the options available. Please help to select an option for roads which will receive dust control in your area. We are requesting that this information be provided back **no later than Friday 4/30**.

I will be following up with each Township Supervisor by phone to brief them on this matter as well. Should there be any questions after the call or your review of this letter, please do not hesitate to reach out.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Saksewski".

Jason Saksewski

Superintendent – Grand Traverse County Road Commission

**Enclosures (Key considerations + Road-by-road costing)**

**OPTION 1: 38% LIQUIDOW applied by Great Lakes Chloride (GLC)**

Cost per mile (applied): \$1,041.20

Key considerations:

- Studies indicate this option is roughly 3x more effective at controlling dust upon application.
- No historic data relating efficacy over time... may / may not reduce application frequency.
- Application begins in early-to-mid May depending on geographic location / weather.

---

**OPTION 2: Mineral well brine applied by D&J Bowen Dust Control**

Cost per mile (applied): \$700.00\*

Key considerations:

- Studies indicate this option is less effective than Option #1.
- No historic data relating efficacy over time... historically applied 2x per year.
- Application could begin mid-June. Contract for services has not been secured.
  - Timing may vary depending execution timing, geographic location, and weather.

\*Cost is estimated using \$/gal. price from Cheboygan County Road Commission bid tabulations applied at 2500 gal/mile.



**COUNTY ROAD IMPROVEMENT AGREEMENT BETWEEN  
THE GRAND TRAVERSE COUNTY ROAD COMMISSION AND WHITEWATER TOWNSHIP**

The Board of County Road Commissioner's policy is to provide a 40% match on up to two brine applications on county maintained gravel roads with the township paying 60%. The township will pay 100% for all seasonal road, private road, public access roads and for any additional applications after two. The road commission will prepare the roads for brining utilizing in-house forces at no cost to the township.

This proposal is for the summer of 2021. **Please return by April 30, 2021** to schedule the first application. The second application is scheduled for July, weather permitting.

The amounts below are based on 2021 bids and are a close approximation of costs to be incurred. Invoices from the vendor will be based on actual gallons used which may vary from this estimate.

Enclosed are road listings with approximate mileages and maps of the areas to be brined. Please indicate which vendor you intend to use and the number of applications for each road. If any discrepancies are discovered, please contact us at your earliest convenience.

<b>Option 1      Great Lakes Chloride - 38% LIQUIDOW Calcium Chloride</b>				
	Cost per Gallon		\$0.548	
	Application Rate per Mile		1,900	
	Cost per Mile		\$1,041	
<b>Option 2      D&amp;J Bowen Dust Control - 26% Mineral Well Brine</b>				
	Cost per Gallon		\$0.280	
	Application Rate per Mile		2,500	
	Cost per Mile		\$700	
	<b>Mileage</b>	<b>Twp Share</b>	<b>Option 1 Twp Amount</b>	<b>Option 2 Twp Amount</b>
Local	18.4	60%	\$11,495	\$7,728
Seasonal/Other	2.34	100%	\$2,436	\$1,638
Primary	0	0%	\$0	\$0
<b>Total per Application</b>	<b>20.74</b>		<b>\$13,931</b>	<b>\$9,366</b>
<b>Local Road 3rd Application</b>		<b>100%</b>	<b>\$19,158</b>	<b>\$12,880</b>

\_\_\_\_\_ Option # chosen by Whitewater township.

\_\_\_\_\_ Number of brine applications (0 through 3).

\_\_\_\_\_ The road list has been reviewed and noted with any changes in roads or # of applications.  
(please initial)

\_\_\_\_\_  
Township Supervisor

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Township Clerk

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Manager, GTCRC

\_\_\_\_\_  
Dated

## Whitewater Township Gravel Roads 2021

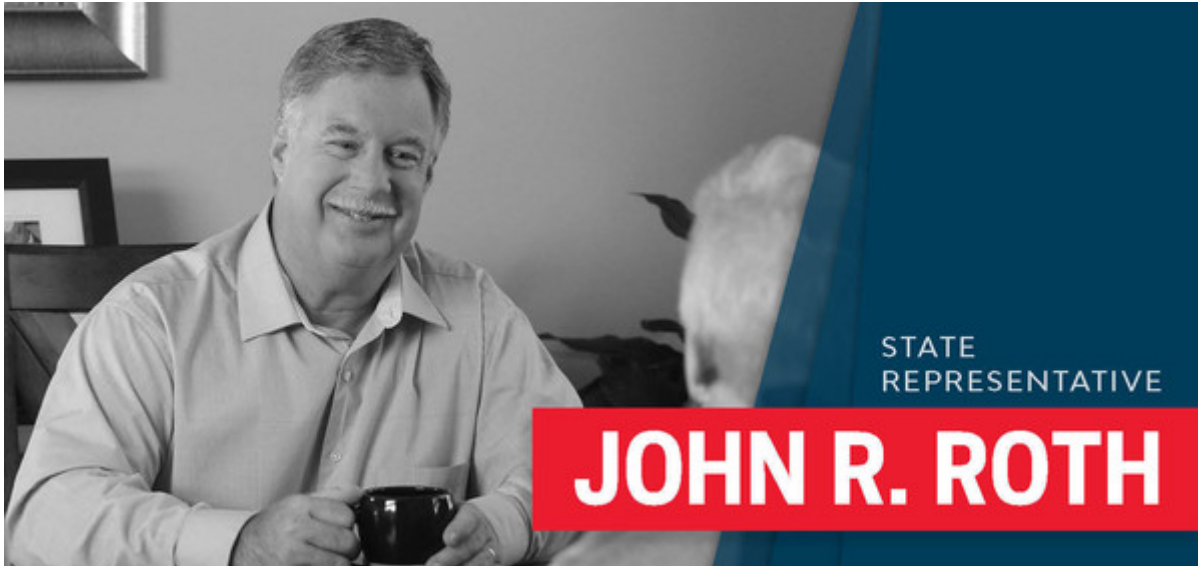
Road Name	From	To	Section	Length (in miles)	GLC Cost per Application	D&J Cost per Application	# of Applications
N Broomhead Road	Township Line	Vinton	11 14 22 35 26 27	4.7	\$ 4,893.64	\$ 3,290.00	
Bunker Hill Road	Township Line	Williamsburg	16 17 18	2	\$ 2,082.40	\$ 1,400.00	
Crisp	Williamsburg	Moore & West Rds	4 5	1.3	\$ 1,353.56	\$ 910.00	
Drake Lane	Skegemog Point	West	23	0.2	\$ 208.24	\$ 140.00	
Erickson	Moore	East	9 16	0.2	\$ 208.24	\$ 140.00	
Farrell	Hursh	Vinton	10	0.5	\$ 520.60	\$ 350.00	
Gay Road	Munro	Elk Lake	4 9	0.5	\$ 520.60	\$ 350.00	
Guernsey Lk	Broomhead	Seasonal	35	0.6	\$ 624.72	\$ 420.00	
Hursh	Broomhead	Farrell	10	0.5	\$ 520.60	\$ 350.00	
Lackey Road	Truax Lake Rd	Township line	12	1	\$ 1,041.20	\$ 700.00	
Lake Side Trail	Baggs	West	24	0.4	\$ 416.48	\$ 280.00	
Lossie Road	Baggs	Skegemog Point	36 26	1	\$ 1,041.20	\$ 700.00	
Moore Road	Crisp	Bunker Hill	4 8	2	\$ 2,082.40	\$ 1,400.00	
O'Dell	Broomhead	Seasonal	10	0.3	\$ 312.36	\$ 210.00	
Park Road	Elk Lake	East	15 22	0.5	\$ 520.60	\$ 350.00	
Park Road	Elk Lake	West	16 21	0.5	\$ 520.60	\$ 350.00	
Sand Lake	Broomhead	First house	23	0.3	\$ 312.36	\$ 210.00	
Townline Road	Elk Lake	East	4	0.5	\$ 520.60	\$ 350.00	
Watson	Skegemog Point	East		0.5	\$ 520.60	\$ 350.00	
Whitney	Broomhead	Vinton	3	0.9	\$ 937.08	\$ 630.00	
					\$ -	\$ -	
<b>Total Local</b>				<b>18.4</b>	<b>\$ 19,158.08</b>	<b>\$ 12,880.00</b>	

<b>Seasonal Road</b>							
Samuels	Broomhead	Deal	10,11,2,3	1	\$ 1,041.20	\$ 700.00	
Vinton Road	South end	Seasonal	4,9	0.5	\$ 520.60	\$ 350.00	
Boat Launch	Bagg-Lakeside Trail	Turnaround	24-300'	0.06	\$ 62.47	\$ 42.00	
Park Road	County road end	Into park	100'	0.44	\$ 458.13	\$ 308.00	
O'Dell	Vinton	East		0.34	\$ 354.01	\$ 238.00	
<b>Total Seasonal</b>				<b>2.34</b>	<b>\$ 2,436.41</b>	<b>\$ 1,638.00</b>	

**Grand Total**

<b>20.74</b>	<b>\$ 21,594.49</b>	<b>\$ 14,518.00</b>
--------------	---------------------	---------------------

**From:** Rep. John Roth <JohnRoth@mail.house.mi.gov>  
**Sent:** Tuesday, April 20, 2021 4:27 PM  
**To:** supervisor@whitewatertownship.org  
**Subject:** April 2021 Newsletter



Dear Neighbor,

Welcome to my monthly newsletter!

This letter serves as a legislative update about my work, new legislation, and other information from the Capitol. I also included some pictures of some of my travels around the district, meeting some great people! Also, check out my facebook page, I'm posting my John's Jobs segments. This month I am featuring my ride along with a snowplow team from the Grand Traverse Road Commission.


An overview of the following is included within this newsletter:

- Governor's veto of the COVID relief package
- Our health care reform package
- Request for an investigation into the governor's nursing home policies
- Calling on Auditor General to investigate November election
- A plan to ensure absent voter applications are not mailed to deceased citizens

- Legislation easing burdens for military families who move to Michigan
- Actions being taken to allow easier-to-use gas cans in Michigan
- Our plan to support first-time homebuyers
- A measure improving school bus safety
- A plan to excuse farmers from jury duty during harvest season

If I can be of service, please contact me at the phone number or email address found at the bottom of this email. I am always happy to hear from my neighbors in our communities!

Sincerely,

A handwritten signature in dark ink, appearing to read 'John R. Roth', with a stylized, cursive script.

John R. Roth  
State Representative  
104th District, Grand Traverse County

## CONTACT REP. ROTH

(517) 373-1766   [JohnRoth@house.mi.gov](mailto:JohnRoth@house.mi.gov)   [www.RepRoth.com](http://www.RepRoth.com)

## Michigan families will suffer as a result of COVID relief veto

The governor has vetoed significant portions of the Legislature's COVID-19 Reform Plan – including money to help families stay afloat, get kids back into the classroom, and protect public health.

The people in our neighborhoods and communities all across Michigan are suffering, and they need help to undo the damage done by the governor's overly restrictive shutdowns over the past year. We must commit to listen and to do better for our families — our kids — our seniors — and for everyone across this state as we safely and sensibly resume our lives.

The items that were vetoed would have provided needed funds to support small businesses in our area and across our state that are struggling to stay afloat as a direct result of executive orders. The vetoed items would have extended real relief and hope for workers and families.

I am disappointed in this decision and the lack of regard for the common-sense solutions and security Michigan families need. What they need is relief, and this plan would have provided that.

For the past several weeks, my colleagues and I have been working on a plan for how best to distribute additional federal COVID relief funds, and this plan will be unveiled in the near future. It's important we adopt a plan that helps struggling Michigan families and job providers, allows students to catch up on lost learning, and lays a solid foundation for the state as it emerges from the pandemic and prepares for the day federal aid inevitably runs out.

---

## **House approves bipartisan health care reform plan**

A bipartisan plan to reduce the cost of health care in Michigan while making it more accessible has been approved by the state House.

The plan focuses on three main goals: Lowering the cost of prescription medicine, increasing access to care and providing a higher standard of care.

Far too many people in Michigan are being forced to choose between putting food on the table or purchasing the medications they need. It's not right that people are forced to take extreme measures like rationing their insulin or driving to Canada to get the life-saving drugs they need at a more affordable price. The answer is to look at the source and figure out why these medications and treatments are so expensive and see what we can do to reform state law to make them more accessible and affordable.

Among the many proposed solutions in the plan are reforms to cap out-of-pocket costs for insulin, put a check on unregulated prescription middlemen who manipulate drug prices and pad their pockets with money instead of passing along savings to consumers, and hold drug companies accountable to the patients who are driving their record profits by requiring manufacturers to submit details on how their drugs are priced.

Another piece of the plan ensures access to life-saving treatments like oral chemotherapy. Intravenous chemotherapy drugs are typically covered under a health plan's medical benefit, but oral drugs are usually covered under a health plan's pharmacy benefit, resulting in higher upfront costs for patients at the counter.

The plan ensures Michigan patients aren't forced to pay a higher co-pay, deductible or co-insurance to access oral chemo, which is a less invasive therapy they can use in the comfort of their own homes.

I am proud to sponsor one of the bills on the package-limiting gifts from manufacturers to prescribing physicians. The cost of this practice alone according to studies is \$2 billion nationwide.

A full list of the reforms included in the plan is available [here](#).

---

## **Requesting an investigation of state's nursing home policies**

Michigan House Republicans have formally asked for a federal investigation into the state's controversial COVID-19 policies that put nursing home residents and staff in danger.

A letter to U.S. Attorney General Monty Wilkinson requested an examination of Gov. Gretchen Whitmer's COVID-19 policies within Michigan's long-term care facilities, data used to craft directives and adherence to CDC/CMS guidelines while the policy was implemented.

I've heard heartbreaking stories from those who have loved ones in nursing homes during the ongoing COVID-19 pandemic. For months, they have been worried for the health and safety of these individuals.

From very early on, we knew this virus impacted our elderly population more seriously than younger people. We had the science on who this virus was more likely to impact. And there were numbers to show that. But Gov. Whitmer went forward with a plan that put patients who had tested positive for COVID-19 into nursing homes with healthy residents who could be easily exposed and infected. We do not have the reasoning for this decision or the data that supported it – and people deserve to have this information from their decision-makers.

Over 5,500 long-term care facility residents across Michigan have died from COVID-19. The people of Michigan – including those who have had a friend or relative inside of these facilities during a deadly pandemic – deserve to know what went into these decisions.

---

## **Calling on Auditor General to investigate November election processes**

Republican lawmakers have sent a letter to Michigan's Auditor General Doug Ringler urging him to review various election processes to help ensure the security and accuracy of elections at the national, state, and local levels.

We can never do enough to ensure that our elections are flawless and fair. We owe it to the people, to our state, and to the future of the nation.

The letter requests that several parts of the November 2020 election process be investigated, including:

- **Transparency:** Review the processes to ensure that both major political parties were allowed adequate opportunities to view absentee ballot handling, duplication, and adjudication of ballots.
- **Ballot integrity:** Because of the unprecedented number of absentee ballots in 2020, assess the steps local clerks and the Bureau of Elections took to ensure an appropriate chain of custody and the overall integrity of absentee ballots at the drop box locations.
- **Uniform and equal treatment of voters and ballots:** If outside funds were used, look into those funding sources to not only determine where those funds came from, but also ensure those funds were used in a fair and equal way and not allocated in a manner that gave greater access to certain regions and/or demographics while depriving others.
- **Compliance with federal law and certification standards:** Review the standards regarding election system software and machines and how local clerks and the Bureau of Elections implemented and followed these requirements.
- **Transparency of public-private contracts impacting election management:** Assess the steps that local clerks and the Bureau of Elections took to ensure standards, procedures, and accessibility practices to maintain the integrity of the Qualified Voter File.
- **Training of election officials:** Review the steps taken to train and educate election officials and compare whether improvements have been made since the 2019 audit.
- **Review of risk-limiting audits:** Disclose the process involved in the statewide risk-limiting audit that was conducted after the general election.

The Office of the Auditor General has the necessary tools and methods available to investigate these important matters. I, along with voters across Michigan, believe the 2020 general election must be evaluated and that greater transparency is needed to restore faith in the election process that defines this nation.

---

## Ensuring deceased citizens are removed from voter file

A recently introduced measure would allow Michigan county clerks to remove deceased individuals from the state's qualified voter file.

The qualified voter file (QVF) is the official file of all eligible voters in the state of Michigan. Outdated information in the QVF caused problems in 2020 when the

Secretary of State mailed absent voter applications to all voters in the file and numerous households reported receiving applications for people who have been deceased for years.

This is a common-sense solution to eliminate potential voter fraud in Michigan's election process. County clerks already keep record of death certificates, so it makes perfectly good sense for their office to remove individuals from the voter file when new death certificates are issued. This bill will allow county clerks to help keep the voter rolls accurate.

---

## **Plan for more transparency in state government**

A 10-bill House package would increase transparency in state government operations. House Bills 4383-92 create a new Legislative Open Records Act (LORA) to bring the Legislature fully compliant with the Freedom of Information Act (FOIA). The reform package removes the current rule that exempts state legislators and the governor's office from being subject to record requests.

Transparency in state government is a cornerstone of democracy. We owe it to the people who have elected us to be good stewards of their tax dollars. They also deserve insight into how the legislative process is conducted in the state capital. We must open up state government and shine a greater light on deals and communications that take place behind closed doors.

Michigan is one of only two states that still exempts its governor and lieutenant governor from transparency laws, and one of only six states that excludes state legislators. A 2015 report from the Center for Public Integrity ranked Michigan's government transparency and accountability laws as the worst in the nation.

Greater transparency means greater accountability. Government works best when decisions are made in the light of day.

---

## **Easing burdens for military families who move to Michigan**

House lawmakers have voted to help military families secure employment when they move to Michigan. The plan would make it easier for military family members' professional and occupational licenses to be accepted in Michigan when service members are transferred to the state or when veterans and service members return home from overseas.

Military families make tremendous sacrifices to serve our country – not the least of which are sudden moves to new locations. This important change would ease the transition for military spouses who work in sectors that require an occupational license, like health care, skilled trades and many other industries, and help them quickly find jobs in Michigan.

House Bills 4376-77 would allow family members of active duty military personnel and veterans with out-of-state professional licenses to be issued Michigan licenses without examination if they meet certain criteria. The measures would apply to active military and veterans, their spouses, surviving spouses, children, and surviving children under 26 years old.

Protections for the public are built into the plan. For example, the license or registration must be in good standing and the holder must demonstrate competency in their profession through education, training, or work experience. When applicable, criminal background checks and other processes – if already required for a specific profession in Michigan – would be maintained.

These practical changes will help military families adapt to their new communities more quickly – and benefit the entire state as they bring much-needed skills to Michigan.

I'm committed to making sure our military families have as smooth of a transition as possible when relocating to Michigan, and that no one goes without a job for a long period of time because of government red tape.

---

## **Taking action to allow easier-to-use gas cans in Michigan**

The House Commerce and Tourism Committee recently voted to exempt gas cans made, sold and used in Michigan from federal regulations that many people say make the canisters more difficult to use.

The U.S. Environmental Protection Agency has required containers manufactured since 2009 to have a permeation barrier and spouts that close automatically – features that were meant to reduce evaporation, but instead have caused user frustration and an increase in spills.

Anyone who has ever used one of the newer, EPA-mandated designs knows that those nozzles aren't helping the environment. Too much gas ends up on the ground instead of inside your mower or snowblower. The EPA's gas can requirements are a clear case of government regulation doing more harm than good. It's time for government to get out of the way and stop overcomplicating people's lives.

---

## **Plan to support first-time homebuyers**

The House Committee on Tax Policy has approved a plan to create a first-time homebuyer savings program.

Mortgage bills can often be cheaper than rent, but a lot of Michigan residents can't get there because they can't afford the down payments. This bipartisan plan will

help promote homeownership by encouraging prospective buyers to save for those initial costs.

The Michigan First-Time Home Buyer Savings Program would allow individuals to open a first-time homebuyer savings account for themselves or another beneficiary. A Michigan resident who has not owned a single-family residence within the preceding three years could be an eligible account beneficiary. The account allows up to \$50,000 in contributions and will grow free from state income taxes for up to 20 years.

Under the plan, a beneficiary could only withdraw funds to pay for the down payment or closing costs when purchasing a home. Funds withdrawn for any other purpose would be subject to a 10-percent state penalty.

A companion bill would allow a taxpayer to deduct contributions minus qualified withdrawals to a first-time homebuyer savings account from annual taxable income, up to \$5,000 for a single return or up to \$10,000 for a joint return. Interest accrued to the account would also be deducted.

By incentivizing savings for homeownership, we can encourage Michiganders to invest in their own future and in the future of our state.

---

## Measure improving school bus safety

The House Judiciary Committee has approved a plan to improve safety for students in Michigan.

The bipartisan plan defines who is and isn't allowed on a school bus while strengthening penalties for those who board buses without permission.

Our students ride the bus every single day and it should be our priority to keep them safe. Too many tragedies have occurred over the years on Michigan school buses or while children are boarding or exiting a bus. This is an opportunity for improvement.

### **The proposals would:**

- Set a penalty for boarding a school bus without permission of the driver as a civil infraction, which is punishable by a fine up to \$500. A civil infraction penalty for impeding the progress or operation of a school bus will also be established.
- Allow a sticker to be affixed to the side of a bus stating that unauthorized individuals attempting to board are subject to a civil infraction and fine.

- Allow stop-arm cameras to be installed on buses. Video or photography would be allowed as evidence for law enforcement prosecuting vehicles that illegally pass a school bus. Corresponding legislation will spell out other specifications for any camera usage.

---

## **Excusing farmers from jury duty during harvest season**

Newly introduced legislation would allow farmers summoned for jury duty to be excused from service during the harvest season spanning from April to November.

While farm employees have the option to opt out of jury duty, self-employed farmers are not afforded the same opportunity under current law.

A farmer's livelihood depends on timing. If things don't happen as needed during harvest and planting season, that could have devastating consequences. Overseeing a farm operation is hard work even under the best of circumstances. This is made harder when farmers are forced to abandon their farm duties during critical periods of time.

For farmers, especially those running small operations, getting summoned to jury duty during harvest and planting season means stepping away from critical work and putting their livelihoods at risk. When our farmers are at risk, it puts all our communities at risk. Michigan's farmers provide a safe and abundant food supply and play a vital role in sustaining and driving our state's economy. This legislation will allow them to tend their fields without worry.

---

## **PHOTO GALLERY**



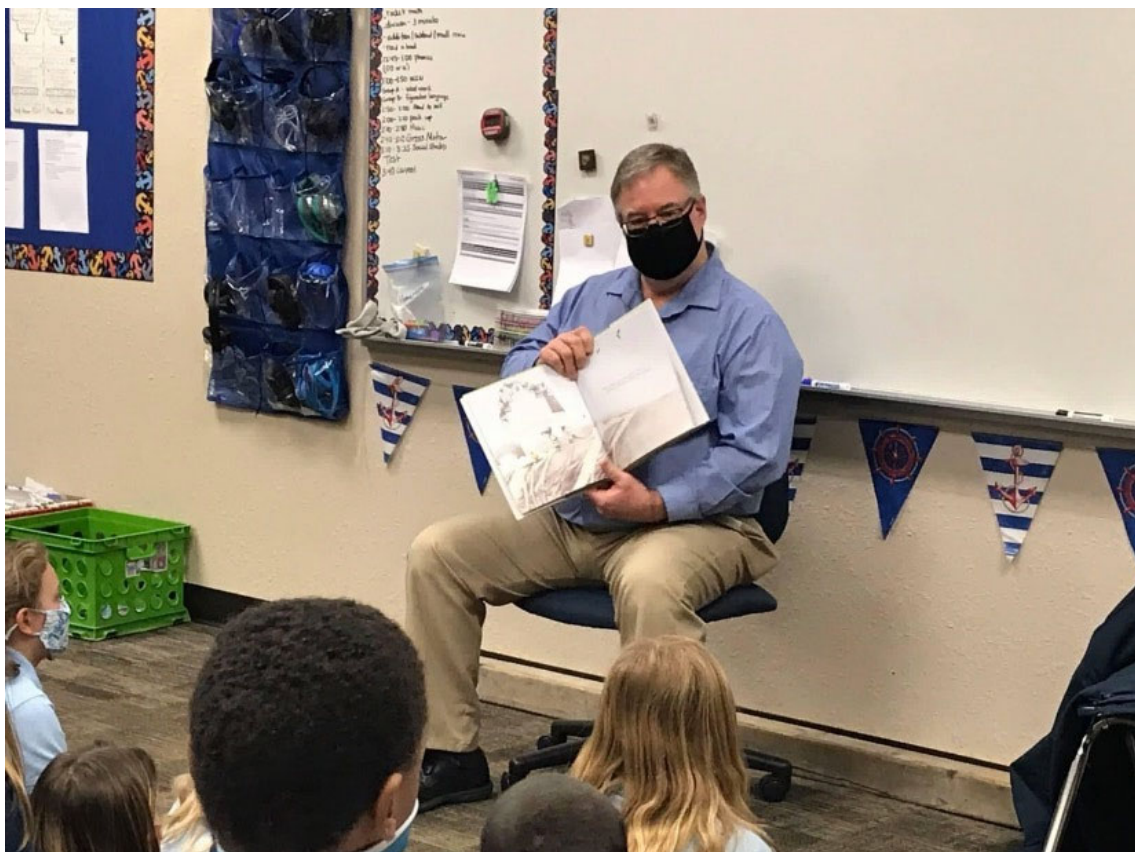
Rep. Roth and Office Intern Emerson Davis recognizing Epilepsy Awareness Day



Rep. Roth met with officials from the Village of Kingsley



Rep. Roth met with Traverse City Whiskey



Rep. Roth read to students for March is Reading Month



Rep. Roth learned the latest from the NMC Innovation Center with Nick Nissley



Rep. Roth met with leaders from the Cherry Capitol City Airport

---

Update your subscriptions, modify your password or email address, or stop subscriptions at any time on your [Subscriber Preferences Page](#). You will need to use your email address to log in. If you have questions or problems with the subscription service, please visit [subscriberhelp.govdelivery.com](https://subscriberhelp.govdelivery.com).

This service is provided to you at no charge by [Michigan House of Representatives - Republicans](#).

---

This email was sent to supervisor@whitewatertownship.org using GovDelivery Communications Cloud on behalf of: Michigan House of Representatives - Republicans · 124 North Capitol Avenue · Lansing, MI 48933



***DRAFT MINUTES*****Whitewater Township Board  
Minutes of Regular Meeting held April 13, 2021****Call to Order/Pledge of Allegiance**

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

**Roll Call of Board Members**

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

Board Members present via Zoom: Benak, Popp, Trustee Vollmuth (Hartselle AL)

Board Members absent: None

Others present in person: 5

Others present via Zoom: County Commissioner Darryl Nelson, Fire Chief Brandon Flynn, and 10 others

**Set/Adjust Meeting Agenda**

Goss sought to add a request from the Parks & Recreation Advisory Committee to discuss a revised quote for the Hi Pray Park dugouts.

Added as #10 New Business.

**Declaration of Conflict of Interest**

None

**Public Comment (6:33)**

Glenn Savage, 9833 Pineneedle Lane, spoke on the topic of marijuana.

Chris Hubbell, 8055 Angell Road, spoke on the topic of marijuana.

Rod Rebant, 648 Island View Drive, spoke on the topic of marijuana.

Linda Slopsema spoke on the topic of marijuana, masks, and Zoom.

Mike Corcoran, attorney representing North Point Farms, spoke on the topic of marijuana.

Vern Gutknecht spoke on the topic of ethical and professional conduct, PC appointment, Goss and Hubbell comments, and the township park.

**Public Hearing (36:42)**

None

**Reports/Presentations/Announcements/Comments (36:50)****County Commissioner Report**

Darryl Nelson gave the following report:

- Encourages questions and contacts from board or residents.

***DRAFT MINUTES***

- Explained why there is not a county emergency and noted it could change at any time. Concerning threats and rude comments to the health department, law enforcement and board are working on a solution and will not stand for illegal or threatening or rude behavior that goes beyond normal bounds.
- As of last week, they are having in-person meetings; members can also zoom in.
- They voted in body-worn cameras for all sheriff deputies.
- The board will discuss an Animal Control millage next week. The millage does not cover all expenses. It is possible they will go with no millage and have it be a part of the budget.
- Counties and townships are getting CARES Act money. They do not know the rules yet for how it can be spent. He welcomes ideas of good ways to handle that.
- County is ending on a positive on the budget. Hats off to county administration for their handling of that.

There were no questions.

**Fire Department Report (45:38)**

Brandon Flynn gave the following report:

- Run-wise, it was a pretty slow month, which allowed opportunity to catch up on training requirements. The State of Michigan rewriting Public Act 291 on how they train and what they train is going to require all firefighters to complete continuing education credits. He and Assistant Chief Carpenter rewrote their training for the entire year to mimic the requirements.
- They are getting ready for wildfire season.

There were no questions.

**Planning Commission Report (47:25)**

No report.

**Parks & Recreation Advisory Committee Report (47:33)**

Cheryl Goss gave the following report:

- The committee met last night; 3 members present in person, 1 via Zoom, 1 absent.
- March 8 minutes were approved.
- Big issue was huge price increase on the Perfect Fence quote for Hi Pray Park dugouts.
- Project updates were provided.
- Melton has scheduled a batting cage grand opening for May 8 in coordination with the Elk Rapids Youth Baseball Association. Diamond dust will be ordered.
- The committee is still working on the Recreation Plan. New accessibility assessments are not needed as there have been no changes.
- Next meeting is May 10.

There were no questions.

*DRAFT MINUTES***Mike Jantz - Facility Study Presentation ((49:47))**

Mike Jantz, present in person, works for the consulting firm C2AE. Based on discussions with Popp about potential new sewer/water utilities for certain areas and regions of the township, as well as potentially taking a look at all of the assets owned by the township (parks, trails, fire hall, township hall, roads), they have provided some recommendations, the first of which is that the township put water and sewer higher on the priority list in order to react to funding opportunities. They recommend the township do a go/no-go evaluation to see if that makes sense. Other options include for the township to build and operate their own, to partner with surrounding townships like Acme, or to work with the Tribe, Acme Township and Whitewater Township to collaborate on efforts. They recommend the township look at a qualification-based selection (QBS) process and explained the process. Examples of timing, schedule, and potential costs associated specifically to the water and sewer were provided.

It was noted that Jantz colleague Larry Fox is present on Zoom, as well as Erica Marshall, who has development interests along the M-72 corridor that require water and sewer.

Other information provided by Jantz:

- “Clean water” is what the state refers to as sanitary sewer. “Drinking water” is just that.
- They have been asked to evaluate for clean water and drinking water in specific areas of the township largely along the M-72 corridor, from the casino east to the Cook Road region, north and south to the first local streets, Old 72 to the north, and on the south side of 72 to address failing septic systems associated with Williamsburg Creek and Mill Pond.
- Popp indicated fire protection would include Moore Road to Crisp to Williamsburg area.
- The overall scope would be phased. Initial discussion was maybe 250 properties to be connected, with the capability of growing to 1,200. The 250 is largely near the M-72 corridor and catching some of the septic systems failing along Williamsburg Creek, and then some of the interest in development of high density residential and growth in the industrial park.
- The \$20,500 cost is for a project evaluation and feasibility study.
- Their firm writes grants. The MEDC is a source of funding.
- The QBS process is about choosing a consultant who is eligible to go after federal funding and positioning the township to react quickly. The township would handle the QBS process.

Discussion followed.

**Consent Calendar (1:17:40)**

Receive and File

1. Supervisor’s Report for March 2021
2. Clerk/Parks & Recreation Administrator’s Report for March 2021
3. Zoning Administrator Staff Report April 2021
4. Mobile Medical Response March 2021 Activity Reports
5. Fire Department March 2021 Report
6. Historical Society Report for March 2021

***DRAFT MINUTES***

7. Treasurer Bank Account and Interest Reports
8. Approved 01/11/2021 Parks & Recreation Advisory Committee Minutes
9. Approved 02/03/2021 Planning Commission Minutes
10. Approved 02/08/2021 Parks & Recreation Advisory Committee Minutes

## Correspondence

1. Grand Traverse County Sheriff Department Statistics for March 2021 (not available)
2. Letter 03/22/2021 Northwest Education Services re: Name Change
3. E-mail 03/25/2021 Michele Mueller re: Marijuana
4. EGLE Public Notice re: Boat Ramp Project
5. Skymint Request
6. EGLE Recycle Grants
7. Grand Traverse County Recycle Smart Newsletter
8. EGLE Classroom Newsletter
9. Networks Northwest Newsletter
10. MTA All Members Community Distribution of Marihuana Funds
11. Trustee Vollmuth E-mail 2021.03.31
12. Habitat for Humanity Home Repairs Information
13. Mask Mandate E-mail from Gregg Bird 2021.03.31

## Minutes

1. Recommend approval of 03/09/2021 regular meeting minutes, 03/02/2021, 03/16/2021, and 03/23/2021 special meeting minutes, and 03/09/2021 closed session minutes

## Bills for Approval

1. Approval of Alden State Bank vouchers # 46417 through 46490

## Budget Amendments (none)

## Revenue &amp; Expenditure Report (none)

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

Goss raised the issue of the Open Meetings Act requirement beginning March 31 that “members of a public body may participate electronically in an in-person meeting if they are absent due to” one of three exceptions, and Vollmuth has not indicated why she is not here in person.

Vollmuth stated the MDHHS order goes until April 19.

Discussion followed.

Vollmuth stated she is under one of the three exemptions.

**Unfinished Business (1:35:30)**

None

***DRAFT MINUTES*****New Business (1:35:40)****Fire Department Snowmobile Purchase**

**Motion by Hubbell to allow Chief Flynn to purchase two Polaris snowmobiles as outlined on the Classic Power Equipment quotation with funds from the Fire Capital account; second by Benak.**

Goss noted that during the budget process this expenditure was not planned to come out of the Fire Capital Improvement account and will bring a budget amendment and budgeted transfer to the May meeting.

Discussion followed.

**Hubbell amended the motion to add the total cost of \$26,554.00. Benak agreed with the amendment.**

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

**Let the People Direct - A Ballot Question (1:44:18)**

**Motion by Popp to create and place upon a ballot for the earliest possible election cycle language prohibiting Adult Use Marihuana Establishments as allowed by Michigan Regulation and Taxation of Marihuana Act MCL 333.27 in Whitewater Township, Grand Traverse County, Michigan; second by Vollmuth.**

Discussion followed.

Popp stated he will leave his motion out there but offered to Vollmuth that she can withdraw her second.

Further discussion ensued.

**Vollmuth recalled her second of the motion.**

**Elk Rapids Youth Baseball Request to Advertise (2:03:55)**

**Motion by Goss to approve Elk Rapids Youth Baseball Association's request to install no more than 20 (twenty) 5' x 3' advertising banners at Hi Pray Park for the 2021 Baseball Season; second by Hubbell.**

Discussion followed.

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

***DRAFT MINUTES*****Meeting Configuration - Continue Zoom (2:06:41)**

**Motion by Popp for the township to continue the use of Zoom meeting format until 12/31/2021 as allowed by current State of Michigan Department of Health and Human Services orders; second by Benak.**

Brief discussion followed.

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

**Park Ranger Wage Approval (2:09:14)**

**Motion by Goss to approve 2021 wages for Dan Belanger, Peggy Quast, Robert Daniels, Trenton Kooistra, and Kinzie Gallo as recommended by the clerk; second by Benak.**

Discussion followed.

**Roll call vote: Hubbell, yes; Popp --**

Popp interrupted the roll call vote to ask for the motion to be repeated.

Goss repeated the motion.

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

**Brine Agreement Preapproval (2:16:06)**

**Motion by Popp to authorize the supervisor to execute the annual County Road Improvement Agreement (brine agreement) between Whitewater Township and the Grand Traverse County Road Commission for the 2021/2022 fiscal year capped at three (3) applications or \$22,000 total expenditure, whichever is less; second by Hubbell.**

Discussion followed.

**Popp amended his motion to read “authorize the supervisor and clerk to execute.”**

**Hubbell agreed to the amendment.**

More discussion followed.

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

**Whitewater Township Park Playground Project (2:26:20)**

**Motion by Goss to approve an expenditure of \$18,265 to Jahr Contractors for the listed renovations to the campground playground area and adjacent road work; second by Benak.**

***DRAFT MINUTES***

Popp raised the issue of following MCL 339.2011 requiring an architect or engineer, does not see an excavation plan, asked if a site plan and soil erosion permit needed.

**Goss commented on the issues raised by Popp and withdrew the motion.**

Discussion followed.

Goss requested a 5-minute recess to make an urgent phone call.

At 11:28 a.m., meeting recessed.

At 11:37 a.m., meeting reconvened.

Goss will bring the playground project back at a future meeting.

**2021 Lawn Maintenance Specifications (2:40:34)**

**Motion by Benak to approve the 2021 Specifications for Lawn Maintenance and Cleanups form; second by Vollmuth.**

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

**Board Discussion Preliminary Engineering/Facility Study (2:41:44)**

Popp asked if the board sees value in the information provided about putting water and sewer questions ahead of our facility, or does the board want to maintain the facility study first, and then if we do a facility study, do we also want to perform the qualified selection service.

Discussion followed.

Popp said he will develop it and bring it back, and noted some requests from the MEDC for letters of support for expansions in the township for the next agenda.

**Hi Pray Park Dugouts (added) (2:51:06)**

Goss provided a revised quote from Perfect Fence and relayed the history of communications with Perfect Fence over specifications for the dugout once the engineered drawing was provided. The original quote for \$9,235 was approved by the board in July 2020. The revised quote is for \$29,000+, although they have offered to deduct \$2,000. The Parks & Recreation Advisory Committee will seek other quotes but has requested the board approve an additional \$15,000 for the dugout project, to be reallocated from a different Recreation Fund project.

Discussion followed.

Goss will ask Bartosik to revisit his quote.

***DRAFT MINUTES***

Chris Hubbell provided information about shipping container boxes at AIS that might work for this application.

Goss will check into it.

**Tabled Items (3:05:37)**

None

**Board Comments/Discussion (3:05:37)**

Benak provided an update on the spring newsletter and reported that the COVID plans have been printed and distributed. She reminded everyone about Cleanup Day on 6/12 from 8 to 12, invited volunteers, and reported on a successful scrap tire grant for \$2,000 from EGLE; citizens will not be charged for tires this year.

Discussion followed.

**Announcements**

Next regular township board meeting May 11, 2021 @ 9:00 a.m.

**Public Comment (3:13:25)**

Chris Hubbell, 8055 Angell Road, spoke on the topic of reimbursing the township for marijuana expenses and community appreciation of Goss and her help.

Brandon Flynn volunteered to man the tire service on 6/12 and will keep track of the tire count.

Linda Slopesma spoke on the topic of marijuana, Zoom, and non-mask-wearing.

Rod Rebant spoke on the topic of board votes, citizen advisory groups, and using parks to host forums on community issues.

Vern Gutknecht spoke on the topic of board behavior and professional conduct, Washington politicians, and special interest groups in the township.

**Adjournment (3:23:58)**

**Motion by Hubbell to adjourn; second by Popp. Roll call vote: Vollmuth, yes; Goss, yes; Hubbell, yes; Benak, yes; Popp, yes.** Meeting adjourned at 12:21 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk

**Bills for Approval**  
**May 11, 2021**

**ALDEN STATE BANK**

	<b>46491 - 46599</b>	
PAYROLL 4/9	46491 - 46514	Gross Payroll \$9,507.16
ACCTS PAYABLE 4/13 (posted to 3/31)	46515 - 46525	Grand Total \$17,019.35
ACCTS PAYABLE 4/13	46526 - 46538	Grand Total \$7,792.13
PAYROLL 4/23	46539 - 46563	Gross Payroll \$9,501.13
ACCTS PAYABLE 4/28	45564 - 46578	Grand Total \$8,538.61
PAYROLL 5/7	46579 - 46599	Gross Payroll \$8,381.87

**ALDEN STATE BANK - MONEY MARKET**

# Check Register Report

Bills for Approval 05/11/2021

Date: 05/05/2021

Time: 1:31 pm

Page: 1

Whitewater Township

BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
<b>ALDEN STATE BANK Checks</b>								
46515	04/13/21	Printed			AFLAC	AFLAC	MARCH 2021	238.80
46516	04/13/21	Printed			CSI EMERG	CSI EMERGENCY APPARATUS, LLC	ANNUAL MAINTENANCE AND PUMP TEST ENGINE 3	410.00
46517	04/13/21	Printed			ER NEWS	ELK RAPIDS NEWS LLC	NTC. OF BUDGET HRG.	171.00
46518	04/13/21	Printed			FAHEY	FAHEY SCHULTZ BURZYCH RHODES	MARIHUANA MATTERS-ZO	4,560.50
46519	04/13/21	Printed			FLEIS	FLEIS & VANDENBRINK	TWP PARK WATERWAYS GRANT FINAL ENGINEERING 2020	7,249.50
46520	04/13/21	Printed			FUELMAN	FUELMAN	MAR. FUEL FOR FIRE DEPT.	199.56
46521	04/13/21	Printed			JOHN HANCC	JOHN HANCOCK LIFE INS CO	JAN/FEB/MAR-2021	2,313.12
46522	04/13/21	Printed			TC RECORD	TC RECORD-EAGLE, INC.	NTC. OF ADOPTION ZO AMENDMENT 78	263.10
46523	04/13/21	Printed			VERIZON	VERIZON WIRELESS	02/24-03/23/2021	40.01
46524	04/13/21	Printed			VISA	VISA	FIRE/PARK/TWP HALL/TWP BRD.	1,423.76
46525	04/13/21	Printed			VOYA INSTI	VOYA INSTITUTIONAL TRUST CO	JAN/FEB/MAR-2021	150.00
46526	04/14/21	Printed			AD ASSESS	AD ASSESSING INC	APRIL 2021	1,975.00
46527	04/14/21	Printed			AMERICAN	AMERICAN WASTE	04/01-04/30/2021	34.00
46528	04/14/21	Printed			BAY APP	BAY APPRAISAL SERVICE, INC.	APPRAISAL OF 6400 ELK LAKE RD	500.00
46529	04/14/21	Printed			BRANDON F	BRANDON FLYNN	APRIL 2021	40.00
46530	04/14/21	Printed			CHARTER	CHARTER COMMUNICATIONS	04/01-04/30/2021	339.95
46531	04/14/21	Printed			CHERRY C	CHERRY CAPITAL COMMUNICATIONS	04/01/21-04/01/22 INTERNET SERVICE	804.00
46532	04/14/21	Printed			CONSUMERS	CONSUMERS ENERGY	03/01-03/31/2021	83.92
46533	04/14/21	Printed			EFTPS	EFTPS	04/09/2021 PAYROLL	2,037.41
46534	04/14/21	Printed			CULLIGAN	MCCARDEL CULLIGAN WATER COND	APR. RENT AND BOTTLED WATER	39.25
46535	04/14/21	Printed			QUAD LEAS	QUADIENT LEASING USA, INC	04/13-07/12/2021 POSTAGE METER RENTAL	322.89
46536	04/14/21	Printed			TARGET SOL	TARGET SOLUTIONS	MAINT FEE & 10 PREMIER MEMBERSHIPS PLATFORM	1,339.20
46537	04/14/21	Printed			THIRLBY	THIRLBY AUTOMOTIVE	BAR OIL/WINDSHIELD SOLUTION/ FLOOR DRY & TURN SIGNAL	192.91
46538	04/14/21	Printed			WELLS F	WELLS FARGO FINANCIAL	03/29-04/28/2021 COPIER LEASE	83.60
46564	04/28/21	Printed			BAK	BAK SPECIALTY SALES	10 DOZ FLAGS FOR CEMETERY 2 DOZ FLAGS FOR PARK	288.12
46565	04/28/21	Printed			BRICK HOUS	BRICK HOUSE INTERACTIVE	2021 Program/Test/Monitor/Tech Support Reservation System	1,210.00
46566	04/28/21	Printed			CARTRIDGE	CARTRIDGE WORLD	5 INK CARTRIDGES	141.35
46567	04/28/21	Printed			GOSS	CHERYLA GOSS, PETTY CASHIER	CASH REG FUND AND CHANGE FUND FOR PARK 2021	300.00
46568	04/28/21	Printed			CONSUMERS	CONSUMERS ENERGY	03/11-04/11/2021	1,313.67
46569	04/28/21	Printed			GILL-ROY	GILL-ROY'S HARDWARE 6737	MATERIALS FOR DOCK/SIGN REPAIR	38.33
46570	04/28/21	Printed			GT BAND	GT BAND OTTAWA & CHIPPEWA	01/01-03/31/2021	233.70
46571	04/28/21	Printed			HURST	HURST MECHANICAL	STARTUP WATER SYSTEM 2021	592.25
46572	04/28/21	Printed			IDEAL CA	IDEAL CALIBRATIONS	Demand Flow Regulator & Calibration Gas Cylinder	484.00
46573	04/28/21	Printed			KIM FINCH	KIM FINCH	MARCH & APRIL 2021	200.00
46574	04/28/21	Printed			LAWN-N	LAWN-N-ORDER	REMOVAL OF SIX TREES IN CAMPGROUND	750.00
46575	04/28/21	Printed			ROBERT HA	ROBERT A. HALL-CZS	04/01-04/30/2021	1,378.05
46576	04/28/21	Printed			SCI NET	SCI NETWORKS	04/14-05/13/2021	212.38
46577	04/28/21	Printed			STAPLES	STAPLES CREDIT PLAN	TWP BRD/CLERK/TREAS	692.95
46578	04/28/21	Printed			STATE TAX	STATE OF MICHIGAN - TREASURY	PAYROLLS 03/12/21 & 03/26/21	703.81

Total Checks: 39

Checks Total (excluding void checks):

33,350.09

Total Payments: 39

Bank Total (excluding void checks):

33,350.09

Total Payments: 39

Grand Total (excluding void checks):

33,350.09

## Bills for Approval 05/11/2021

Page: 1

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
<b>Fund: 101 GENERAL FUND</b>							
<b>Dept: 101 Township Board</b>							
101-101-727	Office Supplies & Exp						
	STAPLES CREDIT PLAN		TWP BRD/CLERK/TREAS	46577	04/08/2021	04/28/2021	105.68
	VISA		FIRE/PARK/TWP HALL/TWP BF	46524	03/28/2021	04/13/2021	15.89
							<b>121.57</b>
101-101-804	Professional Services						
	BAY APPRAISAL SERVICE, II		APPRAISAL OF 6400 ELK LAKE	46528	04/06/2021	04/14/2021	500.00
							<b>500.00</b>
101-101-830	Pension Plan						
	JOHN HANCOCK LIFE INS CO		JAN/FEB/MAR-2021	46521	03/31/2021	04/13/2021	959.08
							<b>959.08</b>
101-101-901	Publishing						
	ELK RAPIDS NEWS LLC		NTC. OF BUDGET HRG.	46517	04/02/2021	04/13/2021	171.00
	TC RECORD-EAGLE, INC.	03212055	NTC. OF BUDGET PUBLIC HRG	46522	03/31/2021	04/13/2021	123.90
	TC RECORD-EAGLE, INC.	03212055	NTC. OF ADOPTION ZO	46522	03/31/2021	04/13/2021	139.20
							<b>434.10</b>
101-101-940	Equipment Rental						
	WELLS FARGO FINANCIAL	5014521194	03/29-04/28/2021 COPIER LEAS	46538	04/03/2021	04/14/2021	83.60
							<b>83.60</b>
101-101-941	Postage Meter Rental						
	QUADIENT LEASING USA, INC	N8774587	04/13-07/12/2021 POSTAGE ME	46535	04/13/2021	04/14/2021	322.89
							<b>322.89</b>
							<b>Total Dept. Township Board: 2,421.24</b>
<b>Dept: 209 Assessor</b>							
101-209-807	Assessing Services						
	AD ASSESSING INC		APRIL 2021	46526	04/01/2021	04/14/2021	1,975.00
							<b>1,975.00</b>
							<b>Total Dept. Assessor: 1,975.00</b>
<b>Dept: 210 Attorney</b>							
101-210-801	Legal Services						
	FAHEY SCHULTZ BURZYCH	58327	2021 CODE REVISIONS	46518	04/05/2021	04/13/2021	1,435.00
	FAHEY SCHULTZ BURZYCH	58328	ZONING	46518	04/05/2021	04/13/2021	406.00
	FAHEY SCHULTZ BURZYCH	58328	ZOA #78 NTC. OF ADOPTION	46518	04/05/2021	04/13/2021	352.50
	FAHEY SCHULTZ BURZYCH	58329	MARIHUANA MATTERS	46518	04/05/2021	04/13/2021	2,254.50
	FAHEY SCHULTZ BURZYCH	58330	MARIHUANA MATTERS-ZO	46518	04/05/2021	04/13/2021	112.50
							<b>4,560.50</b>
							<b>Total Dept. Attorney: 4,560.50</b>
<b>Dept: 215 Clerk</b>							
101-215-727	Office Supplies & Exp						
	STAPLES CREDIT PLAN		TWP BRD/CLERK/TREAS	46577	04/08/2021	04/28/2021	293.64
							<b>293.64</b>
							<b>Total Dept. Clerk: 293.64</b>
<b>Dept: 253 Treasurer</b>							
101-253-727	Office Supplies & Exp						
	STAPLES CREDIT PLAN		TWP BRD/CLERK/TREAS	46577	04/08/2021	04/28/2021	293.63
							<b>293.63</b>
							<b>Total Dept. Treasurer: 293.63</b>
<b>Dept: 265 Township Hall &amp; Groun</b>							

# INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 05/11/2021

Date: 05/05/2021

Time: 1:33 pm

Page: 2

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
101-265-740	Operating Expense & MCCARDEL CULLIGAN WATI		APR. RENT AND BOTTLED WA	46534	04/01/2021	04/14/2021	39.25
							<b>39.25</b>
101-265-810	Janitorial Services KIM FINCH		MARCH & APRIL 2021	46573	04/27/2021	04/28/2021	200.00
							<b>200.00</b>
101-265-811	Waste Removal Servi AMERICAN WASTE	4261442	04/01-04/30/2021	46527	04/01/2021	04/14/2021	17.00
							<b>17.00</b>
101-265-851	Internet/Website CHARTER COMMUNICATION		03/30-04/29/2021	46530	03/30/2021	04/14/2021	109.99
							<b>109.99</b>
101-265-922	Electricity CONSUMERS ENERGY	204833418271	03/11-04/11/2021	46568	04/11/2021	04/28/2021	166.57
							<b>166.57</b>
101-265-923	Electric Heat CONSUMERS ENERGY	204833418272	03/11-04/11/2021	46568	04/11/2021	04/28/2021	356.43
							<b>356.43</b>
101-265-924	Telephone CHARTER COMMUNICATION		03/30-04/29/2021	46530	03/30/2021	04/14/2021	49.99
	SCI NETWORKS	2007994	04/14-05/13/2021	46576	04/14/2021	04/28/2021	176.98
							<b>226.97</b>
101-265-930	Facility Repairs/Maint VISA		FIRE/PARK/TWP HALL/TWP BF	46524	03/28/2021	04/13/2021	35.00
							<b>35.00</b>
<b>Total Dept. Township Hall &amp; Grounds:</b>							<b>1,151.21</b>
<b>Dept: 276 Cemetery</b>							
101-276-740	Operating Expense & BAK SPECIALTY SALES	230421	10 DOZ FLAGS FOR CEMETERF	46564	04/23/2021	04/28/2021	240.10
							<b>240.10</b>
101-276-922	Electricity CONSUMERS ENERGY	201451737234	03/11-04/11/2021	46568	04/11/2021	04/28/2021	39.72
							<b>39.72</b>
<b>Total Dept. Cemetery:</b>							<b>279.82</b>
<b>Dept: 405 Zoning Administrator/F</b>							
101-405-804	Professional Services ROBERT A. HALL-CZS	APR 2021	04/01-04/30/2021	46575	04/22/2021	04/28/2021	1,355.76
							<b>1,355.76</b>
101-405-860	Mileage Reimbursem ROBERT A. HALL-CZS	APR 2021	04/01-04/30/2021	46575	04/22/2021	04/28/2021	22.29
							<b>22.29</b>
<b>Dept. Zoning Administrator/Planning:</b>							<b>1,378.05</b>
<b>tal Fund GENERAL FUND:</b>							<b>12,353.09</b>
<b>Fund: 203 ROAD FUND</b>							
<b>Dept: 446 Road Right of Way</b>							
203-446-921	Street Lights						
	CONSUMERS ENERGY	206346050417	03/01-03/31/2021	46532	03/31/2021	04/14/2021	13.00
	CONSUMERS ENERGY	203320548894	03/01-03/31/2021	46532	03/31/2021	04/14/2021	70.92

# INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 05/11/2021

Date: 05/05/2021

Time: 1:33 pm

Page: 3

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							<b>83.92</b>
							<b>Total Dept. Road Right of Way: 83.92</b>
							<b>Total Fund ROAD FUND: 83.92</b>
<b>Fund: 206 FIRE FUND</b>							
<b>Dept: 336 Fire Dept</b>							
206-336-713	Other Benefits AFLAC	112330	MARCH 2021	46515	03/26/2021	04/13/2021	238.80
							<b>238.80</b>
206-336-727	Office Supplies & Exp CARTRIDGE WORLD	431416	5 INK CARTRIDGES	46566	04/15/2021	04/28/2021	141.35
							<b>141.35</b>
206-336-739	Fuel & Oil FUELMAN	59895524995401	MAR. FUEL FOR FIRE DEPT.	46520	04/05/2021	04/13/2021	199.56
							<b>199.56</b>
206-336-740	Operating Expense & IDEAL CALIBRATIONS THIRLBY AUTOMOTIVE	3478 179308	Demand Flow Regulator & BAR OIL/WINDSHIELD SOLUTI	46572 46537	04/23/2021 04/08/2021	04/28/2021 04/14/2021	484.00 31.31
							<b>515.31</b>
206-336-804	Professional Services VERIZON WIRELESS	9876209191	02/24-03/23/2021	46523	03/23/2021	04/13/2021	40.01
							<b>40.01</b>
206-336-811	Waste Removal Servi AMERICAN WASTE	4260832	04/01-04/30/2021	46527	04/01/2021	04/14/2021	8.50
							<b>8.50</b>
206-336-830	Pension Plan JOHN HANCOCK LIFE INS C		JAN/FEB/MAR-2021	46521	03/31/2021	04/13/2021	1,354.04
							<b>1,354.04</b>
206-336-840	Dues and Membershi VISA		FIRE/PARK/TWP HALL/TWP BF	46524	03/28/2021	04/13/2021	180.00
							<b>180.00</b>
206-336-851	Internet/Website CHARTER COMMUNICATION		04/01-04/30/2021	46530	04/01/2021	04/14/2021	79.99
							<b>79.99</b>
206-336-880	Education & Training TARGET SOLUTIONS VISA	#INV23168	MAINT FEE & 10 PREMIER FIRE/PARK/TWP HALL/TWP BF	46536 46524	04/05/2021 03/28/2021	04/14/2021 04/13/2021	1,339.20 385.00
							<b>1,724.20</b>
206-336-922	Electricity CONSUMERS ENERGY	201451737233	03/11-04/11/2021	46568	04/11/2021	04/28/2021	313.66
							<b>313.66</b>
206-336-924	Telephone CHARTER COMMUNICATION		04/01-04/30/2021	46530	04/01/2021	04/14/2021	99.98
							<b>99.98</b>
206-336-925	Cellular Phone BRANDON FLYNN		APRIL 2021	46529	04/01/2021	04/14/2021	40.00
							<b>40.00</b>
206-336-928	Water GT BAND OTTAWA & CHIPPE		01/01-03/31/2021	46570	03/31/2021	04/28/2021	116.85

## Bills for Approval 05/11/2021

Page: 4

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							116.85
206-336-933	Vehicle Repair & Mair						
	CSI EMERGENCY APPARATU	65854	ANNUAL MAINTENANCE AND	46516	03/30/2021	04/13/2021	410.00
	THIRLBY AUTOMOTIVE	179308	BAR OIL/WINDSHIELD SOLUTI	46537	04/08/2021	04/14/2021	161.60
							571.60
						Total Dept. Fire Dept:	5,623.85
						Total Fund FIRE FUND:	5,623.85
<b>Fund: 208 PARK FUND</b>							
<b>Dept: 000</b>							
208-000-004	Petty Cash						
	CHERYL A GOSS, PETTY CA		CASH REG FUND AND CHANG	46567	04/27/2021	04/28/2021	300.00
							300.00
						Total Dept. 000:	300.00
<b>Dept: 756 Township Park</b>							
208-756-740	Operating Expense &						
	BAK SPECIALTY SALES	230421	10 DOZ FLAGS FOR CEMETER	46564	04/23/2021	04/28/2021	48.02
	VISA		FIRE/PARK/TWP HALL/TWP BF	46524	03/28/2021	04/13/2021	603.08
							651.10
208-756-851	Internet/Website						
	BRICK HOUSE INTERACTIVE	040721	2021 Program/Test/Monitor/Tech	46565	04/07/2021	04/28/2021	1,210.00
	CHERRY CAPITAL COMMUN	102189	04/01/21-04/01/22	46531	04/01/2021	04/14/2021	804.00
							2,014.00
208-756-922	Electricity						
	CONSUMERS ENERGY	203053570784	03/12-04/12/2021	46568	04/12/2021	04/28/2021	29.13
	CONSUMERS ENERGY	203053570785	03/12-04/12/2021	46568	04/12/2021	04/28/2021	64.23
							93.36
208-756-924	Telephone						
	SCI NETWORKS	2007994	04/14-05/13/2021	46576	04/14/2021	04/28/2021	35.40
							35.40
208-756-925	Cellular Phone						
	VISA		FIRE/PARK/TWP HALL/TWP BF	46524	03/28/2021	04/13/2021	-10.00
	VISA		FIRE/PARK/TWP HALL/TWP BF	46524	03/28/2021	04/13/2021	214.79
							204.79
208-756-930	Facility Repairs/Maint						
	GILL-ROY'S HARDWARE 673	2104-961660	MATERIALS FOR DOCK/SIGN	46569	04/17/2021	04/28/2021	25.04
	GILL-ROY'S HARDWARE 673	2104-961846	MATERIALS FOR DOCK/SIGN	46569	04/17/2021	04/28/2021	13.29
	HURST MECHANICAL	9262050	STARTUP WATER SYSTEM 20	46571	04/26/2021	04/28/2021	592.25
	LAWN-N-ORDER		REMOVAL OF SIX TREES IN	46574	04/21/2021	04/28/2021	750.00
							1,380.58
208-756-970	Capital Expenditure						
	FLEIS & VANDENBRINK	58409	TWP PARK WATERWAYS GRA	46519	04/05/2021	04/13/2021	7,249.50
							7,249.50
						Total Dept. Township Park:	11,628.73
						Total Fund PARK FUND:	11,928.73

**209-757-922 Electricity**

## CONSUMERS ENERGY

204833418270 03/11-04/11/2021

46568 04/11/2021

04/28/2021

30.27

**Bills for Approval 05/11/2021**

Page: 5

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							30.27
						Total Dept. Recreation:	30.27
						Fund RECREATION FUND:	30.27
<b>Fund: 210 AMBULANCE FUND</b>							
<b>Dept: 651 Ambulance</b>							
210-651-811 Waste Removal Servi							
AMERICAN WASTE		4260832	04/01-04/30/2021	46527	04/01/2021	04/14/2021	8.50
							8.50
210-651-922 Electricity							
CONSUMERS ENERGY		201451737233	03/11-04/11/2021	46568	04/11/2021	04/28/2021	313.66
							313.66
210-651-928 Water							
GT BAND OTTAWA & CHIPPEWIA			01/01-03/31/2021	46570	03/31/2021	04/28/2021	116.85
							116.85
						Total Dept. Ambulance:	439.01
						Fund AMBULANCE FUND:	439.01
<b>Fund: 750 PAYROLL CLEARING FUND</b>							
<b>Dept: 000</b>							
750-000-238 Pension Withheld							
VOYA INSTITUTIONAL TRUST			JAN/FEB/MAR-2021	46525	03/31/2021	04/13/2021	150.00
							150.00
750-000-258 Accrued Payroll Tax:							
EFTPS		270150342874420	04/09/2021 PAYROLL	46533	04/13/2021	04/14/2021	2,037.41
STATE OF MICHIGAN - TREASURY		SMIBUS004594865	PAYROLLS 03/12/21 & 03/26/21	46578	04/14/2021	04/28/2021	703.81
							2,741.22
						Total Dept. 000:	2,891.22
						PAYROLL CLEARING FUND:	2,891.22
						Grand Total:	33,350.09

# Memo

**To:** Whitewater Township Board of Trustees  
**From:** Ron Popp, Supervisor  
**CC:** None  
**Date:** 4.29.2021  
**Re:** GT County Sheriff Department – Community Police Officer Program (CPO)

---

Board Members,

In February of this year the Whitewater Township Board of Trustees listened to a Community Police Officer (CPO) presentation by Captain Chris Clark of the Grand Traverse County Sheriff's Department. The presentation referenced data from 2019 which the Board wanted updated when 2020 numbers became available with the new information brought back on the May agenda. Captain Clark has advised the data contained in the February presentation was derived from 2020 not 2019 and the label was incorrect.

During budget discussions for 2021/2022 fiscal year, no funds were allocated for a community service of this nature but, as growth takes place in the Township, we may find our needs and wants for a similar service change. Unless otherwise directed by the Board, I will consider this closed until such time.

Respectfully submitted,



Ron Popp

Supervisor, Whitewater Township

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp, Supervisor  
**CC:** None  
**Date:** 04.30.2021  
**Re:** Skegemog Point Road Update -

---

Community Members,

Mr. Rob Sullivan, project engineer for the Grand Traverse County Road Commission, provided a status update on the revised Opinion of Probable Cost for Skegemog Point Road April 16, 2021.

*"Mr. Popp,*

*The Skegemog estimate has become part of a greater discussion regarding GTCRC policy. Wayne will be contacting you directly in coming days. He is currently out of town, but is expected to return mid-week.*

A review of Road Commission meeting minutes reveals discussion around the current cost sharing policy and how projects costs are divided between Municipality and Road Commission has been taking place. Please visit their website to read minutes if this subject is of interest.

With construction season now in full bloom, I would expect additional delays on this proposal. Future updates will be forwarded in a timely manner.

Respectfully submitted,



Ron Popp

Supervisor, Whitewater Township

## MEMO

**To:** Whitewater Township Board  
**From:** Cheryl A. Goss, Clerk  
**Date:** 05/05/2021  
**Re:** Whitewater Township Park Playground Project

---

Last month, I presented two quotes from Jahr Contractors to correct use zone requirements and enlarge the playground area, as well as some nearby road work. The total of those items exceeded the \$15,000 threshold to trigger the services of an architect or engineer, so I withdrew the motion and elected to bring this item back at a future meeting.

Through an interim meeting with Steve Jahr from Jahr Contractors, we eliminated some items from the prior quote and he supplied a new quote for these playground renovations in the amount of \$14,975 (attached quote and drawing of the proposed work).

As I stated previously, normally we would seek other quotes for a project of this size (over \$5,000). However, every contractor is EXTREMELY busy and I do not want to delay this project any longer than necessary. We know that Jahr Contractors has many years of experience in the construction industry, dating back to 1975, and they do very high-quality work. While we have lost the opportunity to get this project done before the campground opens on May 7, I would like to get this approved so we can get on Steve Jahr's schedule as soon as possible.

Once the expenditure is approved, we will obtain a land use permit and a soil erosion permit before work proceeds.

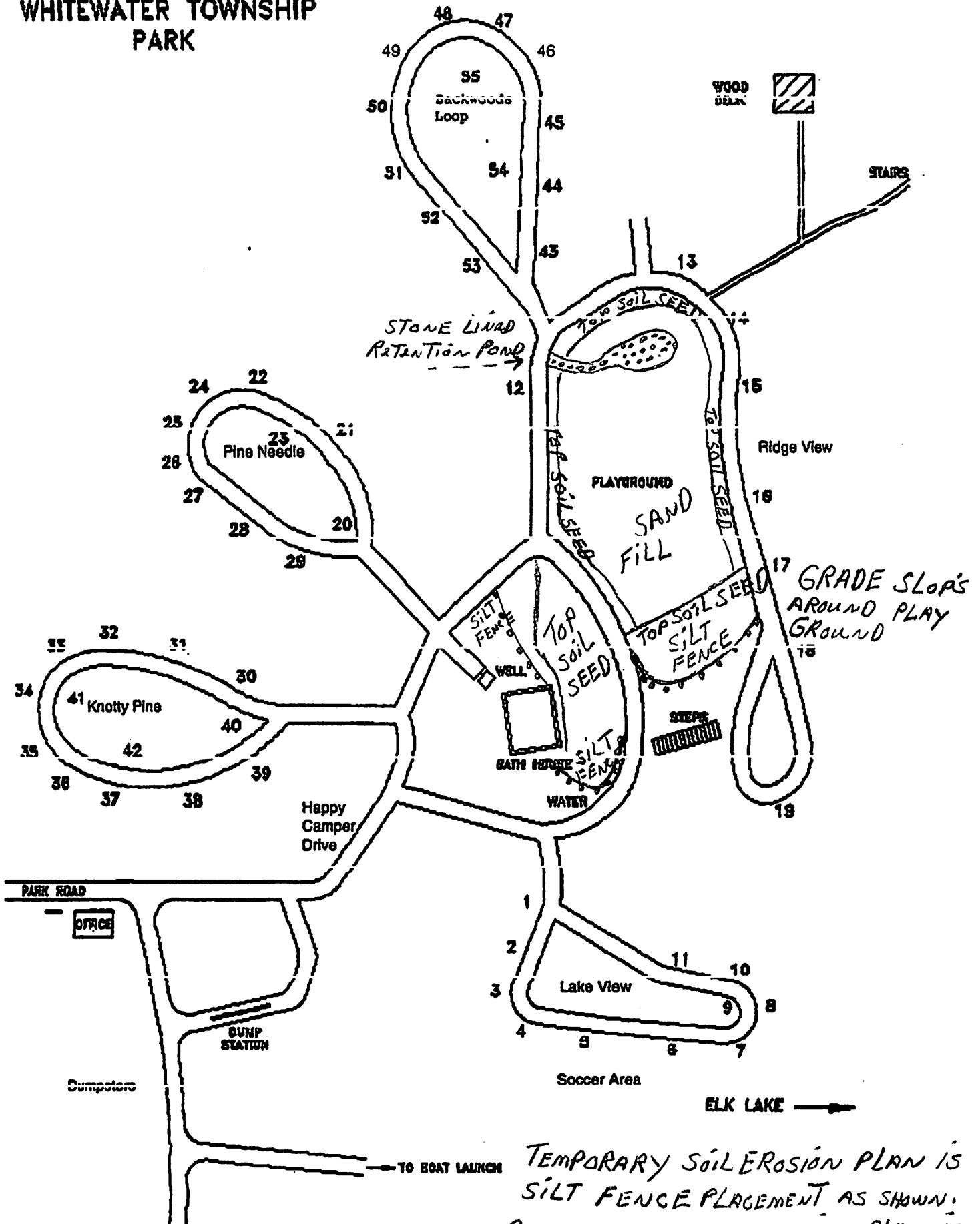
**An appropriate motion would be: Motion to approve an expenditure of \$14,975 to Jahr Contractors for renovation of the campground playground area as outlined in a quote dated 04/26/2021.**

###

[illegible]

DATE \_\_\_\_\_

# WHITEWATER TOWNSHIP PARK



TEMPORARY SOIL EROSION PLAN IS  
SILT FENCE PLACEMENT AS SHOWN.  
PERMANENT SOIL EROSION PLAN IS  
TOP SOIL AND SEEDING AS SHOWN.

## **MEMO**

**To:** Whitewater Township Board  
**From:** Cheryl A. Goss, Clerk  
**Date:** 05/04/2021  
**Re:** **Resolution #2021-11 Recommend Approval of Petitions and Certification of Ballot Language**

---

Linda Slopsema of the Whitewater Citizens Action Group filed an initiative petition with my office on 04/22/2021, consisting of 23 petition pages. The petition seeks “to place on the ballot, at the next regular election, the question of whether the proposed ordinance to completely prohibit adult-use (also known as recreational) marihuana establishments within the boundaries of Whitewater Township should be adopted by the township electors’ initiative.”

On the same day the petition was delivered, it was scanned and provided to the township attorney’s office for review. A confidential attorney-client privileged communication has been provided, which was distributed to board members only.

While the petition was undergoing attorney office review, signatures were checked with the Qualified Voter File. The MRTMA requires that the petition be signed by qualified electors in Whitewater Township in a number greater than 5% of the votes cast for governor in the Township at the last gubernatorial election. Based on those requirements, the minimum number of signatures required is 78. Over a hundred signatures were determined valid and thus the petition has more than the minimum number of signatures.

Based on my review of the petition, the advice of counsel, as well as the minimum number of signatures having been validated, I accepted the petition and will take the necessary steps to place the recreational marihuana issue on the August ballot.

The next step is for the board to vote on a resolution approving ballot language. See Resolution #2021-11 attached to this memo.

An appropriate motion would be: **Motion to adopt Resolution #2021-11.**

###

**RESOLUTION #2021-11**

**WHITEWATER TOWNSHIP  
GRAND TRAVERSE COUNTY, MICHIGAN**

**RESOLUTION TO RECOMMEND APPROVAL OF PETITIONS  
AND CERTIFICATION OF BALLOT LANGUAGE**

At a regular meeting of the Township Board of the Township of Whitewater, Grand Traverse County, Michigan, held at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690, on the 11<sup>th</sup> day of May 2021, at 9:00 a.m.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following Resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**WHEREAS**, the Michigan Regulation and Taxation of Marihuana Act (“MRTMA”), MCL 333.27956(1), provides that individuals may initiate an ordinance to limit or prohibit marihuana establishments within the Township by submission of a petition to present the ordinance to the Township electors, at the next regular election, for approval or rejection; and

**WHEREAS**, a petition under the MRTMA must be signed by a number of qualified Township electors greater than 5% of the votes cast for governor by qualified electors in the Township at the 2018 Michigan gubernatorial election; and

**WHEREAS**, a petition under the MRTMA was submitted to the Township on April 22, 2021, to “place on the ballot, at the next regular election, the question of whether the proposed ordinance to completely prohibit adult-use (also known as recreational) marihuana establishments with the boundaries of Whitewater Township should be adopted by the township electors’ initiative” (“Petition”); and

**WHEREAS**, the Clerk has reviewed the Petition, determined that it contains a sufficient number of qualified-electors signatures for purposes of the MRTMA, and accepted the Petition; and

**WHEREAS**, the Michigan Election Law (“Election Law”), MCL 168.646a(2), requires a township clerk to certify the ballot wording of a local ballot question to the county clerk at least 82 days before the election at which the question will appear.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The Township Board of the Township of Whitewater, Grand Traverse County, Michigan, upon confirmation from the Clerk that the submitted Petition contains a sufficient





# WHITEWATER TOWNSHIP FIRE DEPARTMENT

---

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

## MEMO

**To:** Whitewater Township Board

**From:** Fire Chief Brandon Flynn

**Date:** May 3, 2021

**Subject:** Replacement of Brush 3 vehicle request

---

Fire Chief Flynn is requesting the Township Board's approval for the replacement of the 1969 AM General Wildfire vehicle.

The current 52-year-old military surplus vehicle was acquired through the Michigan DNR Federal Excess Fire Equipment program in late 2012. The men and women of Station 3 worked tirelessly to place this vehicle into service as Brush 3 and it has worked well during the past 9 years. Unfortunately, this vehicle lacks modern day safety features, is a standard transmission and currently does not meet NFPA and DOT regulations which is why it is near the top of the Capital item replacement schedule.

Through the Michigan MIDEAL vehicle purchasing program ( [DTMB - Vehicle Purchasing Program \(michigan.gov\)](https://www.michigan.gov/dtmb) ), Chief Flynn would like to replace the current 1969 AM General Brush truck with a 2022 Dodge RAM 5500 4X4 cab & Chassis with a Knapheide service body to accommodate the wildland firefighting skid unit. Replacing the current converted military surplus vehicle with a modern truck will benefit the fire department as a whole with reliability, lower maintenance costs and ease of operation, furthermore, this truck will allow for another tow vehicle option for the fire departments 3 trailers.

By using the MIDEAL program, Whitewater Township will be purchasing a vehicle that has been competitively priced for the entire State of Michigan so a local bid process is not required saving time and money. Many of our neighboring communities and agencies take advantage of this program such as Grand Traverse Metro Fire, Traverse City and Grand Traverse County.

Vehicle pricing for the RAM 5500 was obtained from the MIDEAL approved vendor LaFontaine CDJR in Lansing MI. Also included is pricing for a service body from



Committed to proudly serving the community with professionalism and integrity.

Knapheide Truck Equipment in Flint, MI, which is a MIDEAL vendor as well. Vehicle base price with upfit and accessories are listed below.

2022 RAM 5500 Tradesman 4X4 Crew cab dual wheel cab & chassis

Base Price w/option listed	\$54,859.00
Mileage	\$ 150.00
Knapheide service body	<u>\$14,365.00</u>
Sub-total	\$69,374.00
Upfit (Completed by FD personnel)	\$15,000.00
Equipment	\$ 6,500.00
Decals	<u>\$ 3,500.00</u>
Sub-total	\$25,000.00
Total	\$94,374.00

In addition to the above pricing, the current Brush 3 can be sold to offset the initial cash outlay for the new vehicle. Please consider approving the purchase of a new brush truck vehicle not to exceed \$100,000.00 to maintain a proper fleet of fire department vehicles and in consideration of the capital item replacement schedule.

Attachment: RFQ from LaFontaine CDJR  
Knapheide Truck Equipment

# LaFontaine CDJR-Lansing

6131 S. Pennsylvania Ave.

Lansing, MI 48911

517-394-1022-Direct

517-394-1205-Fax

[mdeacon@lafontaine.com](mailto:mdeacon@lafontaine.com)

## QUOTATION

Name: Whitewater Township Fire Department

Address:

City:

State:

Zip:

Contact: Brandon Flynn

Phone: 231.267.5969

Email: [firechief@whitewatertownship.org](mailto:firechief@whitewatertownship.org)

Date: 4/21/2021

Quote: 042121

State of Michigan		
	2022 Ram 5500 Tradesman Crew Cab Chassis 4x4 60in CA	\$50,919.00
2YA	6.7L I6 Cummins Turbo Diesel Engine	
DF2	6-Spd Auto Aisin AS69RC HD Trans	
LBN	Power Take Off Prep	\$295.00
XAW	Rear Backup Alarm	\$145.00
XF6	Voltage Monitoring Auto Idle Up Sys	\$150.00
XEF	Transfer Case Skid Plate Shield	\$145.00
NFA	22 Gallon Midship Fuel Tank	\$125.00
BAJ	220 Amp Alternator	\$195.00
CGQ	Red Seat Belts	\$75.00
XAC	ParkView Rear Back-Up Camera	\$495.00
XBT	Tire Pressure Information System	\$150.00
XHC	Trailer Brake Control	\$295.00
JKV	115V Auxiliary Power Outlet	\$150.00
CJT	Delete Front Center Seat	-\$20.00
MRU	Mopar Black Tubular Side Steps	\$395.00
TY5	225/70R19.5G All Traction Tires	\$250.00
WP4	19.5x6.0 Forged Alum Polished Wheels 1095.	\$1,095.00
Note per contract delivery is available @ \$2.00 per one way mileage.		
Total Cost:		\$54,859.00

Signed: Michelle Deacon



Knapheide Truck Equipment - Flint  
 1200 S. Averill Ave.  
 Flint MI 48503  
 Phone: 810-744-0295  
 Fax: 855-629-4643  
 www.flint.knapheide.com

## QUOTATION

Quote ID: KD00002163

Page 1 of 3

Customer: WHITEWATER TOWNSHIP FIRE DEPARTMENT

MI

Contact: BRANDON FLYNN

Phone: 231-267-5969

Fax:

Quote Number: KD00002163

Quote Date: 4/21/2021

Quote valid until: 5/21/2021

Prepared kdennison

By:

Salesperson: NATE TOMALIA

PO#:

### Enduser:

<b>Make:</b> FORD	<b>Model:</b> F-550	<b>Year:</b> 2021	<b>Single/Dual:</b> DRW
<b>Cab Type:</b> CREW	<b>Wheelbase:</b>	<b>Cab-to-Axle:</b> 60.0	<b>VIN:</b>

QTY	PART NUMBER	DESCRIPTION		AMOUNT
1	MISC MIDEAL	STATE OF MICHIGAN MIDEAL ORDER MIDEAL CONTRACT #071B7700087		
1	KNAP PGND-96	PGND-96 INSTALLED RUGGED 14-GAUGE TWO-SIDED A-40 GALVANNEAL STEEL BODY SHELL 250-LB CAPACITY SHELVES MADE OF SPANGLED STEEL (2 IN EACH FRONT VERTICAL COMPARTMENT, 1 IN EACH REAR COMPARTMENT) THREE-QUARTER LENGTH FLIP TOP COMPARTMENTS EMPLOY NITROGEN GAS STRUTS FOR SMOOTH OPENING AND CLOSING BULKHEAD AND REAR SKIRT INCLUDE INTEGRATED OVAL B/U AND S/T/T LED LIGHTS RUGGED 1/8" THICK TREAD PLATE FLOOR WITH 5" STRUCTURAL CHANNEL LONG SILLS 3" FORMED 12-GAUGE CROSS SILLS UNDER-THE-FLOOR GOOSENECK HITCH SYSTEM WITH 2-5/16" BALL INSTALLED (HITCH IS RATED AT 30,000 LB GROSS TRAILER WEIGHT WITH 5,000 LB TONGUE WEIGHT) HINGED ACCESS DOOR TO COVER GOOSENECK HITCH WHEN NOT IN USE INTEGRATED CLASS V RECEIVER HITCH RATED AT 18,000 LBS ON 9' & 11' PLATFORMS (OPTIONAL 12,000 LB RATING ON 8' BODIES AS MOST 56" CA CHASSIS INCLUDE A FACTORY HITCH) FORMED, INTEGRATED BULKHEAD WITH STYLIZED SCREENED WINDOW AND TAPERED DESIGN FOR IMPROVED VISIBILITY 8" TALL SLAM TAILGATE WITH CENTER-MOUNTED RELEASE HANDLE SAFETY CHAIN ATTACHMENT POINTS AND 7-WAY TRAILER PLUG INCLUDED IN GOOSENECK BOX AND AT RECEIVER HITCH DURABLE OVEN-CURED COAT, FINISH PAINTED BLACK ALUMINUM TREAD PLATE TRIM PIECE ON REAR HITCH PLATE PROVIDES A "NO WORRY" STEP LOCATION 36" HIGH FRONT COMPARTMENTS CONTINUOUS STAINLESS STEEL HINGES ARE PRY-PROOF AND CORROSION RESISTANT FEATURES DOUBLE-SHELL, 20-GAUGE, TWO-SIDED A-40 GALVANNEAL STEEL COMPARTMENT DOORS AUTOMOTIVE QUALITY, ROTARY-STYLE LATCHES MAKE OPENING AND CLOSING EASY INTERIOR COVER PROTECTS INTERNAL LATCH FROM DAMAGE ADJUSTABLE SECURITY RING STRIKERS PROVIDE A WEATHER-TIGHT SEAL NEOPRENE DOOR SEALS PROTECT COMPARTMENTS FROM THE		



Knapheide Truck Equipment - Flint  
1200 S. Averill Ave.  
Flint MI 48503  
Phone: 810-744-0295  
Fax: 855-629-4643  
www.flint.knapheide.com

## QUOTATION

Quote ID: KD00002163

Page 2 of 3

QTY	PART NUMBER	DESCRIPTION		AMOUNT
		WEATHER DOUBLE-SPRING OVER-CENTER DOOR RETAINER ELIMINATES INVOLUNTARY DOOR SWING ALL LED CLEARANCE AND MARKER LIGHTS MEET FMVSS 108 REQUIREMENTS OPTIONAL DRIVER SIDE FUEL FILL CUP ELECTRODEPOSITION PRIME PAINT		
1	MTG KIT PLB 9-11	PLATFORM BODY MOUNTING KIT - 7-18' BODIES: INCLUDES U-BOLTS, SHEAR PLATES, MUD FLAPS, HANGER BRACKETS.		
9	BCCC RED MAT	BASE/CLEAR FLAME RED PR4		
Quote Total:				\$14,364.71
Sales Tax not included				

### The following options may be added:

QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	AMOUNT

### Notes:

This Quote is subject to the following terms and conditions:

#### Credit Card Policy

We do not accept credit cards for payment of any order in excess of \$10,000.00. For other orders, we do accept MasterCard, American Express, Visa and Discover cards for payment.

#### Pricing Policy

- Price Quotation is good on orders received through the expiration date.
- Pricing quoted applies to chassis make/model originally provided and quantity quoted. Any change may result in price change.
- Orders are subject to all applicable state, local and federal excise taxes. Applicable taxes will be applied on final billing to customer upon completion of order.

#### Payment Policy

- Payment Terms are due upon receipt of signed quote unless prior credit agreement has been established at the time of order.
- Payment terms for customers with an established credit account will be Net 30 from date of invoice.
- Knapheide has right to assess late charges at 1.5% per month on all invoices that are 60 days or more past due.

#### Return Policy

- All sales are final. Purchased parts or products are non returnable.

#### Cancellation Policy

- Payment is due in full upon cancellation of any orders for non-stocked parts or products (provided part/product has been ordered by Knapheide) and upon cancellation of installation orders, once product installation has begun.

Customer agrees and understands this Quote is an offer to sell subject to the terms and conditions above and any additional terms or modifications are hereby objected to, unless mutually agreed upon in writing by Customer and Knapheide. The undersigned represents and warrants that he/she is duly authorized to sign below on behalf of Customer and thereby accepts offer and Knapheide will begin processing the order.

Customer must fill out the information below before the order can be processed...

Signature & Printed Accepted by:	
Date:	



Knapheide Truck Equipment - Flint  
1200 S. Averill Ave.  
Flint MI 48503  
Phone: 810-744-0295  
Fax: 855-629-4643  
[www.flint.knapheide.com](http://www.flint.knapheide.com)

## QUOTATION

Quote ID: KD00002163

Page 3 of 3

P.O. number:	
--------------	--

# 2020 RAM 5500 TRADESMAN CHASSIS CREW CAB 4X4 60" CA



# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp, Supervisor  
**CC:** None  
**Date:** 4.24.2021  
**Re:** First Right of Refusal - Cell Tower Leases - 2021 Update

---

All –

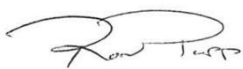
Earlier this year the Board reviewed and turned down three offers to sell or modify the existing cell phone tower leases held by the Township. The offering parties were advised of the Board's decision to remain with the existing leases without modification of any kind.

About a month later, MD7 representing American Tower, the Township's lessee, reached out with a very different request. Some of American Tower leases, have been sold by the land holder to other operators without prior notification to American Tower. Once the new operator takes over the site, American Tower is faced with a few undesirable decisions. In this offer, American Tower is asking for a "limited first right of refusal" on future sale of the land or lease contemplated by the Township. In consideration, the Township will be compensated a one-time \$5,000.00 amount for each lease. Expenses to make the lease agreement modifications would be the Township's responsibility and are more than offset by the offer.

Dawn Christmore of MD7 has provided sample verbiage for review, modification, or approval and follows this page. An image of an existing lease and an amendment to that lease are included to help locate the proposed verbiage. Paragraph 13 could be used as a reasonable location within the lease agreement.

A proposed motion may look like: Motion to accept LIMITED FIRST RIGHT of REFUSAL clause offer, and language, as submitted, and to amend paragraph 13 of the existing lease agreement as such.

Thank you.



Ron Popp

Supervisor, Whitewater Township

**From:** Dawn Christmore <dachristmore@md7.com>  
**Sent:** Monday, April 5, 2021 2:19 PM  
**To:** supervisor@whitewatertownship.org  
**Subject:** ATC - Site ID: 414726 - Circle Hill Cemetery Mi

Hi Rob,

Thanks for talking my call today. Here's the offer for the township to consider:

- ONE TIME PAYMENT: \$5,000
- RENT: NO CHANGE
- ESCALATION: NO CHANGE
- LANGUAGE: Add Right of First Refusal language which would allow American Tower to have a right to match an offer received from a third party buyout company if you decide to sell the lease

**Limited Right of First Refusal.** Notwithstanding anything to the contrary contained herein, this paragraph shall not apply to any fee simple sale of the Parent Parcel from Landlord to any prospective purchaser that is not a Third Party Competitor. If Landlord receives an offer or desires to offer to: (i) sell or convey any interest (including, but not limited to, leaseholds or easements) in any real property of which the Leased Premises is a part to a Third Party Competitor or (ii) assign all or any portion of Landlord's interest in the Lease to a Third Party Competitor (any such offer, the "***Offer***"), Tenant shall have the right of first refusal to purchase the real property or other interest being offered by Landlord in connection with the Offer on the same terms and conditions. If Tenant elects, in its sole and absolute discretion, to exercise its right of first refusal as provided herein, Tenant must provide Landlord with notice of its election not later than forty-five (45) days after Tenant receives written notice from Landlord of the Offer. If Tenant elects not to exercise Tenant's right of first refusal with respect to an Offer as provided herein, Landlord may complete the transaction contemplated in the Offer with the Third Party Competitor on the stated terms and price but with the express condition that such sale is made subject to the terms of the Lease, as modified by this Amendment. Landlord hereby acknowledges and agrees that any sale or conveyance by Landlord in violation of this Section is and shall be deemed to be null and void and of no force and effect. The terms, provisions, and conditions of this Section shall survive the execution and delivery of this Amendment.

Let me know your thoughts,  
Dawn

---

**Dawn Christmore**  
Lease Consultant



10590 W. Ocean Air Drive, Suite 300  
San Diego, CA 92130  
D (858) 964-7458  
dachristmore@md7.com

## LAND LEASE AGREEMENT

This Agreement, made this 24<sup>th</sup> day of July, 2006 between WHITEWATER TOWNSHIP, a Michigan municipal corporation, with its mailing address located at P.O. Box 159, Williamsburg, Michigan 49690, Federal Employer Identification Number 38-2043508, hereinafter designated LESSOR, and NEW PAR, a Delaware partnership, d/b/a Verizon Wireless, with its principal office located at 180 Washington Valley Road, Bedminster, New Jersey 07921, hereinafter designated LESSEE. The LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party."

1. PREMISES. LESSOR hereby leases to LESSEE a portion of that certain parcel of property (the entirety of LESSOR's property is referred to hereinafter as the "Property"), located at 8380 Old M-72, Whitewater Township, Grand Traverse County, Michigan, and being further described in Exhibit "A" attached hereto, such portion of the Property being described as a fifty (50) foot by fifty (50) foot parcel containing two thousand five hundred (2,500) square feet, together with the non-exclusive right for ingress and egress, seven (7) days a week twenty-four (24) hours a day, on foot or motor vehicle, including trucks, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along a right-of-way extending from the nearest public right-of-way, Old M-72, to the demised premises (the "Right-of-Way"), said demised premises and Right-of-Way for access being substantially as described herein in Exhibit "B" attached hereto and made a part hereof (the "Premises"). The Right-of-Way shall expire and be of no further force or effect upon the expiration or earlier termination of this Agreement. LESSEE, during the term of the Lease, shall be solely responsible for maintaining any portion of the Right-of-Way which is constructed by LESSEE solely for access to the Premises, including snow removal as necessary for LESSEE's use.

In the event any public utility is unable to use the aforementioned right-of-way, the LESSOR hereby agrees to grant an additional right-of-way either to the LESSEE or to the public utility at no cost to the LESSEE.

The tower to be constructed on the Premises by LESSEE shall be capable of accommodating up to four (4) other wireless communication carriers. The tower will be available for such collocation provided that any wireless communication carrier seeking collocation on the tower agrees to occupy the tower and applicable ground space in accordance with terms and conditions acceptable to Verizon Wireless.

2. SURVEY. LESSOR has granted to LESSEE the right to survey the Property and the Premises, and said survey is set forth in Exhibit "C" attached hereto and made a part hereof, and controls in the event of boundary and access discrepancies between it and Exhibit "A" or Exhibit "B." Cost for such work shall be borne by the LESSEE. The type and size of tower installed on the Premises shall be as set forth in Exhibit "C" unless agreed otherwise between the Parties at a later date.

## FIRST AMENDMENT TO LAND LEASE AGREEMENT

THIS FIRST AMENDMENT TO LAND LEASE AGREEMENT ("Amendment"), made this 28 day of September, 2009, by and between **WHITEWATER TOWNSHIP**, a Michigan municipal corporation, with its mailing address located at P.O. Box 159, Williamsburg, Michigan 49690 ("LESSOR"), and **NEW PAR**, a Delaware partnership, d/b/a Verizon Wireless, with its principal offices at One Verizon Way, Basking Ridge, New Jersey 07920 ("LESSEE"). The LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party."

### RECITALS:

WHEREAS, LESSOR and LESSEE entered into a certain Land Lease Agreement dated July 24, 2006 (the "Agreement") for a portion of the premises located at 9500 Park Road, Williamsburg, Michigan; and

WHEREAS, LESSOR and LESSEE wish to make certain modifications to the Agreement; and

NOW, THEREFORE, in consideration of the promises hereinafter made and other good and valuable consideration, it is hereby agreed as follows:

1. Exhibit "B" to the Agreement is hereby deleted and replaced with Exhibit "B" as attached to this Amendment.
2. Exhibit "C" to the Agreement is hereby deleted and replaced with Exhibit "C" as attached to this Amendment.
3. The provisions of this Amendment shall be binding upon and inure to the benefit of the Parties, and their respective successors and assigns.
4. In the event of any inconsistencies or contradictions between this Amendment and the Agreement, the provisions of this Amendment shall prevail. Except as modified herein, all other terms and conditions of the Agreement remain in full force and effect.

(Signature pages follow)

IN WITNESS WHEREOF, the undersigned representatives of the Parties, warranting that each is fully authorized and empowered to do so, hereby execute these presents intending to bind their respective principals thereby.

**LESSOR:**

WHITEWATER TOWNSHIP, a Michigan  
municipal corporation

By: Larry R. Lake  
Name: LARRY R LAKE  
Its: Supervisor

Date: September 28, 2009

By: Carol Hockin  
Name: Carol Hockin  
Its: Clerk

Date: September 28, 2009

STATE OF MICHIGAN                    )  
  ) ss  
COUNTY OF GRAND TRAVERSE)

The foregoing instrument was acknowledged before me this 28 day of  
September, 2009, by Whitewater Township, a Michigan municipal corporation.

^  
LARRY R. LAKE, Supervisor

William F. Derman Jr.  
Print Name: WILLIAM F. DERMAN JR.  
Notary Public, Grand Traverse County, Michigan  
Acting in Grand Traverse County  
My Commission Expires: September 27, 2012

STATE OF MICHIGAN                    )  
  ) ss  
COUNTY OF GRAND TRAVERSE)

The foregoing instrument was acknowledged before me this 28 day of  
September, 2009, by Whitewater Township, a Michigan municipal corporation.

^  
CAROL HOCKIN, Clerk

William F. Derman Jr.  
Print Name: WILLIAM F. DERMAN JR.  
Notary Public, Grand Traverse County, Michigan  
Acting in Grand Traverse County  
My Commission Expires: September 27, 2012

**LESSEE:**

**NEW PAR**, a Delaware partnership, d/b/a/  
Verizon Wireless

By: Verizon Wireless (VAW) LLC, a  
Delaware limited liability company,  
its General Partner

By: Beth Ann Drohan  
Name: Beth Ann Drohan  
Its: Area Vice President Network

Dated: 9/17/09

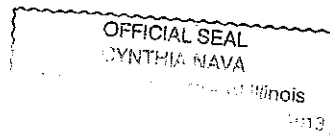
STATE OF ILLINOIS                    )  
  ) ss  
COUNTY OF COOK                    )

**ACKNOWLEDGMENT**

I, Cynthia Nava, a Notary Public for said County and State, do hereby certify that Beth Ann Drohan personally came before me this day and acknowledged that she is the Area Vice President Network of Verizon Wireless (VAW) LLC, the general partner of New Par, a Delaware partnership, d/b/a Verizon Wireless, and that she, as Area Vice President Network, being authorized to do so, executed the foregoing First Amendment to Land Lease Agreement on behalf of Verizon Wireless (VAW) LLC, as general partner of New Par d/b/a Verizon Wireless.

WITNESS my hand and official Notarial Seal, this 17th day of Sept.,  
2009

[Signature]  
Notary Public, Cook County, Illinois  
Acting in Cook County, Illinois  
My Commission Expires: \_\_\_\_\_



## **EXHIBIT "B"**

### **(Legal Description of the Premises)**

A parcel of land in Whitewater Township, Grand Traverse County, Michigan described as follows:

Commencing at the Northwest Corner of Section 22, T28N, R9W, Whitewater Township, Grand Traverse County, Michigan, said Corner being S 89°11'33" E 2619.31 feet along the north line of Section 21, T28N, R9W (also being the centerline of Park Road, 66 feet wide) from the North 1/4 Corner of said Section 21; thence continuing S 89°11'33" E 235.00 feet; thence S 00°48'27" W 123.00 feet to the POINT OF BEGINNING: thence S 89°11'33" E 15.00 feet; thence S 00°48'27" W 100.00 feet; thence N 89°11'33" W 100.00 feet; thence N 00°48'27" E 100.00 feet; thence S 89°11'33" E 85.00 feet to the POINT OF BEGINNING; being a part of the N.W. 1/4 of Section 22, T28N, R9W, Whitewater Township, Grand Traverse County, Michigan; containing 10,000 sq. ft. or 0.230 acres, more or less; and subject to easement and restrictions of record, if any;

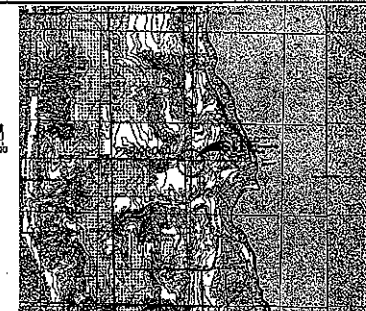
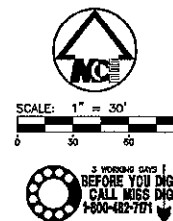
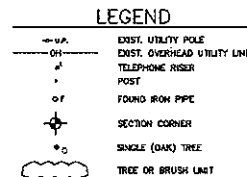
Together with a 30 foot wide easement for ingress/egress and public utilities the centerline of which is described as follows:

Commencing at the Northwest Corner of Section 22, T28N, R9W, Whitewater Township, Grand Traverse County, Michigan, said Corner being S 89°11'33" E 2619.31 feet along the north line of Section 21, T28N, R9W (also being the centerline of Park Road, 66 feet wide) from the North 1/4 Corner of said Section 21 for the POINT OF BEGINNING: thence continuing S 89°11'33" E 235.00 feet; thence S 00°48'27" W 123.00 feet to the POINT OF ENDING; being a part of the N.W. 1/4 of Section 22, T28N, R9W, Whitewater Township, Grand Traverse County, Michigan; excepting any part taken, deeded or used for public road purposes; and subject to easements and restrictions of record, if any.

**EXHIBIT "C"**

Survey

(See attached)



**VICINITY SKETCH**

SCALE: 1"=2000'

**LOCATION**

LONGITUDE 85° 23' 38.0"

LATITUDE 44° 48' 57.3"

GROUND ELEV. @ TOWER BASE = 555.00

**LEGAL DESCRIPTION OF LEASED PARCEL**  
(Lessee)

Commencing at the Northwest Corner of Section 22, T28N, R9W, Whitewater Township, Grand Traverse County, Michigan, and Corner being S 89°11'33" E 2819.31 feet along the north line of Section 21, T28N, R9W (also being the centerline of Park Road, 66 feet wide) from the North 1/4 Corner of said Section 21; thence continuing S 89°11'33" E 235.00 feet; thence S 00°48'27" W 123.00 feet to the POINT OF BEGINNING;

thence S 89°11'33" E 15.00 feet;  
thence S 00°48'27" W 100.00 feet;  
thence N 89°11'33" W 100.00 feet;  
thence N 00°48'27" E 100.00 feet;  
thence S 89°11'33" E 85.00 feet to the POINT OF BEGINNING; being a part of the N.W. 1/4 of Section 22, T28N, R9W, Whitewater Township, Grand Traverse County, Michigan; containing 10.00 ac. R. or 0.230 acres, more or less; and subject to assessments and restrictions of record, if any;

Together with a 30 foot wide easement for ingress/egress and public utilities the centerline of which is described as follows:

Commencing at the Northwest Corner of Section 22, T28N, R9W, Whitewater Township, Grand Traverse County, Michigan, and Corner being S 89°11'33" E 2819.31 feet along the north line of Section 21, T28N, R9W (also being the centerline of Park Road, 66 feet wide) from the North 1/4 Corner of said Section 21 for the POINT OF BEGINNING;

thence continuing S 89°11'33" E 235.00 feet;  
thence S 00°48'27" W 123.00 feet to the POINT OF ENDING; being a part of the N.W. 1/4 of Section 22, T28N, R9W, Whitewater Township, Grand Traverse County, Michigan; excepting any part taken, divided or used for public road purposes; and subject to assessments and restrictions of record, if any.

**LEGAL DESCRIPTION OF OVERALL PARCEL**

(Taken from Title Commitment)

Land situated in the Township of Whitewater, County of Grand Traverse, State of Michigan described as follows:

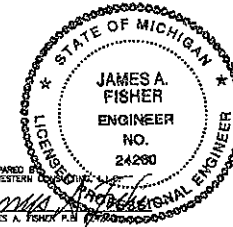
The Southeast 1/4 of the Northwest 1/4 of Section 15 and the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 22, all in Township 28 North, Range 9 West, and Lot number 4, Section 15, and the North 21.41 acres of Lot number 1, Section 22, all in Township 28 North, Range 9 West.

**PROPERTY INFORMATION**

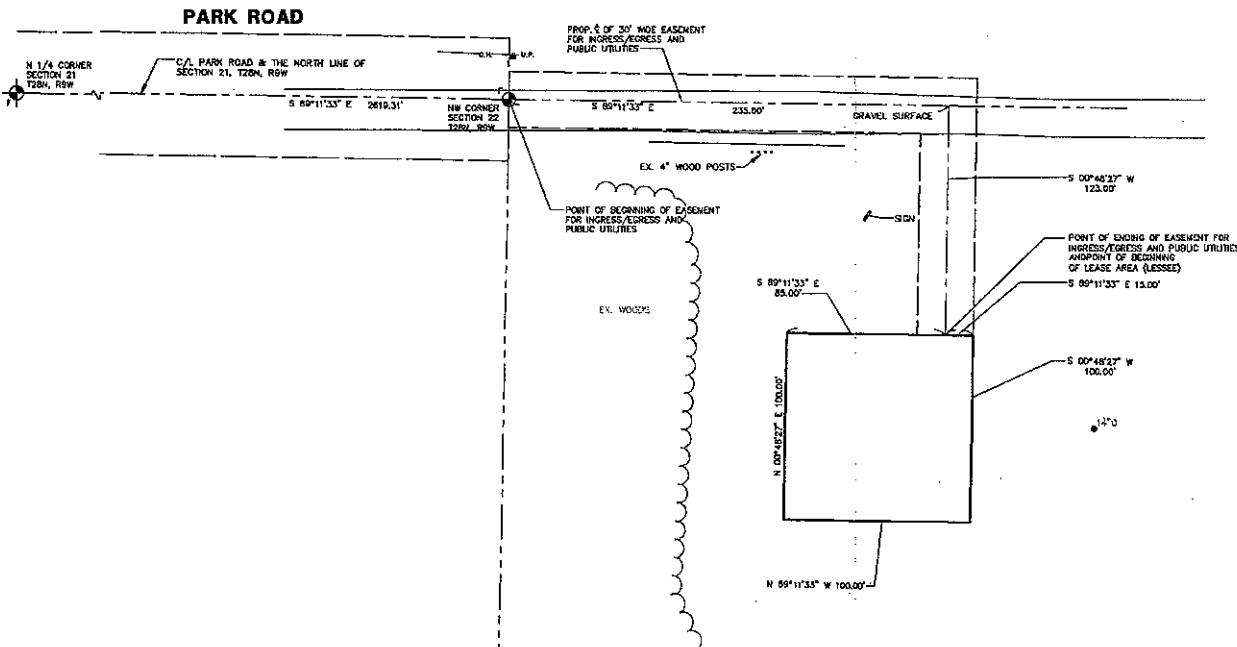
TAX PARCEL: #28-13-115-001-00

OWNER: WHITEWATER TOWNSHIP  
P.O. BOX 159  
WILLIAMSBURG, MICHIGAN 49690

PROPERTY ADDRESS:  
9500 PARK ROAD  
WILLIAMSBURG, MICHIGAN 49690



PREPARED BY  
MIDWESTERN CONSULTING, LLC  
JAMES A. FISHER, P.E.



<b>MIDWESTERN CONSULTING</b> CIVIL, ENVIRONMENTAL AND 3D/5D DESIGN 2525 INFORMATION HIGHWAY ANN ARBOR, MI 48106 PHONE: (248) 815-3000 FAX: (248) 815-3000	
APPLICANT/LESSEE: NEW P&S A JOINT VENTURE PARTNERSHIP 2525 INFORMATION HIGHWAY ANN ARBOR, MI 48106 PHONE: (248) 815-3000	COMMUNICATION SITE WHITEWATER TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN LEASE EXHIBIT
SITE # 3084	
<b>1</b>	
JOB NO. 05268-3084 DATE 8/12/2009 SHEET 1 OF 1 DRAWN BY JAF CHECKED BY JAF TITLE SITE PLAN PROJECT WHITEWATER TOWNSHIP CLIENT WHITEWATER TOWNSHIP	SCALE 1"=2000' DATE 8/12/2009 SHEET 1 OF 1 DRAWN BY JAF CHECKED BY JAF TITLE SITE PLAN PROJECT WHITEWATER TOWNSHIP CLIENT WHITEWATER TOWNSHIP

3. TERM. This Agreement shall be effective as of the date of execution by both Parties, provided, however, the initial term shall be for one (1) year and shall commence on the Commencement Date (as hereinafter defined) at which time rental payments will be due at an annual rental of Fourteen Thousand Four Hundred Dollars (\$14,400.00) to be paid in equal monthly installments on the first (1<sup>st</sup>) day of the month, in advance, to LESSOR, or to such other person, firm or place as the LESSOR may, from time to time, designate in writing at least thirty (30) days in advance of any rental payment date. The Commencement Date is defined as the first (1st) day of the month following the date LESSEE commences construction at the Premises.

4. EXTENSIONS. This Agreement shall automatically be extended for thirty-four (34) additional one (1) year terms unless the LESSEE terminates it at the end of the then current term by giving the LESSOR written notice of the intent to terminate at least six (6) months prior to the end of the then current term.

5. EXTENSION RENTALS. The annual rental during the extension terms shall be increased by three percent (3%) over the annual rental payable with respect to the immediately preceding year as set forth in Exhibit "D."

6. INTENTIONALLY OMITTED.

7. USE; GOVERNMENTAL APPROVALS. LESSEE shall use the Premises for the purpose of constructing, maintaining and operating a communications facilities and uses incidental and all necessary appurtenances. A security fence consisting of chain link construction or similar but comparable construction may be placed around the perimeter of the Premises at the discretion of LESSEE (not including the access easement). All improvements shall be at LESSEE's expense and the installation of all improvements shall be at the discretion and option of the LESSEE. LESSEE shall have the right to replace, repair, add or otherwise modify its equipment or any portion thereof, whether the equipment is specified or not on any exhibit attached hereto, during the term of this Agreement. LESSEE will maintain the Premises in a good condition reasonable wear and tear excepted. LESSOR will maintain the Property, excluding the Premises, in good condition, reasonable wear and tear excepted. It is understood and agreed that LESSEE's ability to use the Premises is contingent upon its obtaining after the execution date of this Agreement all of the certificates, permits and other approvals (collectively the "Governmental Approvals") that may be required by any Federal, State or Local authorities as well as satisfactory soil boring tests which will permit LESSEE use of the Premises as set forth above. LESSOR shall cooperate with LESSEE in its effort to obtain such approvals and shall take no action which would adversely affect the status of the Property with respect to the proposed use by LESSEE. In the event that any of such applications for such Governmental Approvals should be finally rejected or any Governmental Approval issued to LESSEE is canceled, expires, lapses, or is otherwise withdrawn or terminated by governmental authority or soil boring tests are found to be unsatisfactory so that LESSEE in its sole discretion will be unable to use the Premises for its intended purposes or the LESSEE determines that the Premises is no longer technically compatible for its intended use, LESSEE shall have the right to terminate this Agreement. Notice of the LESSEE's exercise of its right to terminate shall be given to

LESSOR in writing by certified mail, return receipt requested, and shall be effective upon the mailing of such notice by the LESSEE. All rentals paid to said termination date shall be retained by the LESSOR. Upon such termination, this Agreement shall be of no further force or effect except to the extent of the representations, warranties and indemnities made by each Party to the other hereunder. Otherwise, all the Parties shall have no further obligations, including the payment of money to each other, except as otherwise specifically set forth herein.

8. INDEMNIFICATION. Subject to Paragraph 9 below, each Party shall indemnify and hold the other harmless against any claim of liability or loss from personal injury or property damage resulting from or arising out of the use and occupancy of the Premises or the Property by the Party, its servants or agents, excepting, however, such claims or damages as may be due to or caused by the acts or omissions of the other Party, or its servants or agents.

9. INSURANCE.

a. The Parties hereby waive and release any and all rights of action for negligence against the other which may hereafter arise on account of damage to the Premises or to the Property, resulting from any fire, or other casualty of the kind covered by standard fire insurance policies with extended coverage, regardless of whether or not, or in what amounts, such insurance is now or hereafter carried by the Parties, or either of them. These waivers and releases shall apply between the Parties and they shall also apply to any claims under or through either Party as a result of any asserted right of subrogation. All such policies of insurance obtained by either party concerning the Premises or the Property shall waive the insurer's right of subrogation against the other Party.

b. LESSOR agrees that at its own cost and expense, it will maintain commercial general liability insurance with limits not less than One Million Dollars (\$1,000,000.00) for injury to or death of one or more persons in any one occurrence and Five Hundred Thousand Dollars (\$500,000.00) for damage or destruction to property in any one occurrence. LESSEE agrees that at its own cost and expense, it will maintain commercial general liability insurance with limits not less than Two Million Dollars (\$2,000,000.00) for injury to or death of one or more persons in any one occurrence and One Million Dollars (\$1,000,000.00) for damage or destruction to property in any one occurrence or Three Million Dollars (\$3,000,000.00) combined single limit coverage for bodily injury and property damage. LESSEE agrees that it will include LESSOR as an additional insured.

10. ANNUAL TERMINATION. Notwithstanding anything to the contrary contained herein, and provided LESSEE is not in default hereunder and shall have paid all rents and sums due and payable to the LESSOR by LESSEE, LESSEE shall have the right to terminate this Agreement upon the annual anniversary of this Agreement provided that three (3) months prior notice is given the LESSOR.

11. INTERFERENCE. LESSOR agrees that LESSOR and/or any other tenants of the Property who currently have or in the future take possession of the Property will be permitted to install only such radio equipment that is of the type and frequency which will not cause measurable interference to the existing equipment of the LESSEE. The Parties acknowledge that there will not be an adequate remedy at law for non-compliance with the provisions of this paragraph and therefore, LESSEE shall have the right to equitable remedies, such as, without limitation, injunctive relief and specific performance.

12. REMOVAL UPON TERMINATION. LESSEE, upon termination of the Agreement, shall, within ninety (90) days, remove its building(s), antenna structure(s) (except footings), fixtures and all personal property and otherwise restore the Premises to its original condition, reasonable wear and tear and casualty excepted. LESSOR agrees and acknowledges that all of the equipment, fixtures and personal property of the LESSEE shall remain the personal property of the LESSEE and the LESSEE shall have the right to remove the same, whether or not said items are considered fixtures and attachments to real property under applicable law. If such time for removal causes LESSEE to remain on the Premises after termination of this Agreement, LESSEE shall pay rent at the then existing monthly rate or on the existing monthly pro-rata basis if based upon a longer payment term, until such time as the removal of the building, antenna structure, fixtures and all personal property are completed.

13. INTENTIONALLY OMITTED.

14. RIGHTS UPON SALE. Should the LESSOR, at any time during the term of this Agreement, decide to sell all or any part of the Property to a purchaser other than LESSEE, such sale shall be under and subject to this Agreement and LESSEE's rights hereunder, and any sale by the LESSOR of the portion of this Property underlying the right-of-way herein granted shall be under and subject to the right of the LESSEE in and to such right-of-way.

15. QUIET ENJOYMENT. LESSOR covenants that LESSEE, on paying the rent and performing the covenants shall peaceably and quietly have, hold and enjoy the Premises.

16. TITLE. LESSOR covenants that LESSOR is seized of good and sufficient title and interest to the Property and has full authority to enter into and execute this Agreement. LESSOR further covenants that there are no other liens, judgments or impediments of title on the Property or affecting LESSOR's title to the same and that there are no covenants, easements or restrictions which prevent the use of the Premises by the LESSEE as set forth above.

17. INTEGRATION. It is agreed and understood that this Agreement contains all agreements, promises and understandings between the LESSOR and LESSEE and that no verbal or oral agreements, promises or understandings shall be binding upon either the LESSOR or LESSEE in any dispute, controversy or proceeding at law, and any addition, variation or modification to this Agreement shall be void and

ineffective unless made in writing and signed by the Parties. In the event any provision of the Agreement is found to be invalid or unenforceable, such finding shall not effect the validity and enforceability of the remaining provisions of this Agreement. The failure of either Party to insist upon strict performance of any of the terms or conditions of this Agreement or to exercise any of its rights under the Agreement shall not waive such rights and such Party shall have the right to enforce such rights at any time and take such action as may be lawful and authorized under this Agreement, either in law or in equity.

18. GOVERNING LAW. This Agreement and the performance thereof shall be governed, interpreted, construed, and regulated by the laws of the State in which the Property is located.

19. ASSIGNMENT. This Agreement may be sold, assigned or transferred by the LESSEE without any approval or consent of the LESSOR to the LESSEE's principal, affiliates, subsidiaries of its principal; to any entity which acquires all or substantially all of LESSEE's assets in the market defined by the Federal Communications Commission in which the Property is located by reason of a merger, acquisition or other business reorganization; or to any entity which acquires or receives an interest in the majority of communication towers of the LESSEE in the market defined by the Federal Communications Commission in which the Property is located. As to other parties, this Agreement may not be sold, assigned or transferred without the written consent of the LESSOR, which such consent will not be unreasonably withheld or delayed. LESSEE may sublet the Premises within its sole discretion, upon notice to LESSOR. Any sublease that is entered into by LESSEE shall be subject to the provisions of this Agreement and shall be binding upon the successors, assigns, heirs and legal representatives of the respective Parties hereto.

20. NOTICES. All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

LESSOR:      Whitewater Township  
                 P.O. Box 159  
                 Williamsburg, Michigan 49690  
                 Attention: Township Clerk

LESSEE:      New Par  
                 d/b/a Verizon Wireless  
                 180 Washington Valley Road  
                 Bedminster, New Jersey 07921  
                 Attention: Network Real Estate

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

21. SUCCESSORS. This Agreement shall extend to and bind the heirs, personal representatives, successors and assigns of the Parties hereto.

22. SUBORDINATION AND NON-DISTURBANCE. At LESSOR's option, this Agreement shall be subordinate to any mortgage or other security interest by LESSOR which from time to time may encumber all or part of the Property or right-of-way; provided, however, every such mortgage or other security interest shall recognize the validity of this Agreement in the event of a foreclosure of LESSOR's interest and also LESSEE's right to remain in occupancy of and have access to the Premises as long as LESSEE is not in default of this Agreement. LESSEE shall execute whatever instruments may reasonably be required to evidence this subordination clause. In the event the Property is encumbered by a mortgage or other security interest, the LESSOR immediately after this Agreement is executed, will obtain and furnish to LESSEE, a non-disturbance agreement for each such mortgage or other security interest in recordable form. In the event the LESSOR defaults in the payment and/or other performance of any mortgage or other security interest encumbering the Property, LESSEE, may, at its sole option and without obligation, cure or correct LESSOR's default and upon doing so, LESSEE shall be subrogated to any and all rights, titles, liens and equities of the holders of such mortgage or security interest and the LESSEE shall be entitled to deduct and setoff against all rents that may otherwise become due under this Agreement the sums paid by LESSEE to cure or correct such defaults.

23. RECORDING. LESSOR agrees to execute a Memorandum of this Lease Agreement which LESSEE may record with the appropriate Recording Officer. The date set forth in the Memorandum of Lease is for recording purposes only and bears no reference to commencement of either term or rent payments.

24. DEFAULT. In the event there is a default by the LESSEE with respect to any of the provisions of this Agreement or its obligations under it, including the payment of rent, the LESSOR shall give LESSEE written notice of such default. After receipt of such written notice, the LESSEE shall have fifteen (15) days in which to cure any monetary default and thirty (30) days in which to cure any non-monetary default, provided the LESSEE shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and the LESSEE commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion. The LESSOR may not maintain any action or effect any remedies for default against the LESSEE unless and until the LESSEE has failed to cure the same within the time periods provided in this Paragraph.

25. ENVIRONMENTAL.

a. LESSOR will be responsible for all obligations of compliance with any and all environmental and industrial hygiene laws, including any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene conditions or concerns as may now or at any time hereafter be in

effect, that are or were in any way related to activity now conducted in, on, or in any way related to the Property, unless such conditions or concerns are caused by the activities of the LESSEE.

b. LESSOR shall hold LESSEE harmless and indemnify the LESSEE from and assume all duties, responsibility and liability at LESSOR's sole cost and expense, for all duties, responsibilities, and liability (for payment of penalties, sanctions, forfeitures, losses, costs, or damages) and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding which is in any way related to: a) failure to comply with any environmental or industrial hygiene law, including without limitation any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene concerns or conditions as may now or at any time hereafter be in effect, unless such compliance results from conditions caused by the LESSEE; and b) any environmental or industrial hygiene conditions arising out of or in any way related to the condition of the Property or activities conducted thereon, unless such environmental conditions are caused by the LESSEE.

26. CASUALTY. In the event of damage by fire or other casualty to the Premises that cannot reasonably be expected to be repaired within forty-five (45) days following same or, if the Property is damaged by fire or other casualty so that such damage may reasonably be expected to disrupt LESSEE's operations at the Premises for more than forty-five (45) days, then LESSEE may at any time following such fire or other casualty, provided LESSOR has not completed the restoration required to permit LESSEE to resume its operation at the Premises, terminate this Agreement upon fifteen (15) days written notice to LESSOR. Any such notice of termination shall cause this Agreement to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Agreement and the Parties shall make an appropriate adjustment, as of such termination date, with respect to payments due to the other under this Lease. Notwithstanding the foregoing, all rental shall abate during the period of repair following such fire or other casualty.

27. CONDEMNATION. In the event of any condemnation of the Property, LESSEE may terminate this Agreement upon fifteen (15) days written notice to LESSOR if such condemnation may reasonably be expected to disrupt LESSEE's operations at the Premises for more than forty-five (45) days. LESSEE may on its own behalf make a claim in any condemnation proceeding involving the Premises for losses related to the antennas, equipment, its relocation costs and its damages and losses (but not for the loss of its leasehold interest). Any such notice of termination shall cause this Agreement to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Agreement and the Parties shall make an appropriate adjustment as of such termination date with respect to payments due to the other under this Lease.

28. SUBMISSION OF LEASE. The submission of this Agreement for examination does not constitute an offer to lease the Premises and this Agreement

becomes effective only upon the full execution of this Agreement by the Parties. If any provision herein is invalid, it shall be considered deleted from this Agreement and shall not invalidate the remaining provisions of this Lease. Each of the Parties hereto warrants to the other that the person or persons executing this Agreement on behalf of such Party has the full right, power and authority to enter into and execute this Agreement on such Party's behalf and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Lease.

29. APPLICABLE LAWS. LESSEE shall use the Premises as may be required or as permitted by applicable laws, rules and regulations. LESSOR agrees to keep the Property in conformance with all applicable, laws, rules and regulations and agrees to reasonably cooperate with the LESSEE regarding any compliance required by the LESSEE in respect to its use of the Premises.

30. SURVIVAL. The provisions of the Agreement relating to indemnification from one Party to the other Party shall survive any termination or expiration of this Agreement. Additionally, any provisions of this Agreement which require performance subsequent to the termination or expiration of this Agreement shall also survive such termination or expiration.

31. CAPTIONS. The captions contained in this Agreement are inserted for convenience only and are not intended to be part of the Agreement. They shall not affect or be utilized in the construction or interpretation of the Agreement.

(Signature page follows)

IN WITNESS WHEREOF, the Parties hereto have set their hands and affixed their respective seals the day and year first above written.

WITNESSES:

LESSOR:

WHITEWATER TOWNSHIP, a Michigan municipal corporation

William F. Deen  
Name: William F. Deen

By: Larry R. Lake  
Name: Larry R. Lake  
Its: Supervisor

Date: 6-1, 2006

William F. Deen  
Name: William F. Deen

By: Carol Hockin  
Name: Carol Hockin  
Its: Clerk

Date: 06-01, 2006

LESSEE:

NEW PAR, a Delaware partnership, d/b/a Verizon Wireless

By: Verizon Wireless (VAW) LLC, a Delaware limited liability company, its general partner

Nancy Fulk  
Name: NANCY FULKS

By: H H Bower  
Name: Howard H. Bower  
Its: Midwest Area Vice President - Network

Date: 7/24, 2006

## EXHIBIT A

### Legal Description of the Property

A parcel of land in Whitewater Township, Grand Traverse County, Michigan described as follows:

That part of the Northeast 1/4 of the Northwest 1/4 of Section 4, Town 27 North, Range 9 West, described as: Commencing at the North 1/4 Post; thence West 709 feet to the Point of Beginning; thence West 100 feet; thence South to the Pere Marquette Railroad right-of-way; thence Easterly along the Northerly boundary of said right-of-way to a point South of the Point of Beginning; thence North 198 feet more or less to the Point of Beginning; and

Beginning at a point 809 feet West of the North 1/4 Post of Section 4, Town 27 North, Range 9 West; thence South 198 feet more or less to the Pere Marquette Railroad right-of-way; thence West and Northerly along said right-of-way to a point due South from a point due South from a point of the Section line 893 feet West of said 1/4 Post of said Section 4; thence North 173 feet more or less to a point 893 feet West of said 1/4 Post; thence East to the Point of Beginning; and

Those parts of the Northeast 1/4 of the Northwest 1/4 of Section 4, Town 27 North, Range 9 West, described as: Commencing 693 feet West of the North 1/4 Post of said Section; thence South 12 rods; thence West 16 feet; thence North 12 rods; thence East 16 feet to the Point of Beginning; and commencing 693 feet West of the North 1/4 Post of said Section; thence South 12 rods to the Point of Beginning; thence East 21 feet; thence South to the Pere Marquette right-of-way line; thence West along said line to a point due South of the Point of Beginning; thence North to the Point of Beginning.

Commonly known as: 8380 Old M-72, Williamsburg, Michigan.

Tax Parcel Identification Number: 28-13-004-058-00.

## **EXHIBIT B**

### Legal Description of the Premises

A parcel of land in Whitewater Township, Grand Traverse County, Michigan described as follows:

Commencing at the North 1/4 Corner of Section 4, T27N, R9W, Whitewater Township, Grand Traverse County, Michigan; thence S 89°11'48" W 823.00 feet along the north line of said Section 4 (also being the centerline of Old M-72 Hwy., 66 feet wide); thence S 00°48'12" E. 185.12 feet; thence N 89°11'48" E 9.00 feet to the POINT OF BEGINNING: thence N 00°48'12" W 50.00 feet; thence N 89°11'48" E 50.00 feet; thence S 00°48'12" E 50.00 feet; thence S 89°11'48" W 50.00 feet to the POINT OF BEGINNING; being a part of the N.W. 1/4 of Section 4, T27N, R9W, Whitewater Township, Grand Traverse County, Michigan, and containing 2500 sq. ft. and subject to easements and restrictions of record, if any;

Together with an 18 foot wide easement for ingress, egress and public utilities, the centerline of said easement is described as follows:

Commencing at the North 1/4 Corner of Section 4, T27N, R9W, Whitewater Township, Grand Traverse County, Michigan; thence S 89°11'48" W 823.00 feet along the north line of said Section 4 (also being the centerline of Old M-72 Hwy., 66 feet wide) to the POINT OF BEGINNING: thence S 00°48'12" E 185.12 feet to the POINT OF ENDING; being a part of the N.W. 1/4 of Section 4, T27N, R9W, Whitewater Township, Grand Traverse County, Michigan; excepting any part taken, deeded or used for public road purposes; and subject to easements and restrictions of record, if any.

## **EXHIBIT C**

### Survey

(See attached)

## EXHIBIT "D"

### Rent Increases

Lease Year	Annual Lease Amount	Monthly Lease Amount
1	\$14,400.00	\$1,200.00
2	\$14,832.00	\$1,236.00
3	\$15,276.96	\$1,273.08
4	\$15,735.27	\$1,311.27
5	\$16,207.33	\$1,350.61
6	\$16,693.55	\$1,391.13
7	\$17,194.35	\$1,432.86
8	\$17,710.18	\$1,475.85
9	\$18,241.49	\$1,520.12
10	\$18,788.73	\$1,565.73
11	\$19,352.40	\$1,612.70
12	\$19,932.97	\$1,661.08
13	\$20,530.96	\$1,710.91
14	\$21,146.89	\$1,762.24
15	\$21,781.29	\$1,815.11
16	\$22,434.73	\$1,869.56
17	\$23,107.77	\$1,925.65
18	\$23,801.01	\$1,983.42
19	\$24,515.04	\$2,042.92
20	\$25,250.49	\$2,104.21
21	\$26,008.00	\$2,167.33
22	\$26,788.24	\$2,232.35
23	\$27,591.89	\$2,299.32
24	\$28,419.65	\$2,368.30
25	\$29,272.24	\$2,439.35
26	\$30,150.40	\$2,512.53
27	\$31,054.91	\$2,587.91
28	\$31,986.56	\$2,665.55
29	\$32,946.16	\$2,745.51
30	\$33,934.54	\$2,827.88
31	\$34,952.58	\$2,912.71
32	\$36,001.16	\$3,000.10
33	\$37,081.19	\$3,090.10
34	\$38,193.63	\$3,182.80
35	\$39,339.44	\$3,278.29



## MEMO

**To:** Whitewater Township Board  
**From:** Cheryl A. Goss, Clerk  
**Date:** 05/05/2021  
**Re:** Approval of Lawn Maintenance Contractor

---

An Invitation to Bid on lawn maintenance ran in the Traverse City Record-Eagle on two consecutive Sundays in April. Two bids were received, one from Whaley's Lawn Maintenance, one from Lawn-N-Order.

Attached is a spreadsheet comparing the bid prices.

We know a lot about Ben Quast d/b/a Lawn-N-Order as he has been the township's mowing contractor for many years. His last contract was for the 2017, 2018, and 2019 seasons. There was no year-to-year price increase for 2018 and 2019. For 2020, because of COVID, we did not put out an invitation to bid. Instead, Ben agreed to do the township's mowing for the 2020 season at the same prices as the prior three years.

Some additional information on Whaley's Lawn Maintenance is that it is owned by Aaron Whaley. He said he is located in Honor, but most of his work is in Traverse City and Kingsley. He is a sole proprietor and does not have employees. He has been doing this type of work for the last three years. He said he can comply with the minimum insurance requirements for general liability and workers' compensation insurance. He understands that the mowing of all facilities will need to be done on a 1x per week basis during most of the season.

I did send Aaron the template independent contractor agreement and asked him to let me know if there are any items of concern.

An appropriate motion would be: **Motion to select \_\_\_\_\_ as the township's lawn maintenance contractor for the 2021-2022-2023 seasons, and to authorize the clerk to enter into the appropriate Independent Contractor Agreement with the selected vendor.**

###

	A	B	C
1	<b>2021 LAWN MAINTENANCE BID SUMMARY</b>		
2	<b>SERVICE TO BE PROVIDED</b>	<b>WHALEY'S LAWN MAINTENANCE</b>	<b>LAWN-N-ORDER</b>
3	Circle Hill Mowing		
4	Year 1	\$125	\$160
5	Year 2	\$125	\$170
6	Year 3	\$125	\$180
7	Circle Hill Cleanups (per cleanup)		
8	Year 1	\$400	\$600
9	Year 2	\$400	\$625
10	Year 3	\$400	\$650
11	Williamsburg Cedar Rapids Mowing		
12	Year 1	\$125	\$170
13	Year 2	\$125	\$180
14	Year 3	\$125	\$190
15	Williamsburg Cedar Rapids Cleanups (per cleanup)		
16	Year 1	\$350	\$500
17	Year 2	\$350	\$525
18	Year 3	\$350	\$550
19	Township Hall Mowing		
20	Year 1	\$40	\$50
21	Year 2	\$40	\$55
22	Year 3	\$40	\$60
23	Township Hall Cleanups (per cleanup)		
24	Year 1	\$125	\$260
25	Year 2	\$125	\$270
26	Year 3	\$125	\$280
27	Emergency Services Building Mowing		
28	Year 1	\$25	\$40
29	Year 2	\$25	\$40
30	Year 3	\$25	\$40
31	Hi Pray Park Mowing Front Ballfield		
32	Year 1	\$75	\$150
33	Year 2	\$75	\$160
34	Year 3	\$75	\$170
35	Hi Pray Park Mowing Other Areas		
36	Year 1	\$125	\$275
37	Year 2	\$125	\$300
38	Year 3	\$125	\$325

	A	B	C
39	Whitewater Township Park Common Areas/Trails		
40	Year 1	\$300	\$325
41	Year 2	\$300	\$335
42	Year 3	\$300	\$345
43	Whitewater Township Park Mowing Campground Interior		
44	Year 1	\$250	\$175
45	Year 2	\$250	\$175
46	Year 3	\$250	\$175
47	Petobego Natural Area Parking Lot		
48	Year 1	\$25	\$60
49	Year 2	\$25	\$60
50	Year 3	\$25	\$60
51	Lossie Road Nature Trail Parking Lot		
52	Year 1	\$25	\$35
53	Year 2	\$25	\$35
54	Year 3	\$25	\$35
55	Hi Pray Park Cleanups (per cleanup) (not on bid form)		
56	Year 1	\$250	
57	Year 2	(blank)	
58	Year 3	\$250	



# WHITEWATER TOWNSHIP

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

## 2021 Specifications for Lawn Maintenance and Cleanups

### **Circle Hill Cemetery — 5194 Vinton Road, Williamsburg 49690**

1. Mow every two weeks or as needed. Must be done just before Memorial Day.  
Price per mow: Year 1 125 Year 2 Same Year 3 Same
2. Spring and fall cleanups. (see requirements below)  
Price per cleanup: Year 1 400 Year 2 Same Year 3 Same

### **Williamsburg Cedar Rapids Cemetery — Old M-72, just east of Fire Station**

1. Mow every two weeks or as needed. Must be done just before Memorial Day.  
Price per mow: Year 1 125 Year 2 Same Year 3 Same
2. Spring and fall cleanups. (see requirements below)  
Price per cleanup: Year 1 350 Year 2 Same Year 3 Same

### **Township Hall — 5777 Vinton Road, Williamsburg 49690 (Irrigation present but not used)**

1. Mow as needed.  
Price per mow: Year 1 40 Year 2 Same Year 3 Same
2. Spring and fall cleanups. (see requirements below)  
Price per cleanup: Year 1 125 Year 2 Same Year 3 Same

### **Emergency Services Building — 8380 Old M-72, Williamsburg 49690**

1. Mow as needed.  
Price per mow: Year 1 25 Year 2 Same Year 3 Same

### **Hi Pray Park — 6075 Elk Lake Road, Williamsburg 49690**

1. Front ballfield (irrigated) - Mow once a week.  
Price per mow: Year 1 75 Year 2 Same Year 3 Same
2. Mow other areas as needed (small ballfield, tennis and basketball court areas, common areas)  
Price per ~~cleanup~~<sup>mow</sup>: Year 1 125 Year 2 Same Year 3 Same
3. Spring/Fall Cleanup  
Price per cleanup: Year 1 250 Year 2 Same Year 3 Same

### **Whitewater Township Park — 9500 Park Road, Williamsburg 49690**

1. Mow common areas and nature trails — once a week at beginning of season; as needed throughout season  
Price per mow: Year 1 300 Year 2 Same Year 3 Same
2. Mow grassy areas in campground interior at Parks & Recreation Administrator request.  
Price per mow: Year 1 250 Year 2 Same Year 3 Same

### **Petobego Natural Area — South side of Angell Road, 1 mile west of Elk Lake Road**

1. Mow parking lot on south side of Angell Road approximately once per month.  
Price per mow: Year 1 25 Year 2 Same Year 3 Same

(continued)

**Lossie Road Nature Trail – East side of Cook Road, 1.5 miles north of M-72**

1. Mow entrance/small parking area off Cook Road.

Price per mow: Year 1 25 Year 2 Same Year 3 Same

**SPRING AND FALL CLEANUP REQUIREMENTS:** Spring and fall cleanups of the cemeteries and township hall property should include all of the following:

1. Gathering of all leaves, sticks, pine cones, pine needles, and other natural debris, including along fence lines and around headstones.
2. Trim low-hanging branches which interfere with mowing.
3. Remove all remnants of snowplow damage to mowed areas at township hall.
4. Gather trash and place in trash containers on site. If an item is too large for the container, leave it next to the container.
5. Advise Township Clerk of damage to headstones at cemeteries.

**OTHER REQUIREMENTS:**

1. As an independent contractor, you must carry liability insurance and workers' compensation for employees and provide proof of current insurance to Township Clerk.
2. Must bid all areas, with separate quotes for each area.
3. **It is the township's intent to award a 3-year contract. Please submit bid prices for year 1, year 2, and year 3. (If the price is the same for all 3 years, please so indicate.)**

**DEADLINE FOR BIDS IS MONDAY, MAY 3, 2021.**

**PROPOSALS SHOULD BE IN AN ENVELOPE WITH YOUR NAME ON IT AND MARKED "2021 LAWN MAINTENANCE BID."**

**SEND BIDS TO TOWNSHIP CLERK CHERYL GOSS VIA:**

1. E-mail to [clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org).  
OR
2. Fax to 231-267-9020, Attention Clerk Goss  
OR
3. Leave in outside drop box marked Clerk/Notary at south entrance of township hall, 5777 Vinton Road, Williamsburg.

**If you have questions, please call Clerk Goss at 231-267-5141, ext 24.**

###

\* Proof of insurance available upon request

## Cheryl A. Goss

---

**From:** Lawn N Order Lawncare <quastben2@gmail.com>  
**Sent:** Tuesday, April 27, 2021 6:53 AM  
**To:** Cheryl A. Goss  
**Subject:** 2021 Lawn Care Bid

Lawn N Order  
12600 US 31 N lot 31  
Charlevoix Mi 49720

### Circle Hill Cemetery

#### Mowing

Year 1 \$160 Year 2 \$170 Year 3 \$180

#### Spring and Fall Clean Up

Year 1 \$600 Year 2 \$625 Year 3 \$650

### Williamsburg Cemetery

#### Mowing

Year 1 \$170 Year 2 \$180 Year 3 \$190

#### Spring and Fall Clean Up

Year 1 \$500 Year 2 \$525 Year 3 \$550

### Whitewater Twp Hall

#### Mowing

Year 1 \$50 Year 2 \$55. Year 3 \$60

#### Spring and Fall Clean Up

Year 1 \$260 Year 2 \$270 Year 3 \$280

### Emergency Services Building

Mowing ( Same all 3 years) \$40

### Hi Pray Park Ballfield

#### Mowing

Year 1 \$150 Year 2 \$160 Year 3 \$170

Hi Pray Park Common Areas

Mowing

Year 1 \$ 275 Year 2 \$ 300 Year 3 \$ \$325

Whitewater Twp Park

Mowing

Year 1 \$325 Year 2 \$335 Year 3 \$345

Campground Mowing (Same all 3 years)

\$175

Petobego (Same all 3 years) \$60

Lossie Rd (Same all 3 years) \$35

Whitewater Twp Park

Whitewater Twp Park

Whitewater Twp Park

Whitewater Twp Park

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp, Supervisor  
**CC:** None  
**Date:** 4-29-2021  
**Re:** Grand Traverse Plastics - Letter of Support

---

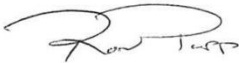
Board Members,

Over the past few week's members of Covington, LLC. Parent company to Grand Traverse Plastics (GTP) have shared a vision of expansion at their Moore Road facility with several folks at the Township Hall. While many challenges exist to the development, the availability to municipal services, especially fire protection water, remains unresolved. The Michigan Economic Development Corporation (MEDC) has invited the Township to participate in resolving this issue by submitting a Letter of Support evidencing the significant role GTP has played and will continue to play in the local community and regional economy.

Attached is a draft letter of support to the MEDC for the expansion at Grand Traverse Plastic as a whole, and confirms the Township's commitment to securing access to municipal services. The short-term option is the Tribal System if the capacity exists. An introduction of the Township and the proposed development is underway to address those questions.

Motion to approve and sign letter of support for the Grand Traverse Plastics proposed expansion as written and provided below.

Thank you for reading!



Ron Popp

Supervisor, Whitewater Township

April 16, 2021

Ms. Jessie Mitchell  
Business Development Project Manager  
Michigan Economic Development Corporation  
300 N. Washington Square  
Lansing, MI 48913

Re: Grand Traverse Plastics

Ms. Mitchell,

On behalf of the Whitewater Township Board of Trustees, thank you for reaching out with this opportunity to express our excitement and support surrounding expansion plans of Grand Traverse Plastics (GTP)! For more than 30 years, GTP and its staff have been an integral thread in the fabric of Williamsburg and the surrounding region. We look forward to working with you to enhance this treasured community asset!

If completed, the project highlights consist of \$12 million in capital investment and a possible 43 new jobs resulting in a significant positive impact on our community and region. Additionally, this proposed development supports many goals of the Township's Master Plan and provides a spring board for other municipal infrastructure improvements, safeguarding regional environmental amenities.

Further confirming our support of the proposed project, the Board of Trustees in collaboration with Grand Traverse Plastics will seek access to municipal infrastructure necessary to complete the project and benefiting area residents alike. We proudly ask for the Michigan Economic Development Corporation's support for the project too. Working together we can elevate the local, the region and the State's status in this evolving global economy.

Please feel free to contact us with comments or questions at 231.267.5141 Extension 23.

Respectfully submitted,

---

Ron Popp, Supervisor

---

Cheryl Goss, Clerk

---

Ardella Benak, Treasurer

---

Heidi Vollmuth, Trustee

---

Paul Hubbell, Trustee

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp, Supervisor  
**CC:** None  
**Date:** 4-29-2021  
**Re:** Industrial Facility Tax Program

---

Community Members,

Working with Grand Traverse Plastics (GTP) and the Michigan Economic Development Corporation has provided a glimpse into the work needed to ensure a municipality is prepared to accommodate development. The local unit of government has a large role in the process which starts with planning and has really driven home the need for an engineering/facility study similar to what has been recommended to us. Another item for the Board to consider is creating an Industrial Development District (IDD). Decision matrixes of many funding sources look for this type of Local Unit of Government involvement to maintain and attract capital investment. The goal is to create a PLACE for business and once BUSINESS has a home, TALENT will follow.

Thank you to the Northern Lakes Economic Alliance group and Harold “Buck” Love for providing the following overview of the Industrial Facility Tax Exemption Program (IFT). His group assists their members in creation of IDDs and once set up, facilitates the application and submittal process to the State of Michigan. While Whitewater Township is outside of the Alliance’s current service area, we could apply for membership with annual dues between \$500.00 and \$1,000.00 depending upon level interest and have access to their valuable support. Additional educational materials have been provided by Jessie Mitchell of the MEDC and help further explain the process.

While no application(s) to create an IDD exist today, being prepared to act on a future application is the goal of this agenda item. Board discussion?

Thank you for reading!



Ron Popp  
Supervisor, Whitewater Township

# A Short Review of Industrial Facilities Tax Abatement Process

P.A. 198 of 1974, as amended

# What is it?

- Incentive for eligible companies to renovate, expand or build new manufacturing plants.
- Tax abatement must be approved by the local unit of government by following a specific process. All cities, townships and villages can grant abatements.
- An application for the abatement is then submitted to the State Tax Commission and MEDC for their approval.

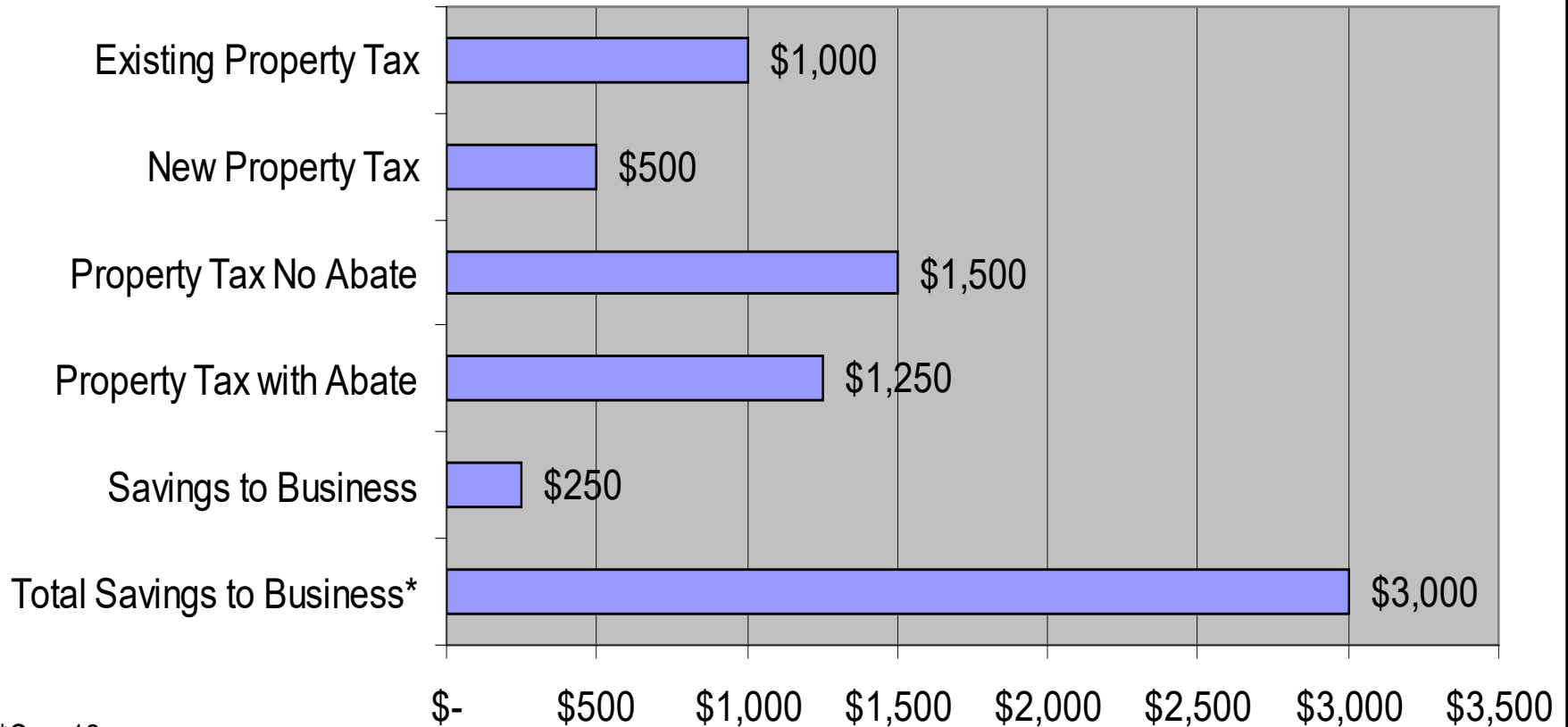
# Who can apply?

- Eligible businesses are generally only “manufacturers” – businesses that make a product by physical or chemical change.
- Also included: related facilities of Michigan manufacturers, privately held electronic generation plants (until 2007) and “high-technology” businesses as defined by the MEGA Act, and others.

# How does it work?

- Based on the value of the rehabilitation or new construction, 50% of the NEW property taxes are “abated” or waived for up to 12 years.
  - Company still pays the existing taxes plus 50% of the new taxes.
  - Real Property Tax only is included in abatement.

## Tax Abatement Example



\*Over 12 years

# What is the process?

- An eligible business files a written request with the local unit to establish an Industrial Development District (IDD).
- The local unit holds a public hearing and adopts a resolution to establish the district.
- The local unit holds a public hearing to consider the tax abatement.
- The local unit determines the length of the tax abatement and any conditions that must be met by the company. They adopt a resolution approving the tax abatement.
- An application is filed with the State Tax Commission.
- The STC and the MEDC review the application. If it complies an Industrial Facilities Exemption Certificate (IFEC) is issued.

# Why offer a tax abatement?

- To promote economic development
- To attract new businesses and target specific businesses
- To compete for jobs with other areas
- To preserve current local tax base and future tax revenue increases
- To increase revenue flow to the community, such as from salaries from the new employees
- To reward a company for being a good corporate citizen

## INDUSTRIAL PROPERTY TAX ABATEMENT (PA 198 of 1974, as amended)

Industrial property tax abatements provide incentives for eligible businesses to make new investments in Michigan. These abatements encourage Michigan manufacturers to build new plants, expand existing plants, renovate aging plants, or add new machinery and equipment. High technology operations are also eligible for the abatement.

High-technology activity is defined in the Michigan Economic Growth Authority (MEGA) Act as: advanced computing, advanced materials, biotechnology, electronic device technology, engineering or laboratory testing related to product research and development and advanced vehicles technology or technology that assists in the assessment or prevention of threats or damage to human health or the environment. Abatements under PA 198 can significantly reduce property taxes on new investment for eligible firms.

### ESTABLISHING THE DISTRICT

Tax benefits are granted by the legislative body of the city, township or village in which the investment will be located. A public hearing is held and a resolution is adopted to approve the establishment of an Industrial Development District (for a new project) or a Plant Rehabilitation District (for a rehabilitation project). A written request to establish the district must be filed with the clerk of the local unit of government prior to commencement of construction, alteration or installation of equipment.

Once the district is established, the company may apply for an abatement on real and personal property taxes for up to 12 years.

### APPLICATION PROCESS

Industrial property tax abatements must be approved at both the local and state levels. The eligible business files an application (Michigan Department of Treasury Form 1012) with the local clerk after the district has been established and no later than six months after commencement of the project. The local unit adopts a

resolution approving the application and determines the length of years for the abatement. After a local public hearing, the application is filed and reviewed by the State Tax Commission (STC) and the Michigan Economic Development Corporation<sup>SM</sup> (MEDC). The STC then grants final approval applications with required attachments must be received by the STC no later than October 31, in order to receive consideration and action by December 31.

Applications to the STC must include an agreement signed by the local unit and the operator of the facility outlining the conditions of the abatement. This shall include an affidavit that no payment of any kind in excess of the fee allowed under the act has been made or promised in exchange for favorable consideration of exemption application.

Once approved, the firm pays an Industrial Facilities Tax (IFT), instead of property tax, which reflects the abatement savings.

### ELIGIBLE FACILITIES

Industrial plants eligible for tax abatement are those that primarily manufacture or process goods or materials by physical or chemical change. Related facilities of Michigan manufacturers such as offices, engineering, research and development, warehousing or parts distribution are also eligible for exemption.

Research and development laboratories, high-tech facilities and large communication centers can qualify throughout Michigan.

Facilities used for warehousing, distribution or logistics purposes can be eligible if they locate in specific border counties. At least 90 percent of the property, excluding the surrounding green space, must be used for a warehouse, distribution, logistics or communication center and occupy a building or structure that is more than 100,000 square feet. Eligible border counties include

Berrien, Branch, Cass, Chippewa, Dickinson, Gogebic, Hillsdale, Iron, Lenawee, Menominee, Monroe, St. Clair, St. Joseph, and Wayne.

The exemption applies to buildings, building improvements, machinery, equipment, furniture and fixtures. Real and personal property are eligible whether owned or leased (provided the lessee is liable for payment of taxes on the property).

The exemption covers only the specific project that is the subject of the application. Any buildings and equipment that existed prior to construction of a new facility are not exempt. If the project is rehabilitation, the value of any pre-existing obsolete property is exempt from ad valorem property taxes, but will be used as the base for IFT. Similarly, any structures or equipment added after completion of the project are fully taxable.

## TAX IMPACT

### Real and Non-industrial

#### Personal Property IFT Treatment

The IFT on a new plant and non-industrial personal property, such as some high-tech personal property, is computed at half the local property tax mileage rate. This amounts to a reduction in property taxes of approximately 50 percent. In addition, the 6-mill SET may be abated 100 percent, 50 percent or not at all. Any SET abatement must be negotiated with the MEDC.

### Rehabilitation of Real or

#### Personal Property IFT Treatment

For an obsolete plant or machinery that is being replaced or restored, the IFT is frozen at the assessed value of the plant prior to improvement. This results in a 100 percent exemption from property tax on the value of the improvements.

### Speculative Building IFT Treatment

In order for a speculative building to qualify for abatement, the local unit must approve a resolution declaring it is a speculative building prior to identifying occupants. Initial construction and finishing costs would be eligible for a reduction in property taxes of approximately 50 percent.

### Commercial Personal Property Tax Relief

Commercial personal property will receive an automatic reduction of 12 mills for local school on their property tax bill.

### Extension Under Personal Property Tax Reform

Personal property abated under PA 198 and eligible in the future for the Personal Property Tax (PPT) exemption will automatically continue to be abated under PA 198 until that property may be claimed as exempt from the PPT in the current tax year. Businesses with IFT until the property becomes eligible for the PPT exemption.

For more information, contact the MEDC customer contact center at 517.373.9808 or visit our website at [www.michiganbusiness.org](http://www.michiganbusiness.org).

# Memo

**To:** Whitewater Township Board  
**From:** Ron Popp, Supervisor  
**CC:** None  
**Date:** 4-29-2021  
**Re:** Municode Review Chapter 30

---

Board Members,

The ordinance recodification company we hired, Municode has returned a manuscript for Township Officials to review. As part of this review, it has been recommended small non substantive amendments are needed before recodification is complete. A format review held Wednesday, April 28, 2021 revealed some chapters of the manuscript may have outdated language making a complete review imperative. With approximately 400 pages to review, this is a large task for Board Members and other involved. I recommend we seek assistance from Bob Hall and Kim Mangus as they are very familiar with the existing Zoning Ordinance and how it may relate to the various chapters of the manuscript. Attorney Chris Patterson has also offered his firm's help in the review. Normal hourly rates would apply.

I recommend we make provisions for additional compensation to Bob and Kim, if they are willing to accept the task. The contract with Certified Zoning Services, Bob Hall's contract, has a provision for the Township to purchase additional hours of services when and if needed. This maybe one of those occasions. Kim Mangus could be compensated by the hour as any W2 employee. I recommend \$25.00 per hour for her knowledge and time.

**Motion 1:** To authorize Certified Zoning Services to allocate up to 16 additional services hours or a maximum of \$450.00 for the review of the Municode Manuscript as it relates to current Ordinances.

**Motion 2:** To authorize payment to Kim Mangus for up to 16 hours of service at a rate of \$25.00 per hour to perform review services of the Municode Manuscript as it relates to current Ordinances.

Thank you for your work.



Ron Popp  
Supervisor, Whitewater Township



## WHITEWATER TOWNSHIP

# Memo

To: Board Members

From: Ardella M. Benak, Treasurer

Date: April 29, 2021

Re: Appointment of TB Member to Planning Commission and ZBA

---

The question of appointments to the Planning Commission (PC) and Zoning Board of Appeals (ZBA) have been a topic for this board from December 2020. We have put the question to our Township Attorneys and received a confidential legal opinion. Confidential simply means that I am not able to repeat verbatim the opinion given. What I can say is that they responded with what we already knew, that the Supervisor has sole nomination powers, that the Township Board then votes yes or no on his nomination. Once a nominee has been rejected, the Supervisor is to look for another candidate to be presented to the board, and I would add in a timely manner.

The following is information from the legal opinion (not quoted verbatim) on if you have to appoint a township board member (ex officio member) to either PC or ZBA.

***The appointment of members to a township planning commission is governed by the Michigan Planning Enabling Act, Act 33 of 2008, MCL 125.3801 (the "MPEA"). For townships that did not have a PC prior to September 1, 2008, they are required to have one member of the township board be appointed as an ex officio member of the PC. MCL 125.3815(5). The appointment of an ex officio member is optional for townships that had planning commissions prior to September 1, 2008.***

Supervisor Popp has apparently decided **unilaterally** that this means he does not have to bring another candidate/township board member forward as a nominee to the PC for the township board to vote on.

**UNILATERALLY.....** as in he has sole discretion. Nowhere in the legal opinion does it say that, and nowhere in either MCL does it say that the Supervisor decides if your township has a township board member on either public body.

The MCL's - For townships that did not have a PC prior to September 1, 2008, they ARE REQUIRED to have one member of the township board be appointed as an ex officio member of the PC. **It is optional for townships that had PCs prior to September 1, 2008.**

The following documents demonstrate a clear directive IF it is optional for Whitewater Township.

**Ordinance No. 42, Whitewater Township Planning Commission Ordinance, adopted November 18, 2008**

- Page 2, 102. Membership: Section C. - One member **SHALL** also be a member of the Township of Whitewater Board of Trustees.
- Page 3, 103. Members, Appointment and Terms, Section B. - In December of each year the Township of Whitewater Supervisor **SHALL** recommend to the Township Board the appointment of members to the Planning Commission.
- Page 4, 107. Membership; Vacancies; Section A. - The Township of Whitewater Board of Trustees **SHALL** fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.
- Page 5, 113. Meetings; Records; - The Commission **SHALL** adopt Bylaws.....

**Whitewater Township Planning Commission Bylaws, adopted March 17, 2020**

- Page 1, Section 1: Membership, Section F. Township Board Representation – One member of the Township Board **SHALL** serve as a member of the Planning Commission.
- Page 1, Section 1: Membership, Section G. – Zoning Board of Appeals Representation – One member of the Planning Commission **SHALL** serve as a member of the Zoning Board of Appeals.

**Whitewater Township Zoning Board of Appeals Bylaws, adopted February 11, 2020**

- Page 1, Section 1: Officers, A. Selection and Tenure .. Township Official **SHALL** not serve as Chairperson
- Page 1, Section 1: Officers, E. Planning Commission Representative – The Planning Commission representative to the Zoning Board of Appeals **SHALL** report the actions of the Zoning Board of Appeals to the Planning Commission.....
- Page 1, Section 1: Officers, F. Township Board Representative - The Township Board representative to the Zoning Board of Appeals **SHALL** report the actions of the Zoning Board of Appeals to the Township Board and update the Zoning Board of Appeals on actions by the Township Board that relate to the functions and duties of the Zoning Board of Appeals.

The word **SHALL** does not give us the option not to make the appointments. By not following Ordinance No 42 and the adopted Bylaws of both the Planning Commission and the Zoning Board of Appeals, the Supervisor is breaking township law, and in doing so, and not filling the vacancies on the Planning Commission and Zoning Board of Appeals, has made the rest of the township board members in noncompliance of their duties as well. This could also be considered **nonfeasance** of Supervisor's statutory duties.

**Question on if this has become a political issue?**

Supervisor Popp not re-appointing Ted Hooper to the PC. After having him on the agenda in December for re-appointment, but then once the board rejected the nominations of Connie Rountree to Board of Appeals and Tim Arends to the Planning Commission, Supervisor Popp did not bring Ted Hooper back in January as agreed on. When Clerk Goss asked why the appointment of Ted Hooper to the planning commission was not in the January packet, Popp said it was not an oversight. This does seem and feel like political retaliation on the Supervisor's part. To clear up any misunderstanding on why the Treasurer voted no on Arends appointment to the Planning Commission, I voted no because Arends does not own property in Whitewater Township. I feel if you are to govern over others property, you should own property under that same rule. It was just that simple, nothing more.

The PC Chair has said that Ted Hooper resigned. This is not true. After his appointment was not brought forward in January, he wrote a letter letting the PC know he will not be coming back and why. I have included his email to the PC. In this board member's opinion, Ted Hooper was treated very poorly by the Supervisor. Hooper is very qualified and did his job on the PC and ZBA with the utmost care and concern. It has been a huge disserve to the community and to the other PC members by not reappointing Ted. No letter to this date has been sent to Ted thanking him for his service on our PC and ZBA. This is the Supervisor's responsibility.

With no Township Board Member being appointed to the Planning Commission or the Zoning Board of Appeals, and a Planning Commission member not being appointed to the ZBA, the flow of information has stopped. The Planning Commission is working with a four-member commission. All must be present or they have no quorum. With no quorum, they may continue their meeting as a work session but NO discussion on decisions can be done.

A letter from Michael Morin, Senior Risk Control Field Representative for Michigan Township Participating Plan, responded to a question I posted on the MTA Community Connections. Please see his response enclosed. Bottom line, we as a township are at risk.

Twice I have submitted my letter of request to the Supervisor to be appointed to the Planning Commission. Twice I have been ignored by the Supervisor. When asked why I'm not being considered during a Township Board meeting, I was told because one township resident has voiced a concern over my supposed bias on the 5-acre rule for RC1 district. To be clear, the Planning Commission is more than a one topic issue commission. If the 5-acre opinion is the litmus test that needs to be passed to be on the PC, then it's very possible that you will need to replace at least 3 members currently of the four seated. I personally do not think that one issue should be how you decide who is qualified to serve. Please keep in mind that the Township Board rep to the PC does not vote on zoning amendments at the PC and at the Township Board level. The PC was tasked by the board to gather information concerning the 5-acre issue. Nothing more. Conflict of interest does not apply here, no voting.

The subject of Trustee Heidi Vollmuth being on the Planning Commission is a non-issue. Supervisor Popp nominated her, the board rejected the nomination and that's it. Time to move on with the nominations. I have publicly stated my reasons for a NO vote. Lack of experience, has not read the Whitewater Township Zoning Ordinance, hasn't signed up or taken a single educational class either through MTA or other for newly elected officials or any zoning and planning courses. Heidi has spent the last couple years going to PC meetings, standing for public comment and criticizing the job they are doing. Not sure how that works going forward.

As for myself? I have had the opportunity in my 12 years as a Township Board member to serve on the ZBA and have heard over 32 ZBA cases I've read the Zoning Ordinance, the Planning & Enabling Act, taken Citizen Planner, Michigan Zoning Enabling Act Workshop. I've attended many educational seminars in both the ZBA and Elected Officials areas by participating in MTA training sessions and through Michigan Works/Networks Northwest. I've worked on three surveys for the Township, 2010 Community Survey with McKenna & Associates, the Medical Marijuana Facilities Survey and the Event Barn Survey. I served on the Emergency Facilities Needs committee. I served as Board liaison for the Parks and Recreation Advisory Committee. I am a long-standing active member of the Whitewater Township Emergency Services Auxiliary. Served as the Alternate for the Supervisor on the Grand Traverse Rural Fire Board. Volunteered to maintain the Whitewater Township Covid-19 Preparedness Plan and Response Plan. As Treasurer for the last 12 years, I have helped modernize the township's internal workings. New phone system, mailing system, security system, upgraded the accounting program for the Treasurer's office. Create/produce/edit a printed newsletter three times a year, no easy task. Maintain and secure over 900 email addresses for residents for news blast/newsletters/important notifications. In my 12 years I have balanced with the Grand Traverse County Treasurer's

office to the penny and have gotten great comments in our annual audit from our auditors every year. Worked with special assessments to completion and through the refund process for both the WMDLS and the Miami Beach Sewer SAD. 12 years of budget experience. In 2019 the Fire Department renovations were completed; that was worked on by all board members. I've taken on the reasonability of certain Township Hall repairs and maintained projects such as repainting of the hand rails, quotes for repainting inside, replacing the flooring and updating the bathrooms to ADA standards. I organize and run the annual cleanup day for the Township since 2010.

My office shares the same space with the Zoning Administrator and over the 12 years I have been blessed with exposure to many zoning situations and several really good Zoning Administrators who were more than willing to share the experience with me. This exposure to zoning and planning through them has given me a greater understanding than any book ever could. These experiences listed, and many more that I'm sure I've forgotten, gives me a well-rounded experience to be a valued, productive member of the Planning Commission.

Trustee Paul Hubbell and Clerk Cheryl Goss have already notified Supervisor Popp in a board meeting that they will not accept any nomination to the PC. Trustee Vollmuth's nomination was rejected. The Supervisor needs to do his job in accordance with Ordinance No. 42 and various bylaws. Bring forth the only remaining qualified board member to serve as the Township Board rep to the PC. This memo serves as my third request to be nominated for the Planning Commission.

**So where does this leave us if Supervisor Popp refuses to do his job?**

Possible ramifications against the Supervisor for not doing his statutory duty:

- Letter to Governor, requesting removal of supervisor for nonfeasance of Supervisor's statutory duties.
- Letter to attorney general requesting sanctions
- Recall of supervisor for nonfeasance

## WHITEWATER TOWNSHIP ORDINANCE CERTIFICATE

State of Michigan                    )  
Township of Whitewater        )       §  
County of Grand Traverse       )

I, the undersigned, being the duly elected and qualified clerk of the Township of Whitewater, do hereby certify that the attached Ordinance No.42 of the Whitewater Township Ordinances is a true and complete copy as adopted by the Whitewater Township Board at a regular meeting of the said Township Board held on November 18, 2008.

I do further certify that a true and complete copy of Ordinance No.42 was published on December 2, 2008 in the Traverse City Record Eagle, a newspaper of general circulation in Whitewater Township, and that Ordinance No. 42 becomes effective sixty three (63) days after the date of publication.

I do further certify that the members of the Township Board voted upon Ordinance No. 42 by the following vote:

For the Ordinance:   Hubbell, Lake and Boyd.

Against the Ordinance: Couturier and Hockin.

Absent: None.

I further certify that Ordinance No.42 was duly filed in the Whitewater Township Book of Ordinances within one week after publication thereof.

In witness whereof, I have hereunto set my hand this December 4, 2008.

Carol Hockin  
Carol Hockin  
Whitewater Township Clerk

**WHITEWATER TOWNSHIP PLANNING COMMISSION ORDINANCE NO. 42**

**Adopted: November 18, 2008**

**Effective Date: February 3, 2008**

**WHEREAS**, The People of the Township of Whitewater did establish the Whitewater Township Planning Commission Resolution of June 15, 1976, and it is now desired to repeal the existing resolution and adopt this ordinance to insure proper record of the action is created,

**NOW THEREFORE**, the People of the Township of Whitewater do ordain that said ordinance shall read as follows:

**WHITEWATER TOWNSHIP PLANNING COMMISSION ORDINANCE NO. 42**

**Date: November 18, 2008**

**AN ORDINANCE** to create a Planning Commission for the Township of Whitewater as authorized by P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et. seq.* for the purpose of having planning and zoning in the Township of Whitewater, to create, organize, enumerate powers and duties, and to provide for the regulation and subdivision of land, coordinated and harmonious development of the Township of Whitewater; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas within the state where the Township of Whitewater exists.

**THE PEOPLE OF THE TOWNSHIP OF WHITEWATER DO ORDAIN:**

101. Creation:

There shall be a Township of Whitewater Planning Commission pursuant to P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et. seq.* hereinafter referred to as the Commission with the powers and duties as therein set forth and as hereinafter provided and staffed Planning Department. This ordinance shall be officially known and described as the Township of Whitewater Planning Commission Ordinance."

102. Membership:

A. The Commission shall consist of seven members appointed by the Township of Whitewater Board of Trustees. To be qualified to be a member and remain a member of the Planning Commission, the individual shall meet the following qualifications:

2. After an individual's first appointment and before reappointment shall have attended training for Commission members, pursuant to section 104 of this ordinance;
3. Shall meet the conditions provided for each individual member in sections 102.B, 102.D, and 102.E of this Ordinance, except the geographical location of the individual's residency may be considered optional.

B. Members shall be appointed for three-year terms. However, when first appointed a number of members shall be appointed to one-year, two-year, or three-year terms such that, as nearly as possible, the terms of 1/3 of all commission members will expire each year. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that, as nearly as possible, the terms of 1/3 of all commission members continue to expire each year.

C. One member shall also be a member of the Township of Whitewater Board of Trustees, whose term of office shall coincide with his or her elected term of office on the Township of Whitewater Board of Trustees.

D. The membership shall be representative of the important segments of the community, such as the economic, governmental, educational, and social development of the Township of Whitewater, in accordance with the major interests as they exist in the Township of Whitewater, as follows:

1. Agriculture;
2. Natural resources/environmental;
3. Recreation;
4. Education;
5. Public health;
6. Government;
7. Transportation;
8. Industry;
9. Commerce;
10. Littoral owner
11. Building trades
12. Resident at large

E. The membership shall also be representative of the entire geography of the Township of Whitewater to the extent practicable, and as a secondary consideration to the representation of the major interests.

103. Liaisons:

A. The Commission, in its Bylaws, may name "liaisons" to the Commission. The purpose of liaisons is to provide certain Township of Whitewater and quasi-Township of Whitewater officials the ability to participate in discussion with the Commission in addition to speaking in public participation, and nothing else. At a minimum, liaisons shall include:

1. Planning Department staff, and their agents and consultants.
2. Township of Whitewater Attorney.

104. Training:

A. Appointed members of the Commission shall attend educational programs designed for training members of Michigan planning commissions if the adopted Township of Whitewater budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training. Nothing in this paragraph shall prevent a member who has not had training from finishing his term of office unless the member resigns or is removed by action of the Township of Whitewater Board of Trustees. The member shall be ineligible for reappointment at the conclusion of the term of office if they did not attend training. The Commission shall include in its Bylaws what training programs qualify to meet this requirement.

105. Members, Appointment and Terms:

A. In October of each year the Township of Whitewater Supervisor shall determine which members' terms of office expire. The Township Supervisor shall then determine whether to place an advertisement(s) in a newspaper with paid circulation in the township of Whitewater to seek applications.

B. In December of each year the Township of Whitewater Supervisor shall recommend to the Township Board the appointment of members to the Planning Commission. Upon appointment by a majority vote, Planning Commissioners shall serve for a three year term which shall end December 31, at 9:00 a.m. of the respective year.

106. Removal from Office:

A. The Township of Whitewater may remove a member of the Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure to disclose a potential conflict of interest shall be considered malfeasance in office. Failure to repeatedly attend Commission meetings shall be considered nonfeasance in office.

B. The recording secretary of the Planning Commission shall report any member who has missed three regular meetings in a row to the Township of Whitewater Board of Trustees.

107. Membership; Vacancies:

A. The Township of Whitewater Board of Trustees shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.

108. Membership; Transition:

A. The transition from the previous Township of Whitewater Planning Commission and the Commission established in this ordinance shall be gradual and shall take place over the next three years. The Township of Whitewater Board of Trustees shall continue to make annual appointments, appointing approximately 1/3 of the membership of the Commission as specified in this Ordinance, so that three years from the effective date of this ordinance the membership, membership representation, and number of members have completed the transition to fully comply with this Ordinance.

B. All other aspects of this Ordinance shall have immediate effect.

109. Membership; Compensation:

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

110. Meetings:

A. The Commission shall meet at least once every month and a majority of the Commission shall constitute a quorum for the transaction of the ordinary business of said Commission and all questions which shall arise at their meetings shall be determined by a vote of the majority of the members of the Planning Commission.

B. The affirmative vote of 2/3 of the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any Master Plan or amendment to a Master Plan.

111. Powers and Duties:

A. The Commission shall have their powers and duties as set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et seq.*; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act (M.C.L. 125.3101 *et seq.*).

112. Staff

The Township Board is delegated authority to hire or dismiss a planning director.

113. Meetings; Records:

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

114. Approval, Ratification, and Reconfirmation:

All official actions taken by all Township of Whitewater Planning Commissions preceding the Commission created by this ordinance are hereby approved, ratified and reconfirmed. Any project, review, or process taking place at the effective date of this Ordinance shall continue with the Commission created by this ordinance, subject to the requirements of this Ordinance, and shall be deemed a continuation of any previous Township of Whitewater Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

Passed by the Board of Trustees of the Township of Whitewater on November 18, 2008, at its regular meeting with five board members in attendance three voting aye, two nay.

Signed: Terry L. Tate, Supervisor

## Whitewater Township Planning Commission Bylaws

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

### SECTION 1: Membership

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

### SECTION 2: Officers

- A. **Selection and Tenure** - At the first regular meeting each January, the Planning Commission shall select a Chairperson, Vice Chairperson and Secretary. All officers shall serve a term of one year, and shall be eligible for re-election for consecutive terms for the same office. The newly elected officers shall assume their responsibilities at the next regular meeting. If due to unforeseen circumstances, the Planning Commission is unable to elect officers at the January

*As Adopted by the Whitewater Township Board on 03/17/2020*

# Whitewater Township

## Zoning Board of Appeals Bylaws

The following rules of procedure are hereby adopted by the Whitewater Township Zoning Board of Appeals to facilitate the performance of its duties as outlined in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101, *et seq.*

### SECTION 1: Officers

- A. Selection and Tenure**—At the first regular meeting in January of each year, the Zoning Board of Appeals shall select from its membership a Chairperson, Vice Chairperson and Secretary. An elected Township Official shall not serve as Chairperson. All officers shall serve a term of one year, or until their successors are selected and assume office, except as noted in C below. All officers shall be eligible for re-election for consecutive terms for the same office.
- B. Chairperson**—The Chairperson shall preside at all meetings, appoint committees and perform such other duties as ordered by the Zoning Board of Appeals or Township Board.
- C. Vice Chairperson**—The Vice Chairperson shall act in the capacity of the Chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term and the Zoning Board of Appeals shall select a successor to the office of Vice Chairperson for the unexpired term.
- D. Secretary** – The Secretary shall act in the capacity of the Chairperson in the event that both the Chairperson and Vice Chairperson are absent. The Secretary shall also sign all minutes of the Zoning board of Appeals upon approval.
- E. Planning Commission Representative**  
The Planning Commission representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Planning Commission and update the Zoning Board of Appeals on actions by the Planning Commission that relate to the functions and duties of the Zoning Board of Appeals.
- F. Township Board Representative**  
The Township Board representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Township Board and update the Zoning Board of Appeals on actions by the Township Board that relate to the functions and duties of the Zoning Board of Appeals.

### SECTION 2: Meetings

- A. Meetings**—Meetings of the Zoning Board of Appeals shall be held on the Fourth Thursday of each month, or as noted below. All meetings shall take place at Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690 at 7:00 P.M. The January meeting shall be mandatory in order to elect officers, review bylaws, and approve next fiscal year meeting dates.
- B. Notice**—Meetings which include a public hearing shall be noticed in the Township's newspaper of record not less than 15 days prior to the hearing. Notices shall also be mailed to property owners within 300' of the subject property. Meeting notices shall state the purpose, time and location of meetings and shall be posted in accordance with the Open Meetings Act.

*As Adopted by the Whitewater Township Board on 02/11/2020*

- D. The Zoning Board of Appeals may be assisted by other professional or Township staff as needed, including the Township Attorney, Township Engineer or other person or agency.

#### **SECTION 5: Absences, Removals, Resignations, Vacancies and Alternates**

- A. To be excused, Zoning Board of Appeals members shall notify the Zoning Administrator, Zoning Board of Appeals Chairperson or other Zoning Board of Appeals member when they intend to be absent from a meeting. Failure to make this notification prior to a meeting shall result in an unexcused absence.
- B. Members of the Zoning Board of Appeals may be removed by the Township Board, after written charges have been prepared and a hearing conducted, for nonperformance of duty, misconduct in office or upon failure to declare a conflict of interest. For purposes of this section, nonperformance of duty shall mean two or more consecutive, unexcused absences. Alternates shall be notified to attend a meeting any time a regular member will be absent.
- C. A member may resign from the Zoning Board of Appeals by sending a letter of resignation to the Township Supervisor, Township Board or Zoning Board of Appeals Chairperson.
- D. Vacancies shall be filled by the Township Board within one month of resignation or removal of a member of the Zoning Board of Appeals. Successors shall serve out the unexpired term of the member being replaced, with the exception of the Planning Commission representative, whose term shall run consecutively with the term as Planning Commissioner.
- E. The Township Board may appoint not more than two alternates to the Zoning Board of Appeals. The alternate member may be called to sit as a regular member as provided in the Zoning Ordinance and the Michigan Zoning Enabling Act.

#### **SECTION 6: Conflict of Interest**

- A. Zoning Board of Appeals members shall declare a conflict of interest and abstain from participating in a hearing or deliberations on a request when:
1. A relative or other family member is involved in any request for which the zoning board of appeals is asked to make a decision;
  2. The Zoning Board of Appeals member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency or association;
  3. The Zoning Board of Appeals member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the Zoning Ordinance or other applicable ordinance, or
  4. There is a reasonable appearance of a conflict of interest, as determined by the Zoning Board of Appeals member declaring such conflict.
  5. The Zoning Board of Appeals member is also a member of the Planning Commission or the Township Board and voted on the same matter as a member of the Planning Commission or Township Board. However, the member may consider and vote on other unrelated matters involving the same property.
- B. The Zoning Board of Appeals member declaring a conflict of interest should state the nature of the conflict and whether he or she believes he or she could impartially consider the request before the zoning board of appeals. He or she should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict may absent him/herself from the room in which the discussion takes place, unless doing so would violate his or her constitutionally protected rights to participate. He or she should not make any presentations to the Zoning Board of Appeals as a representative of the proposal.

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

From: Ted <[ted.hooper@charter.net](mailto:ted.hooper@charter.net)>

Sent: Friday, January 15, 2021 11:28 AM

To: [clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)

Subject: Ted Hooper

Jan.15, 2021

I would like to inform the members of the Planning Commission I will not be attending any more meetings.

I submitted to the Township Supervisor a letter stating I was still interested in continuing on the Planning Commission in Nov. 2020.

I was on the agenda Dec. 2020, but the meeting had too many items on the agenda so appointments were tabled until Jan. 2021. My name was taken off the agenda by the Supervisor with no explanation.

I believe I brought a lot of knowledge and experience to the Planning Commission and Zoning Board of Appeals. I have lived in Grand Traverse County my whole life and in Whitewater Township for 47 years.

I have served as Zoning Administrator and have been on the Planning Commission at different times. I was a business owner in the township for thirteen years and had a small apple orchard I farmed. I was in the trades before and after I was in business. For seven years I was operations manager for a large electrical company and the last seventeen years I was a field supervisor for a prominent architect and build company.

It was a pleasure working with everyone on the Planning Commission and Zoning Board of Appeals for the last two terms. I will be disappointed that I will no longer have the opportunity to serve and share my knowledge on these committees.

Thank you

Ted Hooper

## Ardella M Benak

---

**From:** Morin, Michael <MMORIN@tmhcc.com>  
**Sent:** Thursday, February 11, 2021 4:53 PM  
**To:** treasurer@whitewatertownship.org  
**Subject:** Whitewater Twp (GT) - Planning Commission Appointment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon Ardella,

I trust this message finds you well. My name is Mike Morin and I am your Risk Control Representative through the Michigan Township Participating Plan. Risk Control is a service provided as part of your governmental entity's insurance (property & liability) package through Paul Olson and the Michigan Township Participating Plan. We work with your entity in identifying existing and / or potential liability hazards that may be present in your day-to-day operations.

I was reviewing the MTA Community Connection and I came upon your post in regard to Planning Commission appointments. I noticed that you had a few responses, but I wanted to give you a quick snapshot about how we feel about the situation. Per the Michigan Planning Enabling Act (MPEA), the "Planning Commission members are appointed by the Township Supervisor with approval of the majority of the members of the Township board." If the Supervisor is refusing to appoint a person to the Commission you could be down a person and thus not have the required amount of personnel to sufficiently operate the Commission.

If this continues, it is recommended you seek advise from you Entity's legal counsel on further steps to take.

I hope this help.

Have a pleasant evening.

**Michael Morin, ARM**  
Senior Risk Control Field Representative  
Tokio Marine HCC – Public Risk Group  
[mmorin@tmhcc.com](mailto:mmorin@tmhcc.com)  
Tel: 989-860-4558  
[tmhcc.com](http://tmhcc.com)

A member of the Tokio Marine HCC group of companies. Tokio Marine HCC is the marketing name used to describe the affiliated companies under the common ownership of HCC Insurance Holdings, Inc. Tokio Marine HCC's products are underwritten by American Contractors Indemnity Company, HCC International Insurance Company PLC, HCC Life Insurance Company, HCC Specialty Insurance Company, Houston Casualty Company, Lloyd's Syndicate 4141, United States Surety Company and U.S. Specialty Insurance Company. For more information about Tokio Marine HCC, please visit [www.tmhcc.com](http://www.tmhcc.com).

This email message (including any attachments) contains confidential information and is for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient or have otherwise received this email in error, please contact the sender by reply email and permanently destroy all copies of the original message and any attachments.

Supervisor Ron Popp  
Fellow Board Members

I respectfully request to be appointed to the Planning Commission to fill the vacancy by the outgoing board member Lloyd Lawson.

I feel I have the experience needed to step into this position. I have served for 11 years on the ZBA. The experience from those 11 years will be of benefit to the Planning Commission as a whole. My 12 years on the Township Board gives me the unique perspective of the township's policies, procedures and zoning regulations. My outlook on growth for our community is one of managed growth through thoughtful planning.

I had considered staying on the ZBA this term but reconsidered as I believe my efforts would be better suited and served at the Planning Commission. As you know, I'm a 38 year resident of Whitewater Township. I've raised my family here. My children have all attended school here in the township. My roots are here! I have a vested interest in our community and that is what is driving me to join the Planning Commission.

I am requesting that my appointment be added to the agenda for January 12, 2021 for consideration.

Respectfully Submitted,

*Ardella M. Benak*  
**Whitewater Township Treasurer**  
231-267-5141 ext. 22

## **Ardella M Benak**

---

**From:** Ardella M Benak <treasurer@whitewatertownship.org>  
**Sent:** Monday, January 4, 2021 3:24 PM  
**To:** Ron Popp; 'Cheryl Goss (clerk@whitewatertownship.org)'; 'Paul Hubbell (trustee02@whitewatertownship.org)'; 'Lloyd Lawson (trustee01@whitewatertownship.org)'  
**Subject:** Resignation from ZBA

Supervisor Ron Popp  
Fellow Board Members

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

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

Respectfully,

*Ardella M. Benak*  
**Whitewater Township Treasurer**  
231-267-5141 ext. 22

Dear Mr. Pop,

I have provided a brief summary of the skills and experience that are the most relevant to my future service on our planning commission.

- \*Hazardous Materials Specialist, 35-years**
- \*Spill Clean-up Specialist/Accident Reconstruction and Investigation**
- \*Emergency Management Leadership Team, 25-years**
- \*National Incident Management Systems HomeLand Security (FEMA)**
- \*Extensive/successful experience in Federal Grant Writing**
- \*Emergency Vehicle and Commercial Vehicle Operator Certifications**

**Extensive training and management level experience in Emergency Response Development, Command Systems, ordinance development and implementation, and Hazardous Materials handling and transport**

**Service on office of HomeLand Security, Traffic and Transportation, and Emergency Management Boards in addition to several civic organizations**

**Additional fields of experience and training include; railroad safety, traffic safety and design, weapons law and firearms supply, emergency notification systems, school safety grants, and emergency (police and fire) traffic control.**

**For the past several years I have been attending the Planning Commission Meetings.  
At this time I am well prepared and caught up to speed.  
We can only look towards a positive new year.**

Thank you for your time,

Heidi Vollmuth  
8388 Winnie Lane  
Williamsburg, Mi  
231-633-9468