

**Whitewater Township Board  
Minutes of Regular Meeting held September 8, 2020**

**Call to Order/Pledge of Allegiance**

Supervisor Popp called the meeting to order at 7:00 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance.

**Roll Call of Board Members**

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

Board Members present via Zoom: Benak, Goss, Lawson, Popp

Board Members absent: Hubbell

Others present in person: Fire Chief Brandon Flynn and 7 others

Others present via Zoom: County Commissioner Gordie LaPointe and 5 others

**Set/Adjust Meeting Agenda**

None

**Declaration of Conflict of Interest**

None

**Public Comment (6:54)**

There was no public comment from anyone present in person.

All those present via Zoom declined public comment with the exception of the following:

**(7:53)**

Brett Graham, Principal at Mill Creek, offered to get information out about the upcoming bond proposal.

**(8:35)**

Gordie LaPointe informed the board that he is not running for another term as county commissioner; his current term will end in December. Darryl Nelson is running for the position.

**Public Hearing (11:32)**

**Public Hearing on Proposed Ordinance No. 58 - Repeal of Ordinance No. 28, Whitewater Township Sewage Disposal System Miami Beach Rate Ordinance**

Those wishing to speak in the public hearing were instructed to place their name on the sign-in sheet.

The public hearing was opened at 7:07 p.m.

It was noted that legal notice was published in the Traverse City Record-Eagle on 08/16/2020, as well as at the kiosk, bulletin board, and on the township website.

No written comments were received.

In response to the call for public comment on Proposed Ordinance. No. 58 by those present in person and via Zoom, the following comments were made:

John Nolan stated their association supports the repeal of Ordinance No. 58.

Gordie LaPointe noted it is the conclusion of a long project.

The public hearing was closed at 7:11 p.m.

All board members declined discussion of the proposed ordinance at this time.

### **Reports/Presentations/Announcements/Comments (16:57)**

#### **County Board of Commissioners Report**

Gordie LaPointe gave the following report:

- Regarding the Grand Traverse County jail, he related the history of a couple suicides in the jail and how mental health care has been provided to inmates. The county brought in a company called NCCHC, a national organization that audits jails. They did some in-person interviews and filed an 18-page report to the county. There was some good news in the audit and some issues that need to be addressed. LaPointe summarized the findings of the report and said the public will be seeing and hearing about it as the county tries to reconcile it.
- Regarding the agreement between the Commission on Aging and the county and PACE, an organization that provides in-home care, LaPointe stated the requirement to meet the audit requirements of Medicare/Medicaid is overwhelming. He detailed the issues of concern and noted the county has terminated the agreement with the PACE organization.

There were no questions for Commissioner LaPointe.

#### **County Road Commissioner Report (25:55)**

No one is present from the Road Commission.

#### **Mobile Medical Response Report (25:55)**

No one is present from Mobile Medical Response. August 2020 activity reports were received.

#### **Fire Department Report (26:02)**

Brandon Flynn gave the following report:

- The county 911 board of directors asked him to give information about the upcoming surcharge for 911, which he included in his monthly report. Director Jason Torrey offered his services to come in before the election if anyone has questions.
- Flynn referenced the pictures in his report showing the dedication of the new fire truck, complete with a plaque listing the names of all the firefighters, as well as a plaque listing board members' names to show appreciation to the board for the new vehicle.

Popp expressed appreciation from the board to all the members of the station for everything they do.

There were no questions for Chief Flynn.

### **Planning Commission Report (28:15)**

Lloyd Lawson gave the following report:

- The PC met last Wednesday. They are working on Article 28, the condominium ordinance. They reviewed redlines from the attorney's office and will make changes and edits by the next meeting so they can set a date for public hearing in October.
- They reviewed a couple sections of the master plan which had been edited by PC members.
- Regarding the RC district, they have decided to table it until January. With the holidays coming up, they thought it would be better for people to be able to attend meetings after the first of the year.
- The next meeting is October 7th.

Brief discussion followed. There were no questions for Lawson.

### **Parks & Recreation Advisory Committee Report (30:00)**

Cheryl Goss noted the committee has not met since the board's last meeting. Their next meeting is on 09/14/2020.

### **Consent Calendar (30:25)**

Goss noted two corrections under Bills for Approval, i.e., the range of check numbers for Alden State Bank should be 45655 through 45791, and the range of checks for First Community Bank Miami Beach is 1271 through 1272.

#### Receive and File

1. Supervisor's Report for August 2020
2. Clerk/Parks & Recreation Administrator's Report for July/August 2020
3. Zoning Administrator September 2020 Report
4. Mobile Medical Response August 2020 Activity Reports
5. Fire Department August 2020 Monthly Report
6. Historical Society Report for August 2020
7. Treasurer's Reports May/June Bank Accounts/Cash Balance and Fiscal Year Interest
8. Approved 07/01/2020 Planning Commission Minutes
9. Approved 07/08/2020 Historical Society Minutes
10. Approved 07/13/2020 Parks & Recreation Advisory Committee Minutes

#### Correspondence

1. Grand Traverse County Sheriff Department Statistics for August 2020
2. Grand Traverse County Recycle Smart August 2020 Newsletter
3. August 2020 E-mail Exchange re: Request for Marihuana Ordinance Change
4. Letter 08/13/2020 FEMA and E-mail 08/13/2020 Edgar Patino re: Grand Traverse County Coastal Flood Risk Update Meeting
5. E-mail 08/20/2020 Ron Popp re: Health Department Mask Complaint
6. Letter 08/17/2020 Ron Popp to Hilary Kendro re: Flood Insurance Map Changes
7. August 2020 Networks Northwest eNews

8. Fahey Schultz Burzych Rhodes EO 2020-172 Renewed Workplace Protections and Updated Employee Quarantine Guidelines
9. Invitation to Comment on 2022 State Forest Planning
10. Letter 08/24/2020 East Bay Township Notice of Intent to Amend Master Plan

#### Minutes

1. Recommend approval of 08/11/2020 regular meeting minutes and 08/24/2020 special meeting minutes

#### Bills for Approval

1. Approval of Alden State Bank voucher #s 45655 through ~~45764~~ 45791
2. Approval of First Community Bank Miami Beach voucher #s ~~1274~~ 1271 through 1272
3. Approval of First Community Bank WMDLS voucher #s (none)

Budget Amendments – Increased Costs of Emergency Services Building Asphalt Project

Revenue & Expenditure Report – 1st Quarter FY 2020/2021 (Revised)

**Motion by Lawson to approve Consent Calendar items, as amended; second by Benak. Roll call vote: Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes; Popp, no. Motion carried.**

#### Unfinished Business (32:16)

##### **Review COVID-19 Preparedness and Response Plan**

Points raised in discussion were:

- If a COVID-19 plan is approved, it should be implemented and followed. The updated copy does not follow OSHA 3990 or Executive Order 172.
- With continual executive orders, the plan is going to be changed on a continuing basis. An updated copy has not been provided. Benak offered to do the updating if Popp supplies the original document.
- The “sign-in station” was discussed at length. There is no privacy or confidentiality for employees’ health information. The employees can do what they want; everything is put out for their choice and their use. If employees choose not to use it, that is up to them, and OSHA has recognized that.
- Employees must be provided with a copy of the plan.
- The plan does not tell employees how their information is going to be maintained confidentially, what it is going to be used for, who is going to have access to it, how it is going to be secured, how long it is going to be kept, and how it is going to be destroyed.
- Suggestions for maintaining confidentiality at the health screening station and how long the information should be kept. If no one has failed the test, there is no reason to keep the paperwork.
- Placement of the health screening station was discussed, with a suggestion to move it from the public meeting room to the copy room.
- The redline revisions do not fulfill the requirements of MIOSHA 3990 or the executive orders.

**Motion by Goss that Popp and Benak review, update and implement the COVID-19 Preparedness Plan with workplace protections as detailed by executive orders as amended and OSHA 3990 requirements; second by Lawson.**

Brief discussion followed as to who will update the plan to reflect the revisions adopted on 07/14/2020. Popp will provide the document to Benak. Benak will update the plan.

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

**New Business (59:48)**

**Approval of Proposed Planning Commission Zoning Ordinance Adoption Process**

It was discussed that the MSU checklist is more detailed than the list in the Mangus letter.

**Motion by Popp for the planning commission to adopt Michigan State University Extension Land Use Checklist #4 when adopting or amending the zoning ordinance; second by Benak.**

Brief discussion followed regarding publication of the notice of adoption.

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

**1:06:34)**

**Adoption of Proposed Ordinance No. 58 - Repeal of Ordinance No. 28 Whitewater Township Sewage Disposal System Miami Beach Rate Ordinance**

**Motion by Goss to adopt Ordinance No. 58; second by Popp. Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, absent. Motion carried.**

**(1:07:17)**

**Resolution #2020-13 Fire Prevention Services Fee Schedule**

**Motion by Goss to adopt Resolution #2020-13; second by Popp. Roll call vote: Popp, yes; Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes. Motion carried.**

**(1:07:51)**

**Proposed Specifications for Snow Removal**

The proposed specifications were discussed and the following changes made:

- Deadline for bids will be no later than noon on October 5th.
- For plowing at the Emergency Services Building, no snow to be pushed against cemetery fence.

**Motion by Popp to approve snow plow specifications as amended; second by Benak.**

Brief discussion followed.

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

**(1:18:27)**

**Halloween Party 2020 Event Contract**

**Motion by Benak to approve the Halloween Party 2020 Event Contract; second by Popp.**

Popp noted, on page 201, paragraph 1, 44th should be changed to 45th.

**Benak and Popp agree to adding “as amended” to the motion.**

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

**1:20:11)**

**Budgeted Transfers - General Fund to Ambulance and Fire Capital Improvement Funds**

**Motion by Benak to transfer \$12,500 from the General Fund to the Ambulance Fund; second by Goss. Roll call vote: Popp, yes; Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes. Motion carried.**

**(1:20:53)**

**Motion by Benak to transfer \$12,500 from the General Fund to the Fire Capital Improvement Fund; second by Popp. Roll call vote: Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes. Motion carried.**

**Tabled Items (1:21:33)**

None

**Board Comments/Discussion (1:21:34)**

**Marihuana Discussion**

Popp said we have already heard this item for 2020. Chris Hubbell has asked the board to review that decision and has provided information this evening. Popp asked if the board would like to get Hubbell and his group on an agenda and re-look at the board’s marijuana decision, look at another survey before January of 2021, or keep it on an annual review.

Discussion followed, with Benak, Lawson, and Goss expressing their desire to hear from the Hubbell group.

Attorney Mike Corcoran said he appeared by Zoom at the last meeting. They just want to be on an agenda or even have the board consider taking this up at a special meeting, and stated he did follow up the Zoom meeting with a request for that. He went on to provide details regarding the property in question and their proposal for a marijuana grow and processing, coupled with a hemp processing. He has submitted a short partial opt-in ordinance for the board to consider. He also described the job opportunities that would be available, as well as other monetary benefits to the township, and stated they are not asking for a dispensary. None of the product

grown in the township would stay in the township in any form. He asked to be put on the agenda at a special meeting.

Corcoran answered a couple questions from Goss.

**(1:39:41)**

Heidi Vollmuth, 8388 Winnie Lane, commented on mask wearing, marijuana, and fixing roads.

Discussion followed, with consensus reached to set a special meeting on 9/22 at 7:00 p.m. to address Corcoran's proposal.

Corcoran will follow up with Popp.

**(1:44:23)**

**09/10/2020 Closure of Township Hall Parking Lot/Recycle Bins for Sealing/Striping**

Popp noted the closure will be all day long.

**Announcements (1:44:35)**

The next meeting date is 09/22/2020 at 7:00 p.m. The next regular meeting is 10/13/2020 at 7:00 p.m.

**Public Comment (1:44:50)**

Heidi Vollmuth, 8388 Winnie Lane, said she wants to see how the board is notifying the public.

All those present via Zoom declined public comment with the exception of the following:

**(1:45:56)**

John Nolan apologized for missing the vote on the repeal ordinance, thanked the board for their efforts invested in the transition and believes this will be the last time he will be participating on the sewer.

**Adjournment (1:46:50)**

**Motion by Lawson to adjourn; second by Benak. Roll call vote: Benak, yes; Goss, yes; Hubbell, absent; Lawson yes; Popp, yes. Adjourned at 8:42 p.m.**

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk