

**Whitewater Township Board  
Minutes of Regular Meeting held May 11, 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, Trustee Vollmuth, Popp

Board Members absent: None

Others present in person: County Commissioner Darryl Nelson, Paul Olson (Municipal Underwriters), and 3 others

Others present via Zoom: Fire Chief Brandon Flynn and 8 others

**Set/Adjust Meeting Agenda**

There were no adjustments.

**Declaration of Conflict of Interest**

None

**Public Comment (4:44)**

Linda Slopsema spoke on the topic of the petitions and ballot language on the agenda.

Rod Rebant spoke about lack of coverage of marihuana in the spring newsletter and speed of the process.

Vern Gutknecht spoke about a comment made about him by Goss and his objection to the appointment of Benak to the planning commission.

Chris Hubbell spoke on the topic of the legalization of marihuana.

**Public Hearing (15:16)**

None

**Reports/Presentations/Announcements/Comments (15:18)**

**County Commissioner Report**

Darryl Nelson gave the following report:

- Provided business cards for those wishing to contact him.
- Reported that some rules have come out concerning how the \$18.1 million (ARPA funds) the county is getting can be spent. He hopes there will be 3 to 5 capstone things done with the money that we can look back on and be proud of the way it was spent. He is looking for feedback and ideas from anyone in that regard, and said they would be happy to look at a partnership.

There was brief discussion of a wastewater treatment plant issue.

**Fire Department Report (19:07)**

Brandon Flynn gave the following report:

- April was an uneventful month.
- They are working on the new brush truck. Working with the vendors has proven to be difficult; they are having supply chain issues. All of the big three vehicle manufacturers have stopped taking orders for 2021 already. The next vehicle they will purchase is most likely going to be a 2022.
- Other than that, everything is business as usual at the fire department.

**Planning Commission Report (20:52)**

No report.

**Parks & Recreation Advisory Committee Report (21:04)**

Cheryl Goss gave the following report:

- The committee met last night; all members were present.
- Minutes of 04/12/2021 were approved.
- There was a lot of discussion about the Hi Pray Park dugouts. Other quotes have been requested. Brandon Hubbell found Ace Welding as a source for the clamps, but they are very expensive. Other options are being looked at. Goss will check into a cinder block building. Goss obtained information on shipping containers; they are very expensive, only come in 10-, 20-, and 40-foot sizes. Hubbell is waiting for a quote from Jacklyn to build the entire structure.
- The batting cage grand opening went well. Thirty-five to 40 yards of diamond dust was spread on the two fields. The batting cage was used. Some work was done on removing brush from outfield fences, weeds pulled in the playground area. A plaque template has now been received from Rotary to acknowledge their partial funding.
- Melton will mark the places at Lossie Road Nature Trail where the kiosks will be installed.
- As part of a community service project, Elk Rapids 8th grade student Devin Melton assembled and installed two benches at BCNA and trimmed overgrown bushes at Whitewater Township Park trails. A plaque in memory of Dennis Leach and Ingrid Ashmore will be installed on at least one of the benches.
- The committee spent a lot of time on the Recreation Plan.

Brief discussion followed regarding usage of the batting cage, update on the wood dugout proposal, and a certificate for the middle school student.

**Paul Olson (Municipal Underwriters) (27:45)**

- It is the township's 36th year with his agency.
- He will add the batting cage and shed to the property schedule.
- The workers' compensation premium is \$8,183. The policy will be e-mailed to the clerk.
- There is a slight increase in the general liability premium, solely due to the Freightliner M2 pumper tanker, with deletion of the Chevy tanker at the same time. Other details of the township's general liability coverages were provided, as well as the annual dividend. The total premium is \$27,992.

Olson was advised that there will be an addition of two new snowmobiles.

A member of the public inquired about coverage for lawsuit expenses.

### **Consent Calendar (41:00)**

#### 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)

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

### **Unfinished Business (41:50)**

#### **CPO Program Update Feb 2021**

There was no interest expressed in pursuing the CPO program.

**Skegemog Point Road Update (43:00)**

Popp relayed that the Grand Traverse County Road Commission is looking at policy changes about how they contribute to township projects.

Jason Gillman, Road Commission Board Vice Chair, is present via Zoom and stated they are working on a somewhat more equitable sharing plan, something that helps the smaller townships come up with some of the necessary money for road work. They are trying to develop a plan to put some money aside for each of the townships to credit toward certain projects that need to be done. There is no solid plan at this point, but it is starting to come together.

Discussion followed.

**Whitewater Township Park Playground Project (48:00)**

**Motion by Popp to approve the expenditure of \$14,975 to Jahr Contractors for renovation of the campground playground area as outlined in a quote dated 04/26/2021; second by Hubbell.**

Goss answered questions from Popp about the project.

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

**New Business (55:30)**

**Resolution #2021-11 Recommend Approval of Petitions and Certification of Ballot Language**

**Motion by Benak to adopt Resolution #2021-11; second by Popp.**

Goss indicated she would like to change the resolution number from 2021-11 to 21-11 to conform with previous 2021 resolutions.

Discussion followed.

Benak and Popp agreed with the change to 21-11.

Goss will send the resolution to the County Clerk right after the meeting is over.

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

**Fire Department Request for Replacement of Brush 3 Vehicle (58:40)**

**Motion by Popp to approve Fire Chief Brandon Flynn's request to replace the existing outdated wildfire vehicle with equipment specified on LaFontaine quote 04/21/21 and Knapheide quote KD2163, as amended for truck manufacturer, not to exceed \$100,000; second by Hubbell.**

Discussion followed.

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

It was noted they will start taking 2022 orders later this summer.

**Proposed Cell Tower Lease Amendment Right of First Refusal (1:06:18)**

**Motion by Goss to refer the proposed Limited First Right of Refusal language to the Fahey Schultz office for review and comment; second by Benak.**

Discussion followed.

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

Popp will send the language to the attorney's office.

**Approval of Lawn Maintenance Contractor (1:09:50)**

**Motion by Goss to select Lawn-N-Order 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; second by Hubbell.**

Discussion followed.

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

**Grand Traverse Plastics Letter of Support (1:19:45)**

**Motion by Popp to approve and sign letter of support for the Grand Traverse Plastics proposed expansion as written and provided below; second by Goss.**

Discussion followed.

**The motion was repeated.**

**Goss suggested striking "and provided below" from the motion.**

**Popp agreed to the change in the motion. Goss confirmed her second.**

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

**Introduction/Discussion of Industrial Facility Tax Exemption (1:34:43)**

Popp provided some background information, suggested a public hearing be scheduled, and noted the time deadline is ambiguous.

Discussion followed.

Popp and Vollmuth volunteered to work with the zoning administrator to create a map of a qualifying district.

Additional information will be requested from Northern Lakes Economic Alliance regarding the services they provide for the \$500 to \$1,000 fee.

**Authorize Additional Compensation to Robert Hall and Kim Mangus re: Municode Manuscript Review (1:57:12)**

**Motion by Popp to authorize Certified Zoning Services to allocate up to 16 additional service hours or a maximum of \$450 for the review of the Municode manuscript as it relates to current ordinances; second by Vollmuth.**

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

**Motion by Popp 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; second by Vollmuth.**

Discussion followed.

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

**Appointment of Township Board Representative to Planning Commission and ZBA (2:25:57)**

Benak provided a memo and material for the packet, and asked the supervisor, now that he is aware that it is a violation of Ordinance 42 and the bylaws of the planning commission and zoning board of appeals, if he has changed his position on nominating a board member to either one of those boards or commissions.

Popp's reply was that his commitment to the people is the same and asked Benak where was her concern on 12/8 for the same ordinances and state statutes.

Lengthy discussion followed, including comments by a few members of the public.

Popp and Benak agreed to meet at 9:00 a.m. tomorrow to try to come up with some reasonable middle ground.

**Tabled Items (3:30:20)**

None

**Board Comments/Discussion (3:30:22)**

Benak reminded everyone about Cleanup Day on June 12, 8:00 to 12:00, with free tire drop off. Volunteers are appreciated.

Vollmuth asked to be told who is on Zoom at the beginning of the meeting.

**Announcements (3:31:50)**

Next regular meeting is June 8, 2021, at 9:00 a.m.

**Public Comment (3:31:52)**

Rebant offered to help with cleanup.

**Adjournment (00:00)**

**Motion by Benak to adjourn; second by Hubbell. Roll call vote: Hubbell, yes; Popp, yes; Goss, yes; Vollmuth, yes; Benak, yes.** Meeting adjourned at 12:31 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk