

**Whitewater Township Board
Minutes of Regular Meeting held December 14, 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, Popp, Trustee Vollmuth

Board members absent: None (trustee vacancy)

Others present in person: County Commissioner Darryl Nelson, Fire Chief Brandon Flynn, and 6 others.

Others present via Zoom: 9

Set/Adjust Meeting Agenda

Add vote on trustee position as #1 under New Business.

Add setting of special meeting to discuss mediation results as New Business #19.

Declaration of Conflict of Interest

None

Public Comment (6:41)

Public comment began at 9:04 a.m.

Tom Slopsema spoke on marihuana business applications due to be allowed on 12/15/2021.

Linda Slopsema spoke on a marihuana permit moratorium and marihuana attorney costs.

Due to a technical glitch with the Zoom recording, Linda Slopsema repeated her comments.

Brian Kelley, Acme Township, spoke on rural broadband and trustee interviews.

Public comment ended at 9:14 a.m.

Public Hearing - 2021-2025 Draft Recreation Plan (16:25)

The public hearing opened at 9:14 a.m.

Legal notices were published in the Traverse City Record-Eagle on 11/28/2021 and the Elk Rapids News on 11/25/2021.

Written comments were received from Tom McElwee and Lois MacLean.

Public comment was received from:

- Bob Campbell commented on the original plan calling for making a round trip trail and connecting to Lossie Trail, and hopes progress can be made over the next several years.

- Melissa Melton noted she wants to have page numbers added to the back appendix sections, a clerical concern only.

The public hearing was closed at 9:21 a.m.

Reports/Presentations/Announcements/Comments (23:25)

County Commissioner Report

Darryl Nelson gave the following report:

- They spent some money in the jail, getting RFID tracking systems for medicines, bed checks, locations, etc.
- The county is upgrading from a 1970's computer-based Unix system.
- Tomorrow they will discuss the wage and compensation study. County wages were below what the study suggested. They are voting tomorrow on a 3% COL increase and will negotiate union raises.
- The budget process is ongoing; approvals are in.
- They are meeting twice a month with Public Service Consultants regarding progress on getting the American Rescue Plan funds. Townships will be given a chance for public input. They would be open for a partnership for programs in townships.
- There is a lot of pressure to do a county millage for the Front Street Senior Center location. The building is owned by the city.
- Sheriff department is requesting a Bearcat armored vehicle, a protection vehicle for the police officers and other emergency personnel. Cost is about \$280,000, lease to own over seven years.
- Nelson stands ready to assist with the trustee selection or May election.

Fire Department Report (32:41)

Brandon Flynn gave the following report:

- It was a busy month in November with EMS calls.
- SCBA air packs are on order through the AFG regional grant and Flynn hopes to see them within the next couple months.
- There was a structure fire on December 5th, with mutual aid from Metro, Clearwater Township, and Elk Rapids Township.

Discussion followed regarding some valving and pump issues with the engine.

Planning Commission Report (39:05)

No report. The township board representative to the planning commission position is currently vacant.

Parks & Recreation Advisory Committee Report (39:12)

Cheryl Goss gave the following report:

- The committee met last night; 3 of 5 members were present.
- The 11/08/2021 minutes were approved.
- The committee wishes to move forward with having Lynn Bartosik build the Hi Pray Park dugouts next April. Material quotes will be updated for building supplies and the concrete contractor. The total amount will be less than previously approved. Goss will

contact the Code Office about modification of the permit from a steel structure to a wood structure.

- The walking bridge and the wet area at Lossie Road Nature Trail were discussed. In order to get a preapplication meeting with EGLE, “project plans and wetland delineations” have to be uploaded to MiWaters. Goss will call F&V see if they are interested in taking on this project and find out the cost. Melton will call the Land Conservancy for a recommendation.
- An update was given on the playground expansion. The trees have been removed and the excess hill dirt moved to fill the low spot. A new drawing will be given to the PRAC so they can come up with a plan for placement of existing and future equipment.
- The committee was brought up to speed on comments on the Recreation Plan and today’s public hearing.

186Networks Request for ARPA Funds (41:27)

Bruce Standfest is present, explained their proposal to expand their fiber network in Whitewater Township, and answered all questions.

Consent Calendar (59:53)

Receive and File

1. Supervisor’s Report for November 2021
2. Clerk/Parks & Recreation Administrator’s Report for November/December 2021
3. Zoning Administrator’s Report for November 2021
4. Mobile Medical Response November 2021 Activity Reports
5. Fire Department November 2021 Monthly Report
6. Historical Society Report for November 2021 (*not available*)
7. Approved 10/06/2021 Planning Commission Minutes
8. Approved 10/11/2021 Parks & Recreation Advisory Committee Minutes
9. Approved 11/05/2021 Planning Commission Minutes
10. Trustee Vollmuth November 2021 Report

Correspondence

1. Grand Traverse County Sheriff Department Statistics for November 2021
2. E-mail 12/01/2021 Bret Bowerman re: Multi-Family Campground Mega-Development
3. E-mail 12/01/2021 Lisa Bowerman re: Sunlight Resort Site Review
4. Schulte – Opposed Multi-Family/Campground
5. Couturier – Flags
6. Networks Northwest November Newsletter
7. Wade Logging

Minutes

1. Recommend approval of 11/09/2021 regular meeting minutes and 12/02/2021 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 47268 through 47358

Budget Amendments (none)

Revenue & Expenditure Report (none)

Motion by Popp to approve the Consent Calendar; second by Benak.

Discussion followed.

Popp amended his motion to add with the exception of Jahr and attorney bills.

Benak confirmed her second.

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

Goss will provide the Jahr and attorney bills to Popp.

Unfinished Business (1:05:11)

TEMPORARY DELAY IN ACCEPTANCE OF MMFLA/MRTMA APPLICATIONS

Motion by Popp to delay the acceptance of MMFLA and MRTMA applications until 02/09/2021; second by Vollmuth.

Board comments and discussion followed.

Goss indicated she will put out some proposed meeting dates/times for the marihuana committee.

Popp amended the motion to correct the date to 02/09/2022.

Vollmuth confirmed her second.

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

New Business (1:13:37)

VOTE ON TRUSTEE APPOINTMENT (added)

Motion by Popp to appoint Al Keaton to the open trustee position; second by Vollmuth.

Board comments and discussion followed.

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

Motion by Vollmuth to confirm the recommendation of Linda Slopsema to serve until the people can vote to fill the trustee seat; second by Popp.

Board comments and discussion followed.

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

Motion by Popp to appoint Wally Weir to the open trustee post on the Whitewater Township Board.

Motion not seconded.

Motion by Popp to appoint Norman Bell to the open trustee post on the Whitewater Township Board; second by Vollmuth.

Board comments and discussion followed.

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

Goss indicated she will notify the County Clerk once the 45-day period has expired.

FIRE DEPARTMENT INVOICES FOR AFG GRANT ACCESSORIES (1:34:47)

Motion by Benak to approve the Long Lake Township invoice for \$8,400.00 and the West Shore Fire quotation of \$2,509.00 to complete the AFG regional grant as detailed in the MOU; second by Goss.

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

APPROVAL OF NEW FIRE DEPARTMENT MEMBER - COLE KUSHNER (1:35:57)

Motion by Popp to approve Cole Kushner as a new member of the Fire Department; second by Goss.

Kushner is not present due to work commitments.

Board comments and discussion followed.

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

TOWNSHIP AUDIO SYSTEM - NEW COMPONENTS/TRAINING (moved from 11/9) (1:37:48)

Motion by Popp to schedule amplifier training at the next regular meeting of the Whitewater Township Board of Trustees, Whitewater Township Planning Commission, Whitewater Township Zoning Board of Appeals, Whitewater Township Board of Review, and Whitewater Township Park and Recreation Advisory Committee as a presentation; second by Vollmuth.

Board comments and discussion followed.

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

Motion by Popp to incorporate Waara Technologies for amplifier training sessions to include chairs of each board or commission operating in the township; second by Vollmuth.

Popp will call Waara Technologies to set it up.

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

WITHDRAWAL PLANNING COMMISSION RECOMMENDATIONS (moved from 11/9) (1:52:23) Popp noted Rodney Challender has withdrawn his request for appointment.

APPROVE COOK ROAD BUS STOP SIGN (moved from 11/9) (1:52:58)

Motion by Benak to contract with the Grand Traverse County Road Commission for the installation of one S3-1 Bus Stop Ahead sign and post along the shoulder of Cook Road not to impede clear vision of northbound Cook Road traffic at the Briarwood intersection, with a maximum cost to the Township of \$350.00; second by Popp.

Board comments and discussion followed.

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

Popp requested Goss issue a purchase order for up to \$350 to Grand Traverse County Road Commission.

PROPOSED CONTINUATION OF ZOOM IN 2022 (moved from 11/9) (1:57:33)

Motion by Benak for Whitewater Township to continue the Zoom application through 12/31/2022 as a service to the residents of Whitewater Township; second by Vollmuth.

Board comments and discussion followed.

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

APPOINTMENTS - ZBA AND MARIHUANA SUBCOMMITTEE (1:59:49)

Motion by Goss to appoint Carl Wroubel to the ZBA with a term ending 12/31/2022; second by Vollmuth.

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

Motion by Goss to reappoint Mike Jacobson to the planning commission, term to end 12/31/2024; second by Vollmuth.

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

Motion by Vollmuth to nominate Mike Jacobson to a post on the marihuana subcommittee running concurrently with his 3-year term on the Whitewater Township Planning Commission ending 12/31/2024; second by Benak.

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

Motion by Goss to reappoint Ken Bowen to the Zoning Board of Appeals, term to end 12/31/2024; second by Vollmuth.

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

STAKEHOLDERS DISCUSSION (2:06:38)

C2AE representatives Erik Cronk and Larry Fox are present and provided the following information:

- Cronk is the project manager and main point of contact for the infrastructure and building needs survey project for Whitewater Township.
- To get the process started, they will start off with a board work session, talk about both portions of the project and identify who needs to be involved, how they should be involved, and how the meetings should be run.
- Water distribution can be a board level discussion with invited stakeholders, approximately a 1 to 1-1/2 hour meeting. Building needs assessment would be a better individual interview process, with no more than six stakeholders.

A special meeting will be scheduled at 9:00 a.m. on 01/18/2022, with a backup date of 01/20/2022 at the same time of day.

Cronk will let the clerk know which date works for them for the special meeting. The individual interviews will take place the same day.

OPEN ARBORIST BIDS/DISCUSS (2:23:50)

A quote received from Daniel Maple of ABC Consulting Arborists LLC on 11/18 was briefly discussed. The firm appears to be located in Washington state.

Board comments and discussion followed.

This agenda item will be brought back in January.

PROPOSAL FOR PROFESSIONAL PLANNING SERVICES (2:48:00)

Motion by Goss to approve the Grobbel Environmental & Planning Agreement for Professional Community Planning Services dated 11/12/2021, with a maximum contract price of \$7,500; second by Benak.

Board comments and discussion followed.

Motion re-read: Motion by Goss to approve the Grobbel Environmental & Planning Agreement for Professional Community Planning Services dated 11/12/2021, with a maximum contract price of \$7,500.

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

186NETWORKS REQUEST FOR ARPA FUNDS (3:01:16)

Motion by Popp to invest \$250,000 with 186networks group for the installation of fiber internet backbone; second by Vollmuth.

Board comments and discussion followed.

This agenda item will be brought back in January.

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

The meeting recessed at 12:19 p.m. and reconvened at 12:30 p.m.

COMPUTER TRAINING - BOARD AND COMMISSION MEMBERS (3:32:30)

Motion by Benak to offer volunteer-based computer/software training to all board and commission members who value the opportunity, schedule to be determined by attendees; second by Popp.

Board comments and discussion followed.

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

ARPA FEDERAL PROCUREMENT CONFLICT OF INTEREST POLICY (3:39:41)

Motion by Benak to incorporate MTA's Federal Procurement Conflict of Interest Policy document into Section 4.8(c) of the Whitewater Township Policy and Procedure Manual as printed below; second by Popp.

Board comments and discussion followed.

Benak modified her motion to remove "elected officials" and "malfeasance" from the Violations paragraph.

Popp confirmed his second.

Benak further modified her motion to use the words "adopt and to incorporate . . ."

Popp re-seconded.

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

REVIEW/APPROVE CENTRAL DISPATCH POLICY (3:47:01)

Motion by Popp to accept and approve the "Radio Field Guide Communication Procedures & Guidelines for Grand Traverse County First Responders" dated October 2019 in compliance with the Ambulance Service Agreement dated the 22nd day of November, 2021, between Whitewater Township, Acme Township, and Mobile Medical Response, Inc.; second by Vollmuth.

Board comments and discussion followed.

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

THANK YOU ELK-SKEGEMOG LAKE ASSOCIATION (3:50:30)

Motion by Popp for Whitewater Township to support ESLA's efforts in the community by subscribing to annual membership at the \$1,000.00 level for 2022; second by Vollmuth.

Board comments and discussion followed.

A legal opinion will be sought.

Vollmuth rescinded her second of the motion.

Popp withdrew the motion.

MORATORIUM RE: SPECIAL LAND USE PERMITS (3:55:54)

Motion by Goss to place a moratorium on the acceptance of applications and the review of and decisions on issuing special land use permits in Whitewater Township until such time that the zoning ordinance is amended with the appropriate special use review provisions required under the Michigan Zoning Enabling Act, PA 110 of 2006, as amended; second by Vollmuth.

Board comments and discussion followed.

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

RESOLUTION #21-18 ADOPTION OF 2021-2025 DRAFT RECREATION PLAN (4:14:48)

Motion by Goss to adopt Resolution #21-18; second by Popp.

Board comments and discussion followed.

Recommended changes to the plan:

- Bookmarks are out of order.
- Packet page 5, plan title page, change October to December.
- Packet page 9, no text changes. Popp asked maintenance to be part of PRAC discussion in the future, like fallen trees.
- Packet page 11, remove “in 2021” after “later” for census figures.
- Packet page 14, 3rd paragraph, PRAC to modify “as far north as Eastport, a distance of over 20 miles” to something more descriptive of the Chain of Lakes (not just the water trail).
- Packet page 15, delete “Community” in front of Administrative Structure.
- Packet page 16, no text changes. Observation that the document is more historical than forward looking.
- Packet page 16, remove home page link at bottom. Provide links to each of the four documents listed.
- Packet page 16, make changes as proposed by Goss, also remove specific names and add an acknowledgement page near the front for those who contributed to the plan, past and present, with date.
- Packet page 23, Lossie Road, Mickey Galligan, add why she was honored.

Goss amended her motion to say adopt Resolution #21-18 with the recommended changes to the plan.

Popp re-seconded the motion.

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

SET SPECIAL MEETING TO DISCUSS MEDIATION RESULTS (4:47:55)

Goss proposed a special meeting for a closed session in order that the (Northpoint Farms v Whitewater) mediation results can be shared with the full board.

Board comments and discussion followed.

Two special meeting dates were proposed: 12/16/2021 at any time, 12/21/2021 noon or after.

Popp will check with the attorneys today and let Goss know.

Tabled Items (5:11:40)

None

Board Comments/Discussion (5:11:41)

None

Announcements (5:11:45)

Next regular meeting is 01/11/2022 at 9:00 a.m.

Public Comment (5:11:56)

Public comment began at 2:10 p.m.

Jason Gillman mentioned positive feedback from the work on Gay Road; residents are happy.

Brian Kelley, Acme Township, spoke to planning commission and challenging issues.

Kim Mangus spoke to special use permit standards and temporary moratorium.

Public comment ended at 2:15 p.m.

Adjournment (5:17:00)

Motion by Benak to adjourn; second by Vollmuth. Roll call vote: Popp, yes; Goss, yes; Vollmuth, yes; Benak, yes. Meeting adjourned at 2:15 p.m.

Cheryl A. Goss
Whitewater Township Clerk