

**Whitewater Township Board  
Minutes of Regular Meeting held February 8, 2022**

**Call to Order/Pledge of Allegiance**

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

**Roll Call of Board Members**

Board Members present in person: Benak, Goss, Popp, Vollmuth

Board Members absent: None (trustee vacancy)

Others present in person: Fire Chief Brandon Flynn and 2 others

Others present via Zoom: 6

**Set/Adjust Meeting Agenda**

There were no adjustments.

**Declaration of Conflict of Interest**

None

**Public Comment (5:25)**

Public comment began at 9:03 a.m.

Linda Slopsema spoke on the issue of acceptance of marihuana applications.

Rod Rebant spoke on the issue of marihuana applications.

Brian Kelley, Acme Township resident, spoke on the issue of marihuana applications.

Jason Gillman noted the upcoming Road Commission cost sharing meeting.

Public comment ended at 9:11 a.m.

**Public Hearing (12:45)**

None

**Reports/Presentations/Announcements/Comments (12:52)**

**County Commissioner Report**

Goss noted that Darryl Nelson advised that he is unable to attend this meeting but can be reached for questions.

**Fire Department Report (13:10)**

Brandon Flynn gave the following report:

- January was a busy month with meetings and call volume.
- The new chief's vehicle was delivered yesterday by Gorno Ford. They will start working on switching everything over. The Gorno salesperson is going to start looking into a cab and chassis (for the new brush truck) as the chief has gotten nowhere with the Dodge people on the state contract.

- The fire department has received a Township Participating Plan grant, almost \$3,600, for 4 dash and rear cameras for the tanker, engine, air truck, and chief's vehicle. The grant will cover the full cost of the cameras.
- Regarding the SCBA air pack grant, AFG rules do not allow the old air packs to be sold. He had previously told the board that was possible, but they cannot re-enter the fire service once removed. He will look for a good cause to donate them to, perhaps a high school program or a regional training center.

### **Planning Commission Report (17:13)**

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

PC member Wroubel (via Zoom) reported they have finished the wording on the marihuana ordinance at the last meeting, and they are working on updating the setback ordinances but have not completed that yet. They are going to have some meetings exclusively for the master plan.

### **Parks & Recreation Advisory Committee Report (19:19)**

Cheryl Goss gave the following report:

- This month's clerk report reflects what took place at the last PRAC meeting. They had to reschedule their January meeting to finish up the Recreation Plan, which was accomplished. The plan was submitted to the DNR before the February 1st deadline.
- The committee's next meeting is 2/14.

### **Consent Calendar (20:03)**

#### **Receive and File**

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

#### **Correspondence**

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

#### **Minutes**

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

#### **Bills for Approval**

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

**Budget Amendments (none)**  
**Revenue & Expenditure Report (none)**

Popp requested the removal of three items for discussion, i.e., clerk's report, Mobile Medical Response report, and the PRAC approved minutes.

Discussion followed regarding dugout design, response times and refused/cancelled rate of the ambulance, installation of playground equipment discussed at the PRAC meeting, and the process of approval of Keaton to the planning commission.

There was board consensus that the process for appointing members of the planning commission stays the same as it was; all new recommendations appear before the board.

Vollmuth questioned whether she asked Challender (proposed Board of Review member) any questions (at the 1/11 meeting) and does not remember it.

Brief discussion followed.

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

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

**Unfinished Business (47:04)**

**DISCUSS/AWARD ARBORIST QUOTES**

The RFQ process for hazardous tree inventory and voluntary marking of trees was discussed.

The sealed bid from Parshall Tree Care Experts was opened; proposal amount is \$17,200.

Board comments and discussion followed.

There was consensus that the board will review the Parshall bid and add a decision on awarding of a bid to the 2/17 meeting agenda. The Parshall representative will be asked to attend on 2/17. If he is not available on 2/17, the item will be moved to the 2/23 agenda.

**RISK MANAGEMENT ARPA FUNDS (1:07:15)**

Popp is proposing rubrics be developed for various decision making.

ARPA reporting was discussed.

Board comments and discussion followed.

Vollmuth volunteered to make a couple phone calls to CPA firms who may be able to do the township's ARPA reporting.

Popp will approach Attorney Patterson's office and Beckett & Raeder about whether they are able to generate marihuana and ARPA scoring rubrics for the township, what the cost would be, and references.

**MORATORIUM ON SLUP PERMITS 2022 (1:32:50)**

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

Board comments and discussion followed.

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

**ROLAND OOSTERHOUSE – LOSSIE ROAD NATURE TRAIL (1:46:13)**

Mr. Oosterhouse is not present.

Goss wonders if the prescriptive easement issue raised by Mr. Oosterhouse needs to be addressed by the township attorney's office.

Popp indicated he and Vollmuth have researched minutes up to 2001 in an attempt to establish the ownership question. Oosterhouse and others have suggested that maybe the township didn't do something right; maybe we don't have the use of Lossie Road Trail.

Goss noted the Parks & Recreation Advisory Committee, adjacent landowners and others are awaiting the board's decision and hopes the research can be accelerated so the board can make a decision.

Board comments and discussion followed.

Popp commented that they will speed it up as best they can, noting it is budget time.

**New Business (1:54:40)**

**APPOINTMENTS ZBA, BOR**

Robert Garza is not present.

*Motion by Goss to appoint Robert Garza to the ZBA, term to end 12/31/2024; second by Benak.*

Brief discussion ensued.

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

Tammy Jarvis is present.

*Motion by Goss to appoint Tammy Jarvis to the Board of Review, term to end 12/31/2022; second by Vollmuth.*

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

**RESOLUTION #22-02 – RATES FOR CEMETERY SERVICES (2:03:53)**

*Motion by Goss to adopt Resolution #22-02 Rates for Cemetery Services; second by Benak.*

Board comments and discussion followed.

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

**RESOLUTION #22-03 – INTENT TO OPPOSE INCORPORATION AS CHARTER TOWNSHIP (2:16:17)**

*Motion by Goss to adopt Resolution #22-03 Intent to Oppose Incorporation as a Charter Township; second by Popp.*

Board comments and discussion followed.

There was board consensus to bring the resolution back in March.

**RESOLUTION #22-04 – POVERTY EXEMPTION GUIDELINES AND APPLICATION PACKET (2:29:50)**

*Motion by Goss to adopt Resolution #22-04 Poverty Exemption Guidelines as amended; second by Vollmuth.*

Per Popp, the only change in the resolution from last year is changing the year of the published poverty guidelines to 2021 on page 168 of the e-packet.

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

**ARPA FUNDS AND BROADBAND (2:35:09)**

Popp voiced a concern about the township not following the rules with respect to bestowing ARPA funds to Cherry Capital Connection and wants to delay payment.

Board comments and discussion followed.

*Motion by Goss to forward the proposed Cherry Capital Connection contract for broadband to the township attorney's office for review.*

Discussion followed.

*Goss added to the motion: To make sure it is in compliance with all ARPA rules; second by Benak.*

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

Further discussion followed.

***Motion by Popp to suspend Resolution 21-14 until such time compliance with U.S. Treasury rules can be determined; second by Vollmuth.***

Brief comments from Goss.

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

**TEMPORARY DELAY IN ACCEPTANCE OF MMFLA/MRTMA APPLICATIONS  
(2:53:58)**

***Motion by Popp to delay the acceptance of MMFLA and MRTMA applications until 4/09/2021 (sic); second by Vollmuth.***

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

**REVIEW/APPROVE ADDITIONAL ACTIVITIES COMPENSATION PROGRAM  
(2:55:50)**

***Motion by Popp to amend the Salary/Wage Schedule 2021/2022 adding an hourly rate for the Additional Activities Compensation Program; second by Vollmuth.***

Board comments and discussion followed.

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

***Motion by Popp to amend Section 3.4 of the Whitewater Township Policy and Procedure Manual adding the words as described there (in the packet); second by Vollmuth.***

Board comments and discussion followed.

Additional compensation will come out of the 703 Wages line items.

The word "committee" will be added to the "board and commission" language.

Final approval rests with supervisor or clerk.

Request must be prepared by the board, commission, or committee chairperson and submitted to the supervisor and/or clerk.

Rate of compensation shall be "set" annually, instead of "published."

The language will be brought back in March with the suggested changes.

Popp rescinded his motion.

Vollmuth rescinded her second of the motion.

**TOWNSHIP HALL ARPA MEETING FROM 01/13/2022 NEW RULES JUST RELEASED (3:35:27)**

Popp suggested the scheduling of township hall type meetings.

Board comments and discussion followed.

A work session was tentatively scheduled for 4/6 to plan for a township hall meeting, tentatively to be scheduled for May. The final work session date will be determined in March.

**SET MARCH BUDGET WORK SESSION AND BUDGET PUBLIC HEARING DATES (3:49:40)**

Budget work sessions were scheduled for 2/28 at 9:00 a.m. and 3/7 at 9:00 a.m., with budget public hearing on 3/21 at 9:00 a.m.

**Tabled Items (4:06:09)**

None

**Board Comments/Discussion (4:06:10)**

Vollmuth offered congratulations to Miss Elk Rapids 2022.

**Announcements (4:07:00)**

Budget work sessions will take place on 2/9 at 9:00 a.m., 2/17 at 9:00 a.m., 2/23 at 9:00 a.m., 2/28 at 9:00 a.m., and 3/7 at 9:00 a.m.

Next regular meeting is on 3/8 at 9:00 a.m.

Budget public hearing is set for 3/21 at 9:00 a.m.

**Public Comment (4:08:06)**

Public comment began at 1:06 p.m.

Brian Kelley spoke to the board's work and broadband.

Public comment ended at 1:09 p.m.

**Adjournment (4:11:26)**

*Motion by Vollmuth to adjourn the meeting at 1:09; second by Popp. Roll call vote: Vollmuth, yes; Benak, yes; Popp, yes; Goss, yes.* Meeting adjourned at 1:10 p.m.

Respectfully submitted,

Cheryl A. Goss  
Whitewater Township Clerk