

**Whitewater Township Board
Minutes of Special Meeting held March 28, 2022**

Call to Order

Supervisor Popp called the meeting to order at 9:00 a.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

Roll Call of Board Members

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

Board Members absent: Vollmuth, (trustee vacancy)

Others present in person: 9

Others present via Zoom: 14

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:01 a.m.

Vicki Beam, building home at 6847 Baggs Road, provided her thoughts on getting the township in order, planning, development in the township, proposal on Baggs Road, the last planning commission meeting, an equestrian barn on Lossie Road, fix broken township.

Rod Rebant, 648 Island View Drive, spoke on history of 120-acre parcel near him, we all want rural and residential, PC and township appear to be against the 5 acres, interested in seeing a change in the PC, it is on this board to find that solution.

Linda Slopsema, Miami Beach Road, spoke on development pressure and priorities, township consumed more than \$100,000 on marihuana, developers chomping at the bit to put in high-density housing, high-density campgrounds, pot factories, retail marihuana, short-term rentals, at expense of rural character. Place a moratorium on special use permits immediately, don't accept marihuana applications. Focus needs to be the master plan and roads.

Connie Hymore spoke on her opposition to the Baggs Road condominium development, cited zoning ordinance, fears of water issues, open space, 03/11/2022 meeting, past meeting minutes, inappropriate behavior is not new, make the changes within the PC.

Mark Rickey, 7950 Hoiles Drive, spoke on proposed development in the township, process to become part of a committee, find avenues so this development does not ruin everybody's dreams who live in and around Baggs Road.

Public comment ended at 9:25 a.m.

Agenda Items as Listed in Special Meeting Notice**DISCUSS 03/11/2022 PLANNING COMMISSION MEETING**

Initial discussion centered on following policies and procedures, not stepping on employees' rights, opinion from attorney, and the personnel policy manual which calls for the personnel director to conduct an investigation.

Popp said he did not see a racial element but maybe some views of isolationism or ignorance to what might be required of a master plan. Feels the PC did good at questioning what the professional set forth. Said he is not looking to scold the members. Looking to get them training to do their job more effectively. Acknowledged there were a lot of miscues during the meeting, and said he has done interviews with the members of the planning commission.

Benak would like to know what they said, noting we have had e-mails calling for the removal of the chair. Also, coming into this meeting thinking maybe that was going to be approached, because she does not have anything from Popp, just an agenda and nothing else, and she had no idea what Popp was thinking when he called this meeting. So, trying to be prepared for is this going to go to a closed session, are we talking about some disciplinary action, are we talking about removal; she had no idea because there was nothing in the packet to tell her what she is supposed to be preparing for.

Goss urged the personnel policy process be followed, i.e., the personnel director meets informally with each of the planning commission members, discuss the complaints, make a written documentation of what they were told and what they said, and then it is up to the personnel director to decide what the next step is after that. Does not know where that is going to lead us, but we have to follow the process.

Benak said she thinks that is fair, especially to the planning commission, that we just follow the process. Some of the issue was the way the public perceived they were being treated, being laughed at. Thinks there are issues to address.

Popp said he has done an investigation; he has talked to planning commission members.

Benak would like to know what happened, what their consensus was, what they thought happened, what they thought went wrong, where did it start going wrong, how do they feel about going forward. Thinks that is the first step.

General discussion followed.

Popp said the complaints don't just look toward a personnel issue. They also are dealing with a much larger issue that has been brought to the board before in the form of a moratorium on special land use permits and this board has turned it down.

Goss said, to her, we are just here to decide what the process is going to be. Are we going to address these complaints? Or are you not going to address these complaints?

Popp said he sees what the public is telling us is that we have more than one issue to deal with. We have the personnel policy manual which, to him, is very clear; he understands what he is supposed to do. We can deal with that personnel side, but how do we deal with the much larger topic of this unchecked development that the zoning administrator and the attorney have both recommended we put a moratorium in place. That is the larger topic and the one Popp is looking for direction on.

Discussion followed that the personnel issue should be dealt with first.

Motion by Goss to have the personnel director meet informally with planning commission members in order to conduct an investigation regarding the 03/11/2022 planning commission meeting, and to document the results of that investigation and provide a report to the board within 30 days; second by Benak.

Popp said it won't be done within 30 days; we can say maybe 60 days.

Goss amended the motion to say a report to the board within 60 days.

Benak re-seconded the motion.

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

Goss will forward the motion to Popp.

EXTEND DATE TO ACCEPT MARIHUANA APPLICATIONS

Motion by Popp to extend marihuana applications for 10 years.

Benak said she does not take that as a serious motion.

Goss noted that the Marihuana Subcommittee has met twice. They have modified the two applications that the board approved some time back to make them more of a checklist type of document and have added a little bit of verbiage to it. They are starting on a flow chart and are reaching out to the township attorney with respect to the appropriateness of interview questions.

Popp asked whether 90 days would be more appropriate for a motion.

Goss noted the committee needs to meet two more times and then make a recommendation to the board for their June meeting, which is 6/14.

Benak asked where we are at with amendments to the zoning ordinance.

Goss noted that the planning commission is going to have a special meeting at 6:00 p.m. on 4/6 where one of the topics is zoning ordinance amendments.

Popp revised the motion to extend the date to accept marihuana applications until Thursday, June 16.

Benak seconded the motion.

Kim Mangus said the PC has not been able to work on marihuana since the first of the year, when it was brought to their attention that, in the opinion of the attorney and the ZA, the special use permit section of the ordinance did not have everything it needed. It is set for the early special meeting before their regular meeting. She does not know if they will get to it because they have a couple other critical items in front of it. Stated they will need at least one full meeting being able to go through their draft, addressing concerns brought in the public hearing last year. The document is prepped and ready. She thinks one full meeting and then maybe one more to approve diagrams illustrating setbacks and it will be ready for public hearing.

Goss noted that the motion is to delay the acceptance of marihuana applications until 06/16/2022.

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

Board Comments/Discussion

None

Public Comment

Public comment began at 10:12 a.m.

Popp read an e-mail from Trustee Vollmuth dated 3/27 at 12:29 p.m. urging a moratorium on application process and special use permits, investigate planning commission issue fully before decision or solution, watch planning commission meetings, other issues that need addressing, many solutions available, act wisely.

Vicki Beam commented the zoning ordinance and master plan are outdated, worthless, who is the personnel director, mentioned moratorium must be in place, complaints are not just about personnel, vet is up for final on 4/6, could happen to us.

Linda Slopsema thanked the board for coming to reasonable conclusions, the need for PC training, doing their homework, take close look at a moratorium, protect the community.

Rod Rebant commented the board came to the right decision in looking at the PC and understanding what are the issues that exist within the organization. The 5-year plan, still need expertise from outside the PC, perhaps reinstating Chris Grobbel or find someone else that fits better. Regarding moratorium, June unrealistic, suggest at least after the August ballot, and the issue of accepting marihuana applications.

Kim Mangus, 1214 Cerro Drive, 5101 Brown Bear Lane, noted the proposed development on Baggs Road is a site condominium, not a PUD. Provided an update on the 5-acre survey, the vet clinic, the 4/6 meeting agenda, recodification, agrees with having consultant to work on the master plan and zoning ordinance, asked the board be completed.

Connie Hymore spoke again on the condominium development and the 3/11 meeting.

Vern Gutknecht commented on the 3/11 planning commission meeting, the condo proposal, and made comments about the treasurer and clerk.

John Boucher, Clearwater Township, voiced opposition to the condominium project which does not reflect rural nature of the area, zoning regulations match master plan, ask voters.

Public comment ended at 10:38 a.m.

Adjournment

Motion by Benak to adjourn; second by Goss. Roll call vote: Benak, yes; Goss, yes; Vollmuth, absent; Popp, yes. Meeting adjourned at 10:39 a.m.

Cheryl A. Goss
Whitewater Township Clerk