

**WHITEWATER TOWNSHIP BOARD**  
**AGENDA FOR SPECIAL MEETING – JUNE 20, 2023**  
**9:00 a.m. at the Whitewater Township Hall**  
**5777 Vinton Road, Williamsburg, MI 49690**  
**Phone 231-267-5141/Fax 231-267-9020**

*At this time, the Board invites everyone to silence their electronic devices.*

*Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities upon reasonable advance notice. Contact the Township Clerk at 231.267.5141 Ext. 24 at least 5 days in advance of the meeting.*

- A. Call to Order
- B. Roll Call of Board Members
- C. Set/Adjust Meeting Agenda -
- D. Declaration of Conflict of Interest
- E. Public Comment. Any person shall be permitted to address a meeting of the township board. Public comment shall be carried out in accordance with the following board rules and procedures:
  - 1. Comments shall be directed to the board, with questions directed to the chair.
  - 2. Any person wishing to address the board shall speak from the lectern and state his or her name and address.
  - 3. Persons may address the board on matters that are relevant to township government issues.
  - 4. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer board member's questions. The chair shall control the amount of time each person shall be allowed to speak, which shall not exceed five (5) minutes.
- F. Correspondence - None
- G. Agenda Items as Listed in the Special Meeting Notice
  - 1. Discuss talking points pertaining 6631 Baggs Road Appeal Process and related May 25, 2023 email from attorney Michael Herring. Possible Closed Session.
  - 2. Any Matter Pertaining to Parks & Recreation Operation.

H. Board Comments/Discussion

I. Public Comment

J. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the township clerk at 231-267-5141.



Ron Popp <supervisorwhitewater@gmail.com>

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## RE: 6631 Baggs Rd Appeals Process

1 message

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**Michael Herring** <mherringlaw@outlook.com>

Thu, May 25, 2023 at 3:14 PM

To: Derek Van Solkema <derek.vansolkema@gmail.com>, Ron Popp <supervisorwhitewater@gmail.com>, Ryan Sheffer <Sheffer82@gmail.com>, "Cheryl A. Goss" <clerk@whitewatertownship.org>

Cc: "cpatterson@fsbrlaw.com" <cpatterson@fsbrlaw.com>, "zoning@whitewatertownship.org" <zoning@whitewatertownship.org>

Hello Everyone,

My name is Michael Herring, I am the attorney for Derek Van Solkema and Ryan Sheffer.

Now that we know the Baggs property is unbuildable, per Section X, the property was split improperly. Section XI now demands that any person who violates any of the provision of the Ordinance shall be deemed guilty of a misdemeanor. The ordinance is a local law, flawed or unflawed. Following the township ordinance is important to the greater good.

### **When will the violations be sent to Morrison Orchard, LLC?**

Further, MCL 560.265 Sec. 265 Any municipality, board of county road commissioners or county plat board may bring an action in its own name to restrain or prevent any violation of this act or any continuance of any such violation. Such action shall be brought in the county where the land is located, the defendant resides or has his principal place of business.

### **When can we anticipate your action to stop the continuance of the violation?**

As you can imagine a large amount of litigation will be coming. My clients are bonified purchasers who, along with the realtor, the title company, insurance companies and others have substantial damages. Thankfully, we know who is responsible for the chaos... Morrison Orchard, LLC.

Have a great weekend and govern yourself accordingly,

Michael Herring

[2029 Celadon Dr.](#)

[Grand Rapids, MI 49525](#)

Phone: 616-916-6704

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your system. Michael Herring is not responsible for errors in this electronic mail message. Any personal comments made do not necessarily reflect the views of Michael Herring.

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**From:** Derek Van Solkema <derek.vansolkema@gmail.com>  
**Sent:** Wednesday, May 24, 2023 4:07 PM  
**To:** Ron Popp <supervisorwhitewater@gmail.com>; mherringlaw@outlook.com; Ryan Sheffer <Sheffer82@gmail.com>; Cheryl A. Goss <clerk@whitewatertownship.org>  
**Cc:** cpatterson@fsbrlaw.com; zoning@whitewatertownship.org  
**Subject:** Re: 6631 Baggs Rd Appeals Process

Ron,

I can't imagine you are unaware of your own Finding of Facts and vote on 5/3/2023. It is our understanding based on the email below from Cheryl Goss and the letter from Bob Hall that your decision in the 5/3/2023 meeting regarding our parcel of land was deemed unbuildable and is not eligible for any building permits or zoning approvals such as special land use approval or site plan approval. **Please confirm the decision of the township.**

Thanks,

Derek

Baggs Partners, LLC

See attached letter from Bob Hall and a copy of the email received by my father Gary Van Solkema from Cheryl Goss.

Gary –

These were the findings of fact, motion and vote today on the Hymore Complaint.

Findings of Fact:

1. Request for variance is nonexistent.
2. Parcel B could have been divided in a manner to make it comply with the ordinance, moving the north line.
3. No record of topographical or environmental adverse circumstances.
4. The ordinance is a local law, flawed or unflawed.
5. Following township ordinance is important to the greater good.

Based on the findings of fact, we find parcel 28-13-136-001-02 noncompliant with Whitewater Township general ordinance number 26, amendment 3, effective 03/19/2011, specifically section 7(d) and is not eligible for any building permits or zoning approvals such as special land use approval or site plan approval.

***Popp stated he will make that motion.***

***Glenn seconded.***

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

FYI -

*Cheryl A. Goss*

Whitewater Township Clerk

[5777 Vinton Road](#), P.O. Box 159

Williamsburg, Michigan 49690

Telephone: 231.267.5141 x24

Fax: 231.267-9020

[clerk@whitewatertownship.org](mailto:clerk@whitewatertownship.org)

**Office Hours: Mon/Tue/Wed/Thurs 9:00 a.m. to 5:00 p.m.**

**I Pledge Allegiance to the Flag of the United States of America, and to the REPUBLIC for which it stands, One Nation, Under God, Indivisible, with Liberty and Justice for All.**

On Wed, May 24, 2023 at 10:57 AM Ron Popp <[supervisorwhitewater@gmail.com](mailto:supervisorwhitewater@gmail.com)> wrote:

Good morning Derek - I have no knowledge of correspondence sent to you by the Township. If you can provide a copy I may be able to direct your question to the proper folks. As for 3rd party costs, I believe the condominium deeds review process continued during the timeframe the parcel status was being determined. I will verify that is the case and advise.

I look forward to a copy of the correspondence.

Regards,

Ron Popp

Whitewater Township Supervisor

231.267.5141 Ext. 23

[supervisorwhitewater@gmail.com](mailto:supervisorwhitewater@gmail.com)

bcc: Township Board

On Tue, May 23, 2023 at 2:04 PM Derek Van Solkema <[derek.vansolkema@gmail.com](mailto:derek.vansolkema@gmail.com)> wrote:

Ron, Cheryl, and Bob,

We received your letter about our property. Is there any more information we are owed in addition to the letter from Bob Hall regarding the township board's decision deeming our property unbuildable?

Does Whitewater Township have an appeals process that we need to be aware of based on your decision?

If so, please use this email as our formal confirmation to begin our appeals process. Let us know if you need any additional documentation.

Also, when can we anticipate our refund of the \$2,500 Escrow Check from 5/26/2022 Check #105? Obviously we did not require any of the township's legal resources for our site condo project.

Signed,

Baggs Partners LLC

# Memo

**To:** Whitewater Township Board of Trustees  
**CC:** None  
**Date:** 6.7.2023  
**Re:** Campground Needs

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Board Members –

This business item is presented to allow Trustee Don Glenn a forum to the Board to discuss any matter regarding the camping park he sees relevant, needs more information on, or wants helps with.

No motion pending further Board input.

Respectfully submitted,



Whitewater Township FOIA Coordinator  
Supervisor, Whitewater Township