

**Whitewater Township Board
Minutes of Regular Meeting held April 11, 2023**

Call to Order/Pledge of Allegiance

Supervisor Popp called the meeting to order at 9:00 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: Clerk Goss, Trustee Glenn, Popp

Board Members absent: Treasurer Benak, Trustee Vollmuth

Others present in person: Fire Chief Brandon Flynn, Zoom Facilitator Lois MacLean, and 3 others

Others present via Zoom: 2

Set/Adjust Meeting Agenda

Per Popp, the Kitzmiller presentation will be rescheduled.

Regarding holding closed sessions during this meeting on the Oosterhouse and Hymore complaints, there was agreement to let Attorney Chris Patterson know those sessions will not be held today.

Cleanup Day added as New Business #17.

Hold Harmless Agreement added as New Business #18.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:09 a.m.

Vicki Beam

Derek Vansolkema

Connie Hymore

Linda Slopsema

Public comment ended at 9:22 a.m.

Public Hearing

None

Reports/Presentations/Announcements/Comments

County Commissioner Report

Darryl Nelson is not present.

Fire Department Report

Brandon Flynn gave the following report:

- March was an average month
- Regarding the brush truck, they temporarily halted production due to a part issue, but he hopes to receive it sometime this summer.

Planning Commission Report

Heidi Vollmuth is not present.

Planning commission member Rod Rebant provided a written report entitled Planning Committee (sic) Meeting Summary April 5, 2023 and commented on planning commission business.

Parks & Recreation Advisory Committee Report

Don Glenn noted he did not attend the last meeting but has included the PRAC 03/21/2023 meeting documents in today's packet.

H&R Property Management & Maintenance – Randy Kitzmiller

Per Popp, this presentation will be rescheduled.

Consent Calendar**Receive and File**

1. Supervisor's Report for March 2023
2. Clerk's Report for March 2023 (none)
3. Treasurer's Report February 2023
4. Trustee Vollmuth's March 2023 Report
5. Trustee Glenn's March 2023 Report
6. Zoning Administrator's March 2023 Report
7. Mobile Medical Response March 2023 Activity Reports
8. Fire Department March 2023 Report
9. Planning Commission March 2023 Report
10. Historical Society February/March 2023 Report
11. Approved Planning Commission Minutes (none)
12. Approved 02/21/2023 Parks & Recreation Advisory Committee Minutes

Correspondence

1. Vicki Beam – Hi Pray Park
2. Grand Traverse County Sheriff Statistics
3. Hymore - Public Comments Not Read

Minutes for Approval

Recommend approval of 03/08/2023 special meeting minutes, 03/14/2023 regular meeting minutes, 03/21/2023 special meeting minutes, 03/22/2023 special meeting minutes, and 03/30/2023 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank voucher #s 48876 through 48962

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

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

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

Unfinished Business**CAMPING PARK QUESTION AND ANSWER**

No motion provided. Questions/answers provided.

Popp noted Andrew Butler has received an employee packet and will start on May 1.

New Business**FIRE DEPARTMENT NEW MEMBER**

Josh Morgan is not present.

Motion by Goss to approve Josh Morgan as a new member of the fire department; second by Popp.

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

FIRE DEPARTMENT OVERHEAD DOORS

Motion by Goss to allow Chief Flynn to contract with Northern Garage Door to replace four overhead door operators at a cost not to exceed \$6,500; second by Glenn.

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

APPROVE MICROSOFT E-MAIL HOSTING

Motion by Glenn to approve the creation, execution, and submission of the authorization letter to .gov Domain Registration c/o Verisign, Inc., 12061 Bluemont Way, Reston, Virginia 20190, dated 03/22/2023 as written on behalf of the Whitewater Township Board of Trustees; second by Popp.

Goss commented that she does not have access to anyone's e-mail, contrary to Popp's assertions. Also commented that clerk@whitewatertownship.org will need to be removed as the security contact on the .gov letter.

The security contact paragraph will be removed from this document but was submitted with the verification letter.

The motion and second were rescinded.

Motion by Popp to put this on the May agenda; second by Glenn.

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

After discussion, Goss notified board members present that she will give Popp the Spectrum login and password today and will not be responsible for setting up any further e-mail accounts.

CONSIDER APPROVING BYLAWS

Motion by Popp requesting the Whitewater Township Board of Trustees to annually review, return for amendment or approve and file bylaws from the Zoning Board of Appeals, Planning Commission, and the Parks and Recreation Advisory Committee along with any future entity created at the discretion of the Whitewater Township Board of Trustees that uses bylaws; second by Glenn.

It was noted the planning commission's annual report is not in the packet.

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

There was further discussion, including comments from planning commission members Rod Rebant and Rachel Steelman.

The above motion and vote were rescinded.

Motion by Popp requesting the Whitewater Township Board of Trustees to annually review and file bylaws from the Zoning Board of Appeals, Planning Commission, and the Parks and Recreation Advisory Committee, along with any future entity created at the direction of the Whitewater Township Board of Trustees that uses bylaws; second by Glenn.

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

REQUEST TO APPROVE PLANNING COMMISSION BYLAWS

Popp will place the new bylaws in next month's Receive and File.

ORDINANCE ENFORCEMENT

Motion by Goss to request two additional days per month of Certified Zoning Services' time in the 2023/2024 agreement to begin an ordinance enforcement program; second by Popp.

Goss withdrew the motion due to Popp's indication that Hall does not have available time.

Motion by Popp to approve Ordinance Enforcement Officer Job Description as amended; second by Glenn.

After discussion, there was consensus that Popp will request the township attorney's office to provide an ordinance enforcement officer ordinance.

At 12:01 p.m., the meeting recessed.

At 12:18 p.m., the meeting reconvened.

OOSTERHOUSE COMPLAINT – SCHEDULE CLOSED SESSION

Motion by Popp to schedule a closed session with township legal to discuss options regarding protection of all park land from similar claims of easement; second by Glenn.

There was no vote on the motion.

After discussion, there was consensus to have Attorney Chris Patterson set up an appointment with Mr. Oosterhouse's attorney to address alternative solutions and to address continued motorized usage of the Lossie Road Nature Trail as a violation of the Battle Creek Natural Area Management Plan, which the Lossie Road Nature Trail is considered to be a part of.

Popp will send the consensus to Patterson.

APPROVE 2023 ROAD BRINE AGREEMENT

Motion by Popp to authorize the clerk and supervisor to execute the annual County Road Improvement Agreement (brine agreement) between Whitewater Township and the Grand Traverse County Road Commission for the 2023/2024 fiscal year capped at two (2) applications or \$37,116 total expenditure; second by Goss.

Add to the motion: Roads to be brined are 18.98 miles of county-maintained road, 1.65 miles of non-county road, and 0.5 miles for the two road sections shown as Undefined on the Grand Traverse County Road Commission Township Brining list. This list contemplates removal of 0.52 miles of road for the Vinton section from Farrell Road to the seasonal road sign.

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

HYMORE COMPLAINT – SCHEDULE CLOSED SESSION

There was consensus that a closed session meeting will be set for 05/03/2023 at 9:00 a.m. if Attorney Kuschel is available.

PETOBEGO HAYFIELD MOWING AGREEMENT NEEDED

Motion by Popp requesting the Clerk provide an executed copy of the Petobego Natural Area Mowing Agreement to the board; second by Glenn.

Goss will forward the 07/01/2014 e-mail.

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

REVIEW INCOMPATIBLE OFFICE INFORMATION – APPROVE PAYMENT TO DON GLENN

Motion by Popp to approve Don Glenn’s request for payment under the Additional Activities Compensation Program beginning 01/01/2023 through 04/30/2023, not to exceed \$2,500; second by Glenn.

Discussion followed.

Add to the motion: For park and recreation related activities.

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

REVIEW VENDING MACHINE LOCATION – COVID TESTING SUPPLIES

Motion by Glenn for the supervisor to work collaboratively with the fire chief to finalize a location at the fire station located at 8380 Old M-72 for the COVID testing supplies vending machine and develop an associated startup cost estimate; second by Popp.

Popp noted this will be a township board expense.

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

REVIEW HI PRAY PARK PLAYGROUND REPAIR WORK

No motion was provided.

Goss will send 10/22/2022 Hi Pray Park playground pictures to the board.

Popp detailed specifications for additional repairs, to be completed no later than 05/20/2023.

APPROVE TRUGREEN AGREEMENT

Motion by Popp to accept and execute the TruGreen 2023 service contract as proposed in the amount of \$798.75 for Hi Pray Park; second by Goss.

Popp amended his motion to say: Motion by Popp to have the supervisor accept and execute the TruGreen 2023 service contract as proposed in the amount of \$798.75 for Hi Pray Park; second by Goss.

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

UPDATE ON ANNUAL AUDIT RFQ

Per 03/08/2023 township board minutes, Benak is to supply an RFP form for auditing services. This item will be brought back in May.

MODIFY CONSENT CALENDAR

Motion by Glenn to amend the Whitewater Township Board of Trustee's Consent Calendar to include Parks & Recreation Advisory Committee's Report under the Receive and File section as H.11; second by Popp.

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

CLEANUP DAY (added)

Motion by Goss to select Bay Area Disposal as the vendor for the 2023 Cleanup Day; second by Popp.

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

Popp will contact Bay Area Disposal to let them know they have been selected.

HOLD HARMLESS AGREEMENT (added)

Motion by Popp to authorize the supervisor to sign the Whitewater Township Park Voluntary Services Indemnification and Hold Harmless Agreement for Free Camping Weekend; second by Glenn.

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

Tabled Items

None

Board Comments/Discussion

None

Announcements

Next regular meeting 05/09/2023.

Public Comment

Public comment began at 3:22 p.m.

Vicky Emerson

Public comment ended at 3:25 p.m.

Adjournment

Motion by Glenn to adjourn; second by Popp. Roll call vote: Glenn, yes; Popp, yes; Benak, absent; Goss, yes; Vollmuth, absent.

Meeting adjourned at 3:25 p.m.

Cheryl A. Goss
Whitewater Township Clerk