

**Whitewater Township Board  
Minutes of Regular Meeting held May 9, 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, Treasurer Benak, Trustee Glenn, Trustee Vollmuth, Popp

Board members absent: None

Others present in person: Fire Chief Brandon Flynn, Zoom Facilitator Lois MacLean, and 5 others

Others present via Zoom: 7

**Set/Adjust Meeting Agenda**

Glenn requested to add salary/wage schedule for 2023/2024 for discussion.

Benak requested to add quote from Tobin and an RFP.

Glenn provided a document to add under Unfinished Business #1 Camping Park Questions.

Salary/Wage Schedule will be added as New Business #13.

Benak's documents will go under New Business #8 Annual Audit.

***Motion by Benak to approve the adjusted agenda; second by Vollmuth. Roll call vote: Vollmuth, yes; Benak, yes; Popp, yes; Glenn, yes; Goss, yes. Motion carried.***

**Declaration of Conflict of Interest**

None

**Public Comment**

Public comment began at 9:05 a.m.

Lois MacLean (restarting at 9:07 a.m.)

Thad Saur

Phil Knapp

Melissa Melton

Amber Voice

Brenda Bruner (e-mail read by Goss)

Vicki Beam

Public comment ended at 9:28 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:

- Had a busy April. Little bit of warm spell with 80-degree weather. Had several wildfires break out.
- Regarding the new brush truck, he talked to LaFontaine early in April; they do not know when the assembly line is going to fire up again.
- Fire engine project is kind of slow. Almost done with the specifications. Spartan has specs for demo trucks; hopefully they will get that out so we can send it out for competitive bidding.

Chief Flynn answered a couple board member questions.

**Planning Commission Report**

Heidi Vollmuth gave the following report:

- PC moving along, planning a future for Whitewater Township, working hard on the master plan, should see some chapters shortly.
- Save date for evening of 5/17. Awesome brochures and homework coming. Asking you give these people a chance.
- The master plan is coming. Everyone needs to get involved.

**Parks & Recreation Advisory Committee Report**

Don Glenn gave the following report:

- Provided a memo. PRAC responding to board's concerns on playground repairs. Brandon Hubbell was to meet with the contractor. Glenn expects to hear something next week.
- Two members, Melton and Voice, working with EGLE as permit likely to be needed for improvements at Lossie Road Nature Trail. There is likely to be a few more walk-throughs to get a sense of what overall scope of work is.

**H&R Property Maintenance - Randy Kitzmiller**

Randy Kitzmiller provided details of his job experience and skills, the types of work he is available for, hourly rates, etc.

Popp noted he and Kitzmiller worked together in fire protection some 20 years ago.

Kitzmiller will supply 2-3 references.

Popp asked Kitzmiller to take a look at the hole in the parking lot and provide an estimate to repair.

On an unrelated topic, Glenn asked when to expect year-end 2022/2023 financials.

Goss agreed to provide it by the next regular meeting.

Goss noted that revenue/expenditure reports are not being put in the board packets, and will provide the dates that rev/exp reports have been sent to the board since it was requested that it be monthly.

### **Consent Calendar**

1. Supervisor's Report April 2023
2. Clerk's Report April 2023 (none)
3. Treasurer's Report April 2023 (pending)
4. Trustee Vollmuth's Report April 2023
5. Trustee Glenn's Report April 2023
6. Zoning Administrator's Report April 2023
7. Mobile Medical Response April 2023 Activity Reports
8. Fire Department Report April 2023
9. Planning Commission Report April 2023 (none)
10. Historical Society Report April 2023
11. Parks & Recreation Report April 2023
12. Approved 02/01/2023 and 03/01/2023 Planning Commission Minutes
13. Approved 03/10/2023 and 03/17/2023 Planning Commission Resident Outreach (Master Plan) Subcommittee Minutes
14. Approved 03/21/2023 Parks & Recreation Advisory Committee Minutes

### Correspondence

1. Grand Traverse County Sheriff Statistics April 2023
2. 03/23/2023 Grand Traverse County Road Commission Minutes
3. 04/15/2023 Grand Traverse County Road Commission Minutes
4. 04/18/2023 Grand Traverse County Road Commission Memo re: Roadkill

### Minutes for Approval

1. Recommend approval of 04/11/2023 regular meeting minutes

### Bills for Approval

1. Alden State Bank voucher #s 48963 through 49053

### **Motion by Popp to approve the Consent Calendar; second by Vollmuth.**

There was brief discussion of the 4/11 minutes and a payroll question.

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

### **Unfinished Business**

#### **CAMPING PARK QUESTIONS**

***Motion by Glenn to approve the five park rangers, Isaiah Send, Thomas Olds, Nick Barrasi, Travis Holl, and Ericka Emerson pay raise as presented for the 2023 park season; second by Goss.***

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

### **PARK IMPROVEMENT PROJECT FINAL DOCUMENTS**

Discussion took place regarding the AP&P manual statement that “the township supervisor shall manage all capital improvement and public works projects conducted by the township.”

***Motion by Goss to change the Professional Services Agreement to appoint Ron Popp as the owner’s representative; second by Benak.***

Goss proposed an addendum to the PSA as follows: The Whitewater Township Board hereby modifies the Professional Services Agreement to change the owner’s representative from Cheryl Goss to Ron Popp.

The following language will be added to the addendum, “per Administrative Policy & Procedure Manual, Section 7.2” and “is effective immediately.”

As revised, the addendum will say: The Whitewater Township Board hereby modifies the Professional Services Agreement to comport with the Administrative Policies & Procedure Manual, Section 7.2, and appoints Ron Popp as the owner’s representative, effective immediately. All correspondence related to this project shall be sent immediately to Ron Popp.

Goss said she will ask F&V to copy her in on correspondence.

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

Goss will prepare the addendum and provide it to F&V and the entire board. It will be labeled Addendum No. 1 to Professional Services Agreement.

There was consensus that the township will follow the AIA document regarding insurance. Contract #842850. Molon will be supplied with the township’s certificate of liability, unless they request more. If they ask, the policy will be provided, without further board action.

Page 94, change order language in 11.02(B) is acceptable to the board.

Page 102, paragraph C, cost of work, is acceptable to the board.

Page 108, paragraph B(3), contractor affidavit regarding previous progress payments, Popp indicated he will seek help with this area.

Page 108, paragraph C(3), engineer inspection, is not an issue with the board.

Page 126, paragraph G(1)(a), Popp will bring back a policy on another day.

Page 126, paragraph G(6), contractor will be requested to supply a statement of compliance from their agent.

Page 126, paragraph H, same consensus as for G(6).

Page 127, owner's protective liability insurance, agent will be asked to provide a statement of compliance.

Page 133, pollution coverage may not be attainable. Umbrella policy limit is \$5 million. Agent statement should cover this.

Page 156, section 1.04, temporary water service will not be addressed right now, and 1.05 sanitary facilities, contractors will use boat launch portable toilets. Maybe look at providing a new well for temporary service and other future uses. Location of new well will be west of the current campground.

Page 157, section 1.07, Parking, contractors should park where it does not interfere with emergency services or park usage.

Page 157, Section 1.08, waste removal, debris, rubbish, will be collected and removed off site.

Page 159, Section 3.01(B), 3.5 inches of rain. A different section says 4.5 inches. F&V will be asked for clarification.

Page 160, paragraph D(4), F&V will be asked to clarify why it says City of Portage.

Page 184, Section 3.01, 4-foot excavation and 2-foot excavation, what parts will be taken to 4' depth and what parts to 2' depth? Popp will ask F&V.

Page 186, surplus materials, the contractor will be allowed to take all of the excavated material.

Page 213, concern about fertilizers or herbicides, topsoil test, the cost for gravel at the new parking lot will be requested.

Page 217 and 218, turf establishment, these items will be held until we get an actual gravel cost.

Page 229, number of precast planks, 24 versus 22, F&V will be asked to verify.

Popp withdrew his resignation as project manager.

It was noted that Popp was authorized on 5/3 to sign the contract.

At 1:13 p.m., the meeting recessed.

At 1:36 p.m., the meeting reconvened.

**DOT.GOV E-MAIL EXTENSIONS**

***Motion by Benak 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 Glenn.***

Numerous issues were discussed.

Popp will ask Netlink about the cell phone question, and is that requirement part of .gov or Microsoft 365, and can we move to .gov and maintain Spectrum. This will be brought back in June.

***The motion and second were rescinded.***

**INTERNAL REVENUE SERVICE UPDATE**

Vollmuth asked about an update on the IRS issue.

Goss reported that there is not yet a determination.

**New Business****FACILITATOR**

***Motion by Popp to provide administrator level access to all board and commission chairs and vice chairs who request access. This includes training sessions via free basic zoom accounts; second by Vollmuth.***

***Popp modified the motion to add: Access to the Zoom account.***

***Vollmuth re-seconded the motion.***

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

***Motion by Popp to contact MTA or other sources including the legal department for an electronic and telephonic meetings facilitator job description and present it to the board for modification and approval; second by Glenn.***

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

***Motion by Popp to offer an electronic and telephonic meeting facilitator to various bodies that operate underneath the Whitewater Township Board on a temporary, as requested basis until board approval of a job description and compensation rate are determined or 12/31/2023, whichever arrives first; second by Vollmuth.***

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

**PLANNING COMMISSION REQUEST**

***Motion by Goss to schedule a joint township board/planning commission meeting to discuss the Municode contract, expanding the Mielnik contract, putting that contract under the PC's leadership, discuss the PC's budget, and discuss any other related topic the board or commission wishes to discuss; second by Vollmuth.***

***Goss added to the motion: To meet on 5/17 at 6:00 p.m.***

It was noted that the planning commission will put out a meeting packet.

***Vollmuth seconded the revised motion.***

*Goss, Vollmuth, Benak, and Glenn are available on 5/17. Popp is not available.*

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

***Motion by Goss to authorize recording secretary wages and zoom facilitator wages at all PC regular and subcommittee meetings held in March 2023 and during FY 2023/2024; second by Vollmuth.***

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

**SPECTRUM ACCOUNT**

This agenda item will be brought back in the future.

**PERSONNEL POLICY MANUAL UPDATE**

***Motion by Popp to temporarily suspend the health insurance provision as outlined in the Whitewater Township Personnel Policies Manual last revised 02/26/2013; second by Glenn.***

Glenn said Andrew Butler has not yet been given the Personnel Policy.

There was a consensus of the board that Whitewater to reserve the right to negotiate individual benefits with any full-time employee at any time, and that a negotiation did take place with the park manager.

Goss noted she does not agree with the part of the stated "consensus" that a negotiation did take place with the park manager.

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

***Motion by Popp to send the Whitewater Township Personnel Policies Manual last revised 02/26/2013 to legal for review; second by Glenn.***

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

Popp will get the personnel policy to the township's legal counsel tomorrow and will provide verification to the board.

#### **REVIEW FORMS & AGREEMENTS**

***Motion by Popp to send the Free Camping Weekend and Volunteer Hold Harmless agreements to legal for review; second by Glenn.***

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

***Motion by Popp to send the Pavilion Lease Agreement to legal for review; second by Glenn.***

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

Glenn will send these agreements to the township attorney's office.

#### **REJECT COUNTY ARPA FUNDS**

***Motion by Popp not to accept Grand Traverse County ARPA funds for Lossie Road Nature Trail; second by Glenn.***

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

***Motion by Popp to reconsider New Business #6 returning County APRA funds; second by Vollmuth.***

**There was no vote on the motion.**

Discussion followed.

Benak suggests we take New Business #6 and put it on next month and address the money requests.

#### **FOIA POLICY**

This agenda item will be moved to a future meeting.

#### **ANNUAL AUDIT**

Benak provided the Tobin & Co. audit proposal.

***Motion by Goss to authorize the supervisor or clerk to sign the Tobin & Co. scope of work letter dated 04/26/2023 to conduct the 2022/2023 fiscal year end financial audit for Whitewater Township for a total cost of \$7,000; second by Benak.***

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

Goss noted she will sign the letter and transmit it to Tobin.



**POPP REIMBURSEMENT**

*Motion by Benak to approve 2023 Board of Review meal expenses submitted by the supervisor in the amount of \$85.68; second by Vollmuth.*

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

**PACKET DEADLINE**

This agenda item will be moved to a future meeting.

**PRAC FUNDING**

*Motion by Glenn to approve PRAC request for funds not to exceed \$1,655 as shown on the cost estimate dated 04/24/2023 from the Grand Traverse Conservation District for the project entitled Battle Creek Trail Clearing 2023; second by Benak.*

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

Glenn will handle this agenda item with PRAC.

**INSURANCE EXCLUSION**

No action taken.

**SALARY/WAGE SCHEDULE (added)**

*Motion by Popp to amend the Salary/Wage Schedule 2023/2024 to include a line item under planning commission, zoning board of appeals, and parks & recreation advisory committee board representative to be paid at the trustee per meeting rate, effective 04/01/2023; second by Vollmuth.*

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

Goss will amend the Salary/Wage Schedule and provide a new copy to the board.

**Tabled Items**

None

**Board Comments/Discussion**

Goss will provide the 2% application submitted in 2020 for Whitewater Township Park improvements to the board.

**Announcements**

Next regular meeting is 06/13/2023.

**Public Comment**

Public comment began at 5:45 p.m.

Lois MacLean  
Heidi Vollmuth  
Linda Slopsema

Public comment ended at 5:50 p.m.

**Adjournment**

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

Meeting adjourned at 5:54 p.m.

Cheryl A. Goss  
Whitewater Township Clerk