

**Whitewater Township Board
Minutes of Regular Meeting held February 13, 2024**

Call to Order/Pledge of Allegiance

Supervisor Popp called the meeting to order at 9:03 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: Clerk Goss, Treasurer Benak, Trustee Glenn, Trustee Vollmuth, Popp

Board members absent: None

Others present in person: County Commissioner Darryl Nelson, Fire Chief Brandon Flynn, Park Manager Andrew Butler, and 2 others

Others present via Zoom: 6

Set/Adjust Meeting Agenda

There was consensus that the closed session will be moved up, but public comments and reports will be heard beforehand.

The agenda was set.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:06 a.m.

Amber Voice

Connie Hymore

Public comment ended at 9:11 a.m.

Public Hearing

None

Reports/Presentations/Announcements/Comments**County Commissioner Report**

Darryl Nelson gave the following report:

- Provided an update on issues with Northern Lakes Community Mental Health. People who need those services are being affected again. The oversight agency is conducting a full forensic audit.
- BATA is suing Grand Traverse County. Bus services should not be affected. They are trying to improve services for the constituents.
- Regarding Grand Traverse Pavilions, they got \$10 million back, made them whole, got a business plan together. They are at 155 count last week. New director started in the middle of January.

- Regarding the courts, Antrim County is talking about splitting off. He does not know what is going to happen with that.
- Camp Greilick, they have been negotiating with Rotary to buy the park. Apparently, there are two private buyers looking at it. The county is looking at it for a park, not a wedding venue or other use. He is hoping some open houses can be held out there and see what this 200-acre camp has to offer.
- Nelson is on the airport board and provided some statistics about how the airport has grown in the last five years. Airspace restrictions during Cherry Festival are causing an issue with the increase in commercial traffic. The county board has directed the airport board to work with Cherry Festival representatives on this issue.
- A county facilities master plan just came out. They did an inventory of all their property and buildings. There is a need to invest money in the jail and other things.
- Regarding elections, Nelson reported that the state has been really behind getting stuff to county and township clerks.
- Thanked the supervisor for serving and noted he has publicly stated he is choosing not to run.

Brief discussion followed.

Fire Department Report

Brandon Flynn gave the following report:

- January call volume has stayed steady.
- Regarding the new brush truck, Eric Sanborn from Elmer's facilitated getting the skid unit transferred over.
- The DNR brush truck died on the side of the road a couple weeks ago. It has been sent back to the DNR. They are down to one brush truck. He will have a request to sell the 1969 AM General at a future board meeting.
- The new brush truck is technically in service. There is some work to do on it, but they are coming near the end of the project, which has taken 2-1/2 years.
- The fire department was awarded a 2% grant from the Grand Traverse Band for \$16,548 to purchase four sets of much-needed turnout gear. Two sets are expiring this year. He has received previous grants for boots, gloves, helmets. The Cosgrove Foundation also wrote a check. Flynn will provide an updated grant tracker during budget season.

Brief discussion followed.

Planning Commission Report

Heidi Vollmuth gave the following report:

- Very productive PC meeting on 2/7. Two presentations, one by Laura Rigan from the Conservancy about land transfer and protecting farms, and another presentation from Michael Sherman introducing plans for the Millbrook property on Church Street.
- Worked on their annual report and budget.
- They have updated bylaws in section 6 with a clarification as to what rule of necessity meant.
- Master plan, asked board members to read the chapters.

- She sent the private road ordinance to the board this morning. The PC would like comments and concerns sent back to PC on 2/20.
- Tried to find out how we name streets. Remembers reading somewhere how we do it. It has something to do with the Historical Society.

Brief discussion followed. Vollmuth has a call in to Luann Snider, Historical Society Director.

Parks & Recreation Advisory Committee Report

The township board liaison position is vacant.

Andrew Butler gave the following report:

- Handed out hard copies of his report.
- They are getting things cleaned up at the park.
- Moving online reservations to a new company, RoverPass or Campspot.
- Has fielded several e-mails and phone calls daily from campers.
- He is working on the pit toilets.

Brief discussion followed.

PROPOSED BAGGS ROAD - KEEP WHITE WATER (sic) RURAL SETTLEMENT 02/10/2024 (moved up on the agenda)

Motion by Popp to enter closed session to discuss strategies and elements of a proposed settlement regarding Case No. 23-036775-AS, Keep White Water (sic) Township Rural, Inc v Whitewater Township; second by Benak.

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

At 9:47 a.m., the meeting recessed.

At 11:24 a.m., the meeting reconvened.

Motion by Popp to have the attorney proceed as directed in closed session; second by Benak.

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

Consent Calendar

Receive and File

1. Supervisor's Report January 2024
2. Clerk's Report January 2024
3. Treasurer's Report January 2024 (not available)
4. Trustee Vollmuth's Report January 2024
5. Trustee Glenn's Report January 2024
6. Zoning Administrator's Report January 2024 (not available)
7. Mobile Medical Response Activity Reports January 2024
8. Fire Department Report January 2024
9. Planning Commission Report January 2024

10. Historical Society Report January 2024
11. Parks & Recreation Report January 2024 (PRAC Chair Melton)
12. Approved 12/06/2023 Planning Commission Minutes
13. Approved 12/19/2024 Parks & Recreation Advisory Committee Minutes

Correspondence

1. Corr 1 Fire Monthly Report 12/2023
2. Corr 2 MMR Gmail – End of Month Numbers December
3. Corr 3 Sheriff December
4. Corr 4 Sheriff Fourth Quarter Totals
5. Corr 5 Sheriff YTD
6. Access to Public Records 02/2024
7. Corr 7 TB Packet Submission
8. FOIA Request S-22 Follow Up 02/2024
9. Corr 9 2024 FSBP Rate Sheet
10. Corr 10 RevExpDetailReport – Rev 11/30 – Exp 12/31
11. Proposed Credit Card Policy 02/2024
12. Corr 12 Grand Traverse County Parks & Recreation 2024-2028 Recreation Plan

Minutes for Approval

1. Draft 01/09/2024 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank voucher #s 50061 through 50165

Budget Amendments (none)

Revenue/Expenditure Report – Rev 12/31 – Exp 01/31

Motion by Benak to approve Consent Calendar; second by Glenn.

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

Unfinished Business

ONGOING IRS 1099 ISSUE 01/26/2024

Motion by Popp authorizing the supervisor to sign IRS Form 2848 Power of Attorney and Declaration of Representative naming attorney firm Fahey Schultz Burzych Rhodes in conjunction with attorney Chris Patterson as township representative for Whitewater Township Employer Identification Number (EIN) 382043508 in all 1099 and civil penalty matters on IRS Form 1099 for tax year 2018; second by Vollmuth.

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

Motion by Popp authorizing township representative to remove all prior power of attorney statements on file for Whitewater Township EIN 382043508; second by Vollmuth.

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

Motion by Popp authorizing township representative to request a transcript of all communications between the IRS and Whitewater Township EIN 382043508 for tax year 2018; second by Glenn.

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

Motion by Popp authorizing township representative to request from the IRS all communications from all previous power of attorneys for Whitewater Township EIN 382043508 for tax year 2018; second by Vollmuth.

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

Motion by Popp authorizing township representative to request from the IRS all previously filed 1099 forms for tax year 2018; second by Glenn.

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

CAMPGROUND NEEDS 02/2024

Motion by Popp authorizing the purchase of a Wilson Amplifier Kit #470145 and to have the clerk issue a purchase order not to exceed \$1,300 for the kit and installation materials at the park manager's residence.

Benak asked who is the vendor.

Popp said it would not be returned if the employee left.

Benak said she would want it returned.

Second by Vollmuth.

Goss noted a purchase order will not be issued until a vendor name is supplied.

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

Motion by Popp to authorize the supervisor to execute the RoverPass Service Contract for online reservations and basic one-page website design; second by Vollmuth.

Popp noted he does not have cost information, did not calculate it.

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

ADOPTION OF ORDINANCE VIOLATION REPORT

There was no motion provided in the board packet. Popp admitted there is no action item.

BILLS FOR PAYABLE FROM DECEMBER 2023

There was no motion provided in the board packet.

Motion by Benak to approve the Bills for Approval dated 01/09/2024; second by Glenn.

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

New Business**FIRE DEPARTMENT NEW HIRE GLYNN**

Motion by Popp to approve Tyler Glynn as a probationary firefighter for the Whitewater Township Fire Department; second by Benak.

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

04/01/2024 THRU 03/31/2027 ASSESSING AGREEMENT

There was no motion provided in the board packet.

Motion by Popp authorizing the supervisor to sign a 3-year assessing agreement with AD Assessing beginning 04/01/2024 through 03/31/2027 in the amount of \$100,800 for the term; second by Benak.

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

PROPOSED AMBULANCE SALE 01/26/2024

Motion by Popp to make a counteroffer to MMR to purchase one Type III 2010 Chevrolet 4500 Marque ambulance VIN 1GB9G5B68A1119335 and all listed equipment above for \$61,000; second by Benak.

Discussion held.

The motion was rescinded.

Popp will find out what items were sold for and what the status of the Lucas II is.

At 12:36 p.m., the meeting recessed.

At 12:47 p.m., the meeting reconvened. (Goss absent from the meeting table)

BOARD OF REVIEW POVERTY EXEMPTION RESOLUTION 24-02 01/30/2024

Motion by Popp to adopt Resolution #24-02 Whitewater Township Poverty Guideline Resolution as amended; second by Benak.

Glenn noted a typographical error.

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

A true and complete copy of said resolution is attached to the minutes.

RESOLUTION #24-02 PURCHASE AND FUNDING OF FREIGHTLINER-CSI 1200 GAL-1500 GPM PUMPER

Motion by Benak to adopt Resolution #24-02; second by Popp.

Several amendments were made to the resolution.

At 12:58 p.m., Goss returned to the meeting table.

Roll call vote: Glenn, yes; Vollmuth, yes; Benak, yes.

Brief further discussion.

Goss, yes; Popp, yes. Motion carried.

A true and complete copy of said resolution is attached to the minutes.

941 FORMS IRS AUDIT ISSUE

Motion by Popp to discuss if corrections were made to 941 and W3 forms and the possible solutions given to the clerk to correct the 1099 issue from Larry Wilson CPA; second by Vollmuth.

There was no vote taken on the motion.

Motion by Glenn to have the clerk's office no later than 03/31/2024 file the appropriate amended 941 forms to agree with the form W3 for the year ending 2021, verification of that filing to be provided at the regular April 2024 board meeting; second by Vollmuth.

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

PARK RATES MEMO

Motion by Popp to approve an increase in the boat launch fees for the 2024 season; second by Glenn.

Discussion followed.

Popp amended the motion: *Motion to increase the boat ramp fees as follows: daily from \$8 to \$10, annual boat passes residents remain at \$30, nonresident boat passes to increase from \$60 to \$80, camper boat ramp passes to remain at \$10 for 7 days, \$20 for two weeks; second by Glenn.*

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

Motion by Popp to set nightly campground fees at \$39 per night for off-peak season 5/17 through 6/12 and 9/3 through 9/28.

Popp amended the motion: *5/17 will change to 5/19, and \$46 per night during peak season, 6/13 through 9/2.*

Popp amended the motion: *Change 9/28 to 12/1.*

Popp restated the motion: *Nightly fees would be \$39 per night for off-peak season rates, 5/19 through 6/12 and 9/3 through 12/1, and \$46 per night during peak season, 6/13 through 9/2; second by Vollmuth.*

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

Motion by Popp that seasonal camper rate is \$3,112, plus an \$8 reservation fee; seasonal camper dates are 6/28 through 9/3; second by Vollmuth.

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

Motion by Popp to keep the additional camping unit at \$25 per night; second by Vollmuth.

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

Motion by Popp to designate 5/17 through 5/19 as free camping weekend; second by Vollmuth.

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

Motion by Popp to maintain reservation fee at \$8 per reservation nonrefundable; second by Vollmuth.

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

Motion by Popp to maintain pavilion rental at \$100 per day; second by Vollmuth.

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

Motion by Popp to maintain a \$20 dump station fee for noncampers; second by Vollmuth.

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

Motion by Popp to maintain the \$5 per bag garbage dump fee; second by Vollmuth.

Popp amended the motion: *Charge \$6 per bag garbage dump fee; re-second by Vollmuth.*

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

Motion by Popp to maintain the overnight storage fee at \$5 per night; second by Vollmuth.

Popp amended the motion: *Increase the storage fee to \$10; re-second by Vollmuth.*

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

Motion by Popp to maintain the \$10 cancel/change booking fee; second by Vollmuth.

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

Motion by Popp to maintain the \$4 per bag ice charge; second by Benak.

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

SEASONAL SELECTION MEMO

Motion by Popp to approve the revised Whitewater Township Park seasonal camper selection from the current first come, first served practice to a lottery-based selection process effective immediately; second by Vollmuth.

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

Motion by Popp to increase the number of seasonal campsites from 12 to 15 using the 12 sites from last year with three additional sites from off-water loops; second by Benak.

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

Motion by Popp to maintain the \$8 fee per bundle of wood; second by Glenn.

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

OVERSIGHT MEETINGS CANCELLATIONS BYLAWS 01/26/2024

Motion by Popp to discuss internal controls, oversight, meetings, bylaws and roles and responsibilities as outlined in this business item; second by Glenn.

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

Discussion followed.

Motion by Popp to amend the 2023-2024 Regular Meeting Notice Revised 01/08/2024 public notice removing "The Whitewater Township Zoning Board of Appeals will meet in regular session for the 2023/2024 fiscal year on the following dates at 7:00 p.m. at the Whitewater Township Hall;" second by Vollmuth.

Discussion followed.

Popp withdrew the motion.

Motion by Popp to direct the ZBA to not adopt regular session meeting dates other than the January mandatory gathering; second by Vollmuth.

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

Motion by Popp to have legal provide solutions for future ZBA session dates and proper notice requirements; second by Vollmuth.

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

PROPOSED APPENDIX B 01/29/2024

Motion by Popp to adopt the 2024 Mileage Reimbursement Request form presented by the clerk dated 01/01/2024 as amended and to record it in Appendix B of the Whitewater Township Policy & Procedure Manual; second by Benak.

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

Motion by Popp to adopt the undated Expense Reimbursement Request form presented by the clerk as amended and to record it in Appendix B of the Whitewater Township Policy & Procedure Manual; second by Glenn.

Popp noted the amendment will be the addition of a board adoption date.

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

Motion by Popp to adopt the 2024 Payroll Processing periods dated 01/08/2024 and to record it in Appendix B of the Whitewater Township Policy & Procedure Manual; second by Glenn.

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

ELK RAPIDS YOUTH BASEBALL MEMO PAGE

Motion by Popp to approve the Elk Rapids Youth Baseball Association request to install no more than twenty (20) 5' x 3' advertising/sponsor banners at Hi Pray Park on the baseball field for the 2024 baseball season; second by Vollmuth.

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

RESOLUTION #24-01 TOWNSHIP BOARD 2024-2025 REGULAR MEETING DATES

Motion by Popp to adopt Resolution #24-01; second by Benak.

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

A true and complete copy of said resolution is attached to the minutes.

SCHEDULE BUDGET WORK SESSIONS

Motion by Popp to schedule budget work sessions and the budget public hearing; second by Vollmuth.

There was no vote on the motion.

Motion by Popp to have the budget public hearing on 3/26; second by Goss.

Times were discussed.

Popp revised the motion: *Motion to schedule a budget public hearing 03/26/2024 at 7:00 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690; second by Vollmuth.*

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

Motion by Popp to schedule a budget work session Thursday 3/21 at 9:00 a.m.

The motion was not seconded.

The following budget work session dates were chosen:

3/5 @ 9:00 a.m. – All Funds

3/7 @ 9:00 a.m. – All Funds

3/19 @ 9:00 a.m. – All Funds

3/21 @ 9:00 a.m. – All Funds

Popp noted the proposed budget document is on the website home page in Excel and PDF.

**PROPOSED BAGGS ROAD - KEEP WHITE WATER (sic) RURAL SETTLEMENT
02/10/2024**

See page 4197.

MTT REQUEST CLOVER MICHIGAN FAMILY LLC 02/10/2024

There was no motion provided in the board packet.

Motion by Popp to not defend the MTT case; second by Glenn.

Discussion followed.

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

Tabled Items

None

Board Comments/Discussion

None

Announcements

1. Township Board budget work session on 3/05/2024 at 9:00 a.m.
2. Board of Review organizational meeting on 03/05/2024 @ 3:00 p.m.
3. Township Board budget work session on 03/07/2024 at 9:00 a.m.
4. Board of Review appeals meeting on 03/11/2024 from 3:00 p.m. to 9:00 p.m.
5. Township Board regular meeting on 03/12/2024 @ 9:00 a.m.
6. Board of Review appeals meeting on 03/14/2024 from 9:00 a.m. to 3:00 p.m.
7. Township Board budget work session on 03/19/2024 @ 9:00 a.m.
8. Township Board budget work session on 03/21/2024 @ 9:00 a.m.
9. Township Board budget public hearing on 03/26/2024 @ 7:00 p.m.

Public Comment

Public comment began at 5:17 p.m.

Heidi Vollmuth
Connie Hymore
Vickie Emerson

Public comment ended at 5:28 p.m.

Adjournment

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

Meeting adjourned at 5:28 p.m.

Cheryl A. Goss
Whitewater Township Clerk