

WHITEWATER TOWNSHIP BOARD
AGENDA FOR 1st REGULAR MEETING – AUGUST 14, 2018
7:00 p.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.

A. Call to Order/Pledge of Allegiance

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 members' questions. The chair shall control the amount of time each person shall be allowed to speak, which shall not exceed five (5) minutes.

F. Public Hearing (none)

G. Reports/Presentations/Announcements/Comments

1. County Board of Commissioners Report
2. County Road Commissioner Report
3. Mobile Medical Response Report
4. Fire Department Report
5. Planning Commission Report
6. Parks & Recreation Advisory Committee Report

H. Consent Calendar

Receive and File

1. Supervisor's Report for July 2018
2. Clerk/Park & Recreation Administrator's Report for July/August 2018
3. Zoning Administrator's Report for July 2018
4. Mobile Medical Response July 2018 Activity Reports
5. Whitewater Township Fire Department July 2018 Report
6. Treasurer Reports June and July 2018
7. Approved 06/06/2018 Planning Commission Minutes
8. Approved 06/11/2018 Parks & Recreation Advisory Committee Minutes
9. Approved 06/13/2018 Historical Society Minutes
10. Approved 07/11/2018 Planning Commission Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for July 2018
2. Letter 07/24/2018 FEMA re: National Flood Insurance Program Final Notice
3. Deepak Prabhaker Event Center Comments
4. Babcock Event Barn Comments
5. Request for Event Barns as Special Use in Agricultural Zoning District
6. Letter 07/31/2018 Carol/David Williams re: Withdrawal of Request for Event Barn Ordinance
7. Rental Fire Engine from Blair Township

Minutes

1. Recommend approval of 07/10/2018 and 07/24/2018 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank voucher #s 42914 through 43068
2. Approval of First Community Bank Miami Beach voucher # 1243
3. Approval of First Community Bank WMDLS voucher # 1314

Budget Amendments (none)

Revenue & Expenditure Report (none)

I. Unfinished Business

1. Review/Approve Batting Cage Plan (if engineered drawings are available)
2. Review Proposed Event Barn Ordinance Drafted by Attorney Chris Patterson
3. Park Road Rebuilding (pending information from Team Elmer's)
4. Review Whitewater Township General Ordinance No. 49
5. National Flood Insurance Program

J. New Business

1. Fire Department – Indoor Tanker Fill
2. Zoning Administrator Request for Direction re: PC Meetings
3. Review/Approve Appointment of Abandoned Buildings Hearing Officer
4. Request from Planning Commission for Direction re: Event Barns
5. Request from Planning Commission re: Amendment Naming
6. Approval of Wages for New Park Ranger – Robert Daniels

K. Tabled Items

1. Review Administrative Policy Section 5 (tabled 10/14/2014)
2. Review Ordinance 22 Pension Plan (tabled 10/25/2016)
3. Review Whitewater Township Planning & Zoning Fees (tabled 02/28/2017)

L. Board Comments/Discussion

M. Announcements

1. Next meeting date August 28, 2018 at 7:00 p.m.

N. Public Comment

O. 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 or the TDD at 800-649-3777.

To: Township Board Members

From: Cheryl A. Goss, Township Clerk

Date: 08/10/2018

Re: **Consent Calendar for 08/14/2018 Township Board Meeting**

Receive and File

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3. Zoning Administrator's Report for July 2018
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Budget Amendments (none)

Revenue & Expenditure Report (none)

An appropriate motion would be: Motion to approve Consent Calendar items as presented.

Moved by _____, seconded by _____. Roll call vote:

Whitewater Township Supervisor's Report

July 2018

- 1) Investigate citizen observations:
 - A. Major earth work reported on Cook Road. Grand Traverse County Departments were contacted
 - B. Dead tree(s) along Baggs Road. It was determined by Grand Traverse County Road Commission that Kalkaska County Road Commission is responsible for tree removal.
 - C. Received complaints about cars parked in the travel way of Trails End North. This is a private road with no current agreements or covenants regarding its use. This is another example of why minimum standards should be controlled by Township Ordinance.

- 2) Office duties:
 - A. Meetings:
 - 1) I attended my first ever Grand Traverse Band of Ottawa and Chippewa Indians Tribe 2% allocation ceremony, hosted by Tribal Chairman Thurlow "Sam" McClellan. The Park and Recreation Committee, assisted by Mr. Chuck Decker, was successful in not one but, two grants totaling more than \$13,000.00 to improve Hi Pray Park and the nature trail system in the Township. Thank you to the entire Park and Recreation Group for their work and an even Larger THANK YOU to the Tribal Members who are tasked with the decision process of what applicants receive funding. We are grateful to be considered worthy!
 - 2) Phase Two Environmental Study soil samples have been taken from behind the fire station and are awaiting their turn in the mass spectrometer.
 - 3) Attended the Annual Miami Beach Road Meeting to talk about new sewer ordinance and to gather a list of important items that should be included and/or excluded from the new ordinance. We also disseminated the conditional assessment report via email to those who were interested. Again I want to thank the Grand Traverse County DPW staff for their ongoing assistance with the ordinance, budget, and agreements. Because of recent township happenings, I see the Public Hearing for this ordinance now in September.

- 4) A significant amount of time has been devoted to listening to public input on event barns. Moreover, I have come to the realization that how we are communicating the activities of our local unit of government is not working as planned. For the third time this year we have had unhappy groups of people attending various Township meeting all claiming the same thing: "We did not know". Beginning now I am seeking input on different ways we can improve this process. My first thought is a monthly newsletter possibly authored by a different Officer each month highlighting the upcoming activities.

This is an important topic and will be in front of the Board soon.

- 5) General Ordinance reading #16 and #40-04 Fire Code continues
- 6) Attended the July meeting of the Board of Review.
- 7) Participated in the public accuracy test for the new voting machines.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ron Popp". The signature is stylized with a large, sweeping initial "R" and "P".

Ron Popp
Whitewater Township Supervisor.

Clerk/Parks & Recreation Administrator's Report for July/August 2018

To: Whitewater Township Board Members

From: Cheryl A. Goss, Township Clerk

Date: 08/08/2018

This report details activity in the Clerk's office since my last report dated 07/06/2018.

Meetings Attended (in addition to Township Board meetings):

1. 07/09/2018 Parks & Recreation Advisory Committee
2. 07/10/2018 DS200 Tabulator/ExpressVote Refresher Training at Garfield Township Hall
3. 07/11/2018 Election Commission
4. 07/23/2018 Public Accuracy Test for August Primary Election
5. 07/27/2018 Media Event re: 2% Grant Awards at Grand Traverse Resort
6. 08/03/2018 Mobile Medical Response Advisory Board

Elections: The August 2018 Primary Election was held on 08/07/2018 and went very smoothly. We had 367 absent voters and 473 precinct voters, a total of 840, equating to a 38% turnout. According to the County Clerk's office, there was a 75% increase in voter turnout county-wide compared to the 2014 and 2016 August primaries. Preparation for this election was especially time consuming as it was the first time using the brand new tabulating and ADA-compliant equipment. This added training time for all clerks and election inspectors. Additionally, the state rolled out a new Qualified Voter File program earlier this year. Access to this program was not available to clerks and deputy clerks until an all-day training session was completed. Overall, we were very happy with all of the new equipment. Thanks to the encouragement of election inspectors, over 150 people voted on the new ExpressVote. This is the ADA-compliant touch screen device that prints the voter's choices on numbered blank ballot stock. The voted ballot is then fed into the tabulator to be counted. It would be great to have another one of these devices for the November election as there was at times a line to use this device.

Whitewater Township Park: The campground continues to have increased traffic, but rangers are doing a great job keeping up with all of the duties and camper requests. Leveling of the playground area will take place this weekend, followed up with a work bee the following weekend to get the refurbished playground equipment cemented in and assembled. We are taking out some trees near the pit toilet building and pavilion to clean up the area and keep Mother Nature from completely engulfing these buildings. We plan to do other maintenance work on both of these buildings, which is long overdue. I will be meeting soon with a representative from Fleis & Vandenbrink, an engineering firm, to talk about re-design of the park entrance to accommodate a new ranger station and improve traffic flow, as well as re-design of the boat launch to add a second dock or tie-up dock and more parking area for both cars and boat trailers.

Last month, I presented a quote from North Shore Dock to get a longer dock at the park. The board asked that I pursue additional quotes, so I contacted Michigan Lake Products. A representative from their company visited the park and determined that they are not able to meet our needs. See their e-mail attached. I will do a bit more research to see if there is anyone else locally who can provide the type of dock we need, although I suspect it will not be fruitful. Most local dock companies are in the residential dock business.

(continued)

Hi Pray Park/Battle Creek Natural Area/Lossie Road Nature Trail/Petobego Natural Area: The removal of bushes on the berms at Hi Pray Park has taken place and it looks so much better! The parking lot still needs some work and I have requested a quote from Avery Excavating; see it elsewhere in the packet.

8380 Old M-72 Renovation/Addition Project: In order to address the outstanding Soil Erosion permit, I have asked that all grassy areas be mowed at 1-week intervals. Chief Flynn will continue to take care of daily watering. The permit recently had to be renewed, and if it is not closed out by 10/21, it will need to be reapplied for.

Other News: Two grants were applied for in the 1st Half 2018 Two Percent cycle. Parks & Recreation Advisory Committee members Melissa Melton and Chuck Decker and myself collaborated on gathering information for the grants. Chuck Decker prepared the paperwork and I submitted them on behalf of the township. Amazingly, both were awarded!! One of the requests was for \$7,500 toward the costs of the dugouts, batting cage, pitching machine, shed, and practice backboard at Hi Pray Park. The other request was for \$5,000 to be used toward trail system improvements, including kiosks and signs on Lossie Road Nature Trail, signs at Battle Creek Natural Area, and signs and benches at Whitewater Township Park. We are very thankful to the Grand Traverse Band for finding our requests to be worthy of their support!

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Cheryl A. Goss

From: Gail Grammer <gailgrammer.mlp@gmail.com>
Sent: Tuesday, July 31, 2018 2:19 PM
To: Cheryl A. Goss
Subject: Whitewater Park and Campground Dock

Cheryl,

Thank you so much for considering Michigan Lake Products for the dock at the boat launch. I did go out and take a look at it last week after we spoke. I shared the information and pictures I took with my experts here, and unfortunately, we don't feel that any of our dock systems are the best solution for your needs.

The type of dock that you have now looks like many we see at DNR boat launches, most of which come from Cedarville Dock. If you are unable to find anything suitable in the area, their phone # is 906-484-3422.

Thank you-
Gail

Gail Grammer



Michigan Lake PRODUCTS

P.O. 397

11456 S. US 31

Elk Rapids, MI 49629

800-968-3625 or 231-264-8002

Whitewater Township
Planning & Zoning
5777 Vinton Road
P. O. Box 159
Williamsburg MI 49690
(231) 267-5141

Memorandum

To: Whitewater Township Board of Trustees

From: Denny Habedank, Zoning Administrator

Reference: Monthly Board Report

Date: August 09, 2018

.....
Board Members:

In the month of July, I issued five (5) new permits:

- Pole Bldg. – 32' x 40'
- Cell Tower upgrade – new antennas – no ground work...T-Mobil
- Demo and Remodel
- Fence
- New home w/attached garage

Michigan Department of Environmental Quality issued three (3) Shoreline Restoration Permits:

- 8212 Okaiyoka – Skegemog Point
- 8580 Skegemog Point Road
- 8626 Skegemog Point Road

Much time was spent reviewing proposed amendments and changes to the current Township Zoning Ordinance with respect to:

- Corresponding with Attorney Patterson regarding the proposed Event Barn Ordinance;
- Reviewing Site Condominium laws and regulations;
- Reviewing Article 17 – Administration of Zoning Ordinance – duties of the ZA;
- Reviewing Article 18 – Zoning Board of Appeals – duties;

- Reviewing Article 19 - Request for Amendments;
- I've been in contact with Jerry Taylor at GFA regarding GIS Training and associated costs;
- I've opened a complaints involving the violations of the Dangerous Building Ordinance, State Construction Code Ordinance and Zoning Ordinance – I believe that the above incidents have been or shortly will be resolved without any formal action by the Township; and
- I've been assisting the MDEQ with a Wetlands Violation on Cook Road

There still is a need to resolve the enforcement of Zoning Ordinance Violations; are we going to continue to treat them as Misdemeanor Violations, where the violator if convicted, ends up with a criminal record and faces potential jail time or are we going to adopt a Civil Infraction Ordinance applicable to the Zoning Ordinance where a violation is simply the issuance of Notice and if found responsible a monetary fine is paid and there is no criminal record or potential of jail time?

It's hard to imagine why we would want to subject the taxpayers and residents of this Township to the possibility of ending up with a criminal record and the potential of going to jail for a violation of the Zoning Ordinance. There are more reasons than not to make violations of the Zoning Ordinance Civil Infractions – criminal convictions may impact your credit rating, your ability to get a loan, possibly your employment and if you happen to be an attorney, they have to report misdemeanor convictions to the state licensing board.

Respectfully Submitted,

Denny Habedank

Dennis L Habedank, Zoning Administrator
Whitewater Township
(231) 267-5141 Extension 21
zoning@whitewatertownship.org

Fractile Response Time

Company IS MOBILE MEDICAL RESPONSE; AND Trip Date IS BETWEEN 07/01/2018 AND 07/31/2018; AND Initial Priority IS P-1 Life Threatening Emergency OR P-3 Downgrade (No Lts/Sirens); AND Dispatch Zones IS GT-Whitewater; AND Dispatch Status IS Canc...

MOBILE MEDICAL RESPONSE

	Call Count	Cumulative Call Count	Percent of Total Calls	Cumulative Percent of Total Calls
00:00 - 01:59	1	1	5%	5%
02:00 - 02:59	2	3	10%	15%
03:00 - 03:59	3	6	15%	30%
04:00 - 04:59	2	8	10%	40%
05:00 - 05:59	2	10	10%	50%
07:00 - 07:59	1	11	5%	55%
08:00 - 08:59	2	13	10%	65%
09:00 - 09:59	3	16	15%	80%
10:00 - 10:59	1	17	5%	85%
12:00 - 12:59	1	18	5%	90%
14:00 - 14:59	1	19	5%	95%
16:00 - 16:59	1	20	5%	100%

Total Calls for MOBILE MEDICAL RESPONSE: 20

Per Steve Myers - the 14 and 16 minute calls were the unit from Elk Rapids responding when our unit was already on a call.

Requests by Nature of Call in Whitewater Twp

From 07/01/2018 to 07/31/2018

	Total
Allergies (Reactions)/Envenomations (Stings, Bites)	1
Chest Pain (Non-Traumatic)	1
Diabetic Problems	2
Falls	1
Hemorrhage/Lacerations	1
Overdose / Poisoning (Ingestion)	1
Sick Person (Specific Diagnosis)	8
Traffic/Transportation/Accidents	1
Unconscious/Fainting (Near)	3
Unknown Problem (Man Down)	2
Total	21

Demand Analysis by Day of Week for Whitewater Twp

From 07/01/2018 to 07/31/2018

<i>Time of Day</i>	1.SUN	2.MON	3.TUE	4.WED	5.THU	6.FRI	7.SAT	Total
00:00 - 00:59	1	0	0	1	0	0	0	2
03:00 - 03:59	0	0	1	0	0	0	0	1
04:00 - 04:59	1	0	0	0	0	1	0	2
06:00 - 06:59	0	0	0	0	0	0	1	1
10:00 - 10:59	0	0	0	0	0	0	1	1
12:00 - 12:59	0	0	0	2	0	0	0	2
13:00 - 13:59	0	0	0	0	0	1	0	1
15:00 - 15:59	0	0	0	0	0	0	1	1
16:00 - 16:59	0	0	1	0	0	0	0	1
17:00 - 17:59	0	1	0	0	1	0	0	2
18:00 - 18:59	0	0	1	0	0	0	1	2
19:00 - 19:59	0	0	0	0	0	0	1	1
20:00 - 20:59	0	0	1	0	0	0	0	1
21:00 - 21:59	0	0	0	0	0	1	0	1
22:00 - 22:59	0	0	1	0	1	0	0	2
Total	2	1	5	3	2	3	5	21

Transport Count by Month

	7/2017	8/2017	9/2017	10/2017	11/2017	12/2017	1/2018	2/2018	3/2018	4/2018	5/2018	6/2018	7/2018	Total
Village of Elk Rapids	27	22	17	7	12	17	11	4	13	15	6	16	10	177
Elk Rapids Twp	7	5	5	4	4	5	6	6	4	5	7	5	3	66
Milton Twp	13	12	16	11	7	6	11	6	9	8	15	7	6	127
Whitewater Twp	14	9	20	9	19	16	9	6	13	17	14	12	20	178
Torch Lk Twp	2	2	0	0	0	0	0	0	0	0	1	2	0	7
Kalkaska County	0	0	1	0	0	0	0	0	0	2	0	1	1	5
GT County	9	1	2	3	3	1	8	2	1	2	5	1	4	42
Total	72	51	61	34	45	45	45	24	40	49	48	44	44	602



WHITEWATER TOWNSHIP FIRE DEPARTMENT

8380 OLD M-72 ♦ PO BOX 9 ♦ WILLIAMSBURG, MICHIGAN 49690 ♦ 231.267.5969 ♦ FIRECHIEF@WHITEWATERTOWNSHIP.ORG

Monthly report July

The Fire Department responded to three emergency calls in the month of July which included a lawn tractor fire and two residential fire alarms.

The firefighters conducted 3 training sessions in consisting of monthly vehicle maintenance, water point/cistern training and search & rescue training with the help of the MMR crew on duty.

Additionally, a crew did standby detail for the 2nd Annual Traverse City Trail Festival on Saturday July 21. This is a 40 mile mountain bike race through the State land trails mostly in Whitewater Township starting and ending at Ranch Rudolph. The race had approximately 300 competitors this year which thankfully did not require our services.

I sent in 6 sets of fire gear in the Month of July for washing, inspecting and relabeling. So far - all of the gear is in great shape.

The Apparatus bay lights are on order, I anticipate the work to be completed in August.

The parts are on order for the Rescue boat as well. The work will be scheduled when the parts have arrived.

I attended two meetings which occur monthly:

911 Committee Meeting 7.19.18

County Fire Chiefs meeting 7.26.18

After some leg work, I have been included in the LEPC regular meetings. The meeting schedule is unknown at this time.

The Fire Department's three AED's have been repaired and are now in service.

The Fire Department vehicle rear chevron decals have been completed, we are now NFPA compliant in that aspect on E3, A3, T3 & Squad 3.

Engine 3 has to go to CSI in Grayling for repair. As you know this is a challenge because we do not have a reserve Engine to use as a back-up. I am currently working on renting an Engine from Paradise Twp. I will present a financial statement to the Board as soon as I have the details prepared.

The Fire Chief will introduce new Probationary Firefighter Alex Johnson.



Committed to proudly serving the community with professionalism and integrity.

Whitewater Township
Bank Accounts
June 30, 2018
Prior to Balancing with Clerk

	Balance
General Fund Checking - ASB	
General Fund-ASB - 101	613,847.94
Road Fund-ASB- 203	22,949.77
Road Repair/Rep-ASB - 204	118,752.91
Fire Fund-ASB- 206	485,252.56
Park Fund-ASB - 208	203,899.40
Recreation Fund-ASB - 209	2,748.04
Ambulance Fund-ASB- 210	189,716.67
Public Imprvmt Fund-ASB - 401	225.94
Fire Cap Imprvmt Fund-ASB- 406	43,464.68
Payroll Clearing-Gen Fund-750	6,818.30
	1,687,676.21
Total General Fund Checking	1,687,676.21
General Fund MM - ASB	152,491.94
General Fund Savings - FCB	132,269.41
Miami Beach Sewer Fund - FCB	
Cash MB Sewer Receiving-FCB	73,573.62
Property Tax Fund - FCB	
Property Tax Fund FCB - 703	11,192.20
WMDLS Funds - FCB	
WMDLS Road Assmt Fund-FCB- 811	(13,820.37)

Whitewater Township
Cash Balance Report
June 30, 2018
Prior to Balancing with the Clerk

101 General Fund

101-000-001	General Fund-ASB - 101	\$	613,847.94
101-000-003	General MM - 101		101,648.31
101-000-005	Tower Removal FCB Savings		10,942.58

	Total 101		726,438.83
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203 Road Fund

203-000-001	Road Fund-ASB- 203		22,949.77
203-000-003	Road Fund MM - 203		20.31

	Total 203		22,970.08
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204 Road Repair/Replacement Fund

204-000-001	Road Repair/Rep-ASB - 204		118,752.91
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	Total 204		118,752.91
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206 Fire Fund

206-000-001	Fire Fund-ASB- 206		485,252.56
206-000-003	Fire MM - 206		25,411.62

	Total 206		510,664.18
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208 Park Fund

208-000-001	Park Fund-ASB - 208		203,899.40
208-000-003	Park MM - 208		18,296.41

	Total 208		222,195.81
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209 Recreation Fund

209-000-001	Recreation Fund-ASB - 209		2,748.04
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	Total 209		2,748.04
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210 Ambulance Fund

210-000-001	Ambulance Fund-ASB- 210		189,716.67
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	Total 210		189,716.67
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211 Ambulance Replacement Fund

	Total 211		0.00
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401 Public Improvement Fund

401-000-001	Public Imprvmt Fund-ASB - 401		225.94
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	Total 401		225.94
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406 Fire Capital Improvement Fund

406-000-001	Fire Cap Imprvmt Fund-ASB- 406		43,464.68
406-000-003	Fire Cap Imp MM - 406		7,115.29
406-000-005	Fire Cap Imp FCB Savings		121,326.83

	Total 406		171,906.80
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590 Miami Beach Sewer Fund

590-000-008	Cash MB Sewer Receiving-FCB		73,573.62
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Whitewater Township
Cash Balance Report
June 30, 2018
Prior to Balancing with the Clerk

Total 590		73,573.62
703 Property Tax Fund		
703-000-001	Property Tax Fund FCB - 703	1,192.20
Total 703		1,192.20
750 Payroll Clearing Fund		
750-000-001	Payroll Clearing-Gen Fund-750	6,818.30
Total 750		6,818.30
811 WMDLS Road Assessment		
811-000-001	WMDLS Road Assmt Fund-FCB- 811	(13,820.37)
Total 811		(13,820.37)
Grand Total	\$	2,033,383.01

Whitewater Township
Bank Accounts
July 31, 2018
Prior to Balancing with Clerk

	Balance
General Fund Checking - ASB	
General Fund-ASB - 101	644,267.33
Road Fund-ASB- 203	22,817.46
Road Repair/Rep-ASB - 204	118,773.15
Fire Fund-ASB- 206	471,294.69
Park Fund-ASB - 208	201,856.24
Recreation Fund-ASB - 209	4,349.56
Ambulance Fund-ASB- 210	189,732.60
Public Imprvmt Fund-ASB - 401	225.98
Fire Cap Imprvmt Fund-ASB- 406	43,472.09
Payroll Clearing-Gen Fund-750	8,575.51
	1,705,364.61
Total General Fund Checking	1,705,364.61
General Fund MM - ASB	152,517.84
General Fund Savings - FCB	132,269.41
Miami Beach Sewer Fund - FCB	
Cash MB Sewer Receiving-FCB	74,360.83
Property Tax Fund - FCB	
Property Tax Fund FCB - 703	388,143.35
WMDLS Funds - FCB	
WMDLS Road Assmt Fund-FCB- 811	(13,818.03)

Whitewater Township
Cash Balance Report
July 31, 2018
Prior to Balancing with the Clerk

101 General Fund		
101-000-001	General Fund-ASB - 101	\$ 644,267.33
101-000-003	General MM - 101	101,665.57
101-000-005	Tower Removal FCB Savings	10,942.58
Total 101		756,875.48
203 Road Fund		
203-000-001	Road Fund-ASB- 203	22,817.46
203-000-003	Road Fund MM - 203	20.31
Total 203		22,837.77
204 Road Repair/Replacement Fund		
204-000-001	Road Repair/Rep-ASB - 204	118,773.15
Total 204		118,773.15
206 Fire Fund		
206-000-001	Fire Fund-ASB- 206	471,294.69
206-000-003	Fire MM - 206	25,415.94
Total 206		496,710.63
208 Park Fund		
208-000-001	Park Fund-ASB - 208	201,856.24
208-000-003	Park MM - 208	18,299.52
Total 208		220,155.76
209 Recreation Fund		
209-000-001	Recreation Fund-ASB - 209	4,349.56
Total 209		4,349.56
210 Ambulance Fund		
210-000-001	Ambulance Fund-ASB- 210	189,732.60
Total 210		189,732.60
211 Ambulance Replacement Fund		
Total 211		0.00
401 Public Improvement Fund		
401-000-001	Public Imprvmt Fund-ASB - 401	225.98
Total 401		225.98
406 Fire Capital Improvement Fund		
406-000-001	Fire Cap Imprvmt Fund-ASB- 406	43,472.09
406-000-003	Fire Cap Imp MM - 406	7,116.50
406-000-005	Fire Cap Imp FCB Savings	121,326.83
Total 406		171,915.42
590 Miami Beach Sewer Fund		
590-000-008	Cash MB Sewer Receiving-FCB	74,360.83

Whitewater Township
Cash Balance Report
July 31, 2018
Prior to Balancing with the Clerk

Total 590		74,360.83
703 Property Tax Fund		
703-000-001	Property Tax Fund FCB - 703	388,143.35
		<hr/>
Total 703		388,143.35
750 Payroll Clearing Fund		
750-000-001	Payroll Clearing-Gen Fund-750	8,575.51
		<hr/>
Total 750		8,575.51
811 WMDLS Road Assessment		
811-000-001	WMDLS Road Assmt Fund-FCB- 811	(13,818.03)
		<hr/>
Total 811		(13,818.03)
		<hr/>
Grand Total	\$	2,438,838.01
		<hr/> <hr/>

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
June 6, 2018

Call to Order at 7:03 p.m.

Roll Call: Dean, Hooper, Jacobson, Lawson, Mangus, Render, Savage

Absent: None

Also in attendance: Recording Secretary MacLean and 1 in audience

Set / Adjust Agenda: Add the February 7, 2018, revised meeting minutes and May 30, 2018, Special Meeting Minutes.

Declaration of Conflict of Interest: None

Public Comment: Gordon LaPointe, 6375 Plum Drive, Williamsburg. Running for GTC Commissioner. Have lived in the community 40 years. Introduced to “politics” as president of a home owner association 2005 – 2006 in Acme. Elected as a trustee in Acme 2012-2016. Cut \$100,000 in the budget. Worked with the Yuba Natural Area, Holiday Hills, plus. Big issues in the county are the financials-the fact that the status on the financials changes every month; organization (485 persons) at the county is a mess; budgets; cost/value benefit.

Approval of Minutes:

Motion to approve the February 7, 2018, revised meeting minutes by Savage, second by Lawson. All in favor. Motion carried.

Motion to approve May 2, 2018, Regular Meeting Minutes by Render, second by Hooper. All in favor. Motion carried.

Motion to approve May 30, 2018, Special Meeting Minutes by Hooper, second by Jacobson with the added two lines for signature.

Correspondence: Village of Elk Rapids Master Plan Notice. They will send it to us to review when they are done.

Reports:

Zoning Administrator Report, Habedank: Denny has a previous engagement on the first Wednesday of the month. He is trying to get that changed so he can attend.

Chair’s Report, Mangus: Encourage the PC members to go to the next Board meeting. The Supervisor is anticipating upwards of 40 people at the meeting in the discussion of the amendments that have been forwarded to them. They are hearing from people that ADUs are okay but rentals are not. The public that have been to the board meetings does not want short term rentals in the area.

ADUs and rentals are two completely different subjects.

Allowing ADUs and rentals (bringing them into the fold) make sure that they are following the rules.

We may get the ADUs and Event Barns discussions back from the Board.

Discussion of a way to deal with rentals. The state is working on a law to address short terms rentals.

We may have to set some things aside and keep moving on the core of the ordinance.

May need to lead into these more contentious areas with community support and input.

Question on the recodification process.

Township Board Rep., Lawson: Board does not want to have a joint meeting with the PC. PC is advising the Board. There has been some negative feedback from the Board. The PC was requested to fix the ordinance and then get it recodified. Mangus is providing a working base of the ordinance changes and the rest of the commission are working through it.

ZBA Representative, Hooper: No meetings.

Committee Reports: None.

Additional Items: None.

Old Business:

1. Status of Amendments 73-76. (Discussed during the Chair report)
2. Ginop’s findings of facts:

After careful consideration of the evidence, testimony and the entire record, the WHITEWATER TOWNSHIP PLANNING COMMISSION hereby makes the following findings with reference to the Applicant/Agent’s application for a special use pursuant to Sec. 25.10 of the Whitewater Township Zoning Ordinance:

A. The proposed special use complies with the applicable standards of the Whitewater Township Ordinance

as evidenced by testimony and / or documentation.

Planning Commission reviewed the Zoning Administrator's report and recommendation.

B. The proposed special use is in the interest of the public convenience and will not have a significant impact on the general welfare of the neighborhood or community as evidenced by the testimony and documentation.

Discussion held by Planning Commission.

C. The proposed special use is compatible with the character of the surrounding area in terms of site planning and building scale and project design as evidenced by testimony and documentation.

Discussion held by Planning Commission.

D. The proposed special use is compatible with the character of the surrounding area in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation as evidenced by testimony and documentation.

Discussion held by Planning Commission. There have been no recorded problems or issues with the current operation of Ginop Sales in the past.

E. The proposed special use is designed to promote pedestrian safety as evidenced by testimony and documentation.

Discussion held by Planning Commission.

F. The proposed special use is in keeping with the goals of the Master Plan and supports the agricultural character of the community.

The project is located along State Highway M-72 in an area rarely, if ever, frequented by pedestrian traffic.

3. Article 17 – land use permits – Discussion of previous wording, current wording and proposed wording. Will find examples and bring this back next month. This is an example of something that needs to be added to the ordinance because it is currently just a note tacked up on the wall in the ZA office.
4. Article 37: Discussion of camping, temporary building and use, performance guarantee. Will bring this back next month.

New Business:

1. Article 37, Animals – 1st review-postponed

Next Regular Meeting July 11, 2018.

Agenda: Article 17, Article 37

Public Comment: None.

Commission Discussion/Comments: None

Continuing Education: None.

Adjournment: 9:03 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

**Whitewater Township
Parks and Recreation Advisory Committee
Regular Minutes for Monday, June 11, 2018**

Call to order 7:06 p.m.

Roll Call: Butler, Cosgrove, Decker, Leach, Melton

Absent: Hubbell

Also in attendance Recording Secretary MacLean and Clerk Goss

Set / Approve Agenda: Set

Declaration of Conflict of Interest: Melton will refrain from any voting on the batting cages if there are any votes.

Public Comment. None

Approval of April 9, 2018, Regular meeting minutes.

MOTION by Cosgrove, second Leach by to approve the minutes. On voice vote: All in favor. Motion carried.

Approval of May 14, 2018, Regular meeting minutes.

MOTION by Butler, second by Leach to approve the minutes. On voice vote: All in favor. Motion carried.

Reports/Presentations/Announcements/Comments/Correspondence:

Email regarding the grant approval: Rotary Good Works was approved for the full \$5,000 that was requested. They have a sign or two that they would like to have displayed.

Education, activities and safety are the main areas that there are grants available. Will look into more.

The Tribe 2% grant has been submitted for the dugouts and the trails. They like to see that other entities have contributed so the Rotary grant could be of benefit in that way also.

Unfinished Business:

1. Hi Pray Park Batting Cage Community Project: budget, next steps and revised scheduling: The zoning administrator did confirm that an LUP and a permit from the county would be required for the roof for the batting cage. County requires an engineered stamped drawing. Mark Pressell indicates he can get it back to the PRAC within a week. The Board will need to approve the drawings. The ZA will issue the LUP. The contractor will take it to the county for the permit. Optimistically looking at an August start time. The batting cage can be used before the roof is on. Clerk is going to check on the electrical.

Pitching machine is in the equipment room at Hi Pray.

Once the pitching machine is assembled it can be used with an extension cord of Whitewater Township using the batting cage. Can the pitching machine be hooked up to be coin operated? Can look into that.

Discussion: Drop-ins vs. scheduled. Per hour vs. per ball. The equipment is set up for and the focus is on the little league teams.

2. BCNA Amendment mapping: XHunt app. Needs to be able to be saved or shared.

Goss notes that Paddle Antrim is establishing a water trail. The board gave approval for a rest stop only at BCNA and a trail head at Whitewater Township Park. There is an area near the boat launch that is being looked at for a kayak, paddleboard and canoe launching area. Road ends are controlled by the county road commission.

Discussion of primitive camping. The state approves camp sites.

3. Whitewater Township Park Playground equipment installation.

Wheelock has brought the equipment up to the park and is ready for a work-bee to prepare for installation.

Schedule the prep work-bee with Brandon. Brian, a ranger at the park, can put some of it together. Sub-committee of

Brandon, Brian, Cheryl and Melissa to connect for deciding where the equipment can go.

4. Tentative scheduling of other projects BCNA signage to do in the future. Berm clean out at Hi Pray and then mulch. Melissa talked to NMC and there are students that work with companies. NMC Internship programs have worked with 365 Outdoors (our snowplow company). There are a few people on the line that may be interested.

New Business:

1. Petobego trail head was mowed today. Will get a quote to do some cleanup so the park is more visible. The kiosk needs to be updated.

Denny: Skegemog Pt. Rd. / Lossie Rd. property owner is complaining about people being on his property and giving people a hard time using the road. Needs to be addressed with the township. "Private property" and "stay on trail" signs need to be put up.

Everything looks good down at the pond.

Historical society has investigated the names of Battle Creek (Bottle Creek) and the Lossie Trail (Swamp Trail).

Melissa: Investigate with the school to have the property at BCNA given to the township which could be used for parking. Or, see if the school will just let the township use the area for parking.

Next regular meeting: July 9, 2018

Public Comment: None

Adjournment: 8:50 p.m.

Respectfully submitted,
Lois MacLean
Recording Secretary

Whitewater Township Historical Society
Minutes of the Meeting held on June 13, 2018

*Approved
8/8/18
LMS*

Call to Order:

-Meeting was called to order by Snider at 7:03 p,m, at the Whitewater Township Hall
5777 Vinton Road, Williamsburg, MI. 49690

Roll Call:

-Members Present: Birks/Yes, Snider/Yes
-Members Absent: Lake

Set / Adjust Agenda:

-No Changes

Approval of Minutes:

-Birks made the motion to approve the May 9, 2018 minutes and Snider seconded the motion.
All in Favor: 2 / Opposed 0
Motion Carried

Public Comment:

-None

Correspondence:

-Items from Kim Acker and Dave Coats, this will be added in New Business.

Unfinished Business:

-Looking over a copy of the Question sheet that was sent out along with the invitation for the school
reunion.

New Business:

-Going over some of the items that Kim Acker brought in for the historical society.
-Looked through the year books that Dave Coats donated to the historical society.

Public Comment:

-None

Adjournment:

- Birks made the motion to adjourn the meeting and Snider seconded the motion
- the meeting was adjourned by Snider at 8:33 p.m.

Respectfully Submitted,

Luann Snider
Historical Society Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
July 11, 2018

Call to Order at 7:02 p.m.

Roll Call: Dean, Hooper, Jacobson, Lawson, Mangus, Savage

Absent: Render

Also in attendance: Recording Secretary MacLean and Zoning Administrator Habedank + 3

Set / Adjust Agenda: Set.

Declaration of Conflict of Interest: None

Public Comment: None.

Approval of Minutes:

Motion to approve the June 8, 2018, minutes by Hooper, second by Lawson as adjusted. All in favor. Motion carried.

Correspondence: .

Reports:

Zoning Administrator Report, Habedank: Have spent a lot of time dealing with the site condominium portion of the ordinance. Have had multiple conversations with the township attorney. Attorney recommendation is to do a complete rewrite of the ordinance. The attorney notes that over the years things have been added and subtracted.

Discussion:

- Is there a “one size fits all” type ordinance that we could take a look at? Habedank: The attorney likely has something that could be put together rather quickly. Possibly have the attorney fix what we have.
- We need to have direction from the entire Board.
- We know there are multiple ordinances that are illegal.
- We have been trying to do a cleanup of conflicts.
- Concern about going out for a complete ordinance because the township had done that previously and it was rejected by the public.
- Possibly get a complete ordinance out there that we can tweak for our own use.
- Article by article is easier for the public to handle. The ordinance as a whole can be a problem with the public.

Habedank: If there is confusion with enforcement it makes it very difficult.

Mangus: The direction we were given and our plan is to clean up the ordinance, send for recodification then have the attorney go through. Would be a good idea to have the attorney cross reference and go through the RC five acre issue and do a sign ordinance – these are two large issues that we know need to be addressed.

It appears there are items in the clerk’s copy of the zoning ordinance that are not in the ZA’s copy or in the copy the PC has been using.

Habedank: Someone needs to look at it from a legal stand point. We may be dealing with an ordinance that is illegal.

Mangus: Every article that we have done over the last two years has been legally adopted.

Dean: We are dealing with a dysfunctional ordinance but calling it illegal. That is a large jump.

Mangus: Would like the attorney to gives us comments vs. a complete rewrite.

Hooper: Need to go out for recodification then we can look at what we’ve got. I think they are the people that will make our job much easier and streamlined. The Board will have more confidence in what we come up with.

Mangus: Article 37 and RC are the two biggies to do before going to recodification.

Dean: We can’t just send it out for recodification because we don’t have a starting point of the ordinance to send for recodification.

Habedank: The site condominium ordinance is in direct conflict with the State law.

Hooper: It is like we are in a cave with no lights.

Dean: We are making it legal by going through the articles and going through the public hearing process so we do have a legal document.

Mangus: I feel it is better to continue to go through as we are and then send it for recodification rather than get a “wholesale” ordinance from the attorney. Would like to get input from the attorney.

Habedank: Red-line work from the attorney is what we will get back. It must be written in legal language.

Mangus: The board has not discussed getting a complete ordinance from the attorney. The board has decided to have the attorney review each of the amendments that we send to them. Let’s see how we go through the process in the direction

that the board wants to go.

Hooper: The township board needs to hear all of this. The board does not trust what we are doing.

Dean: There are two approaches, original plus amendments or toss it and buy a new one. Buying a new one would be ugly and I wouldn't want to be a part of that.

Hooper: We all want our ZA to have an ordinance he can use and defend. We have a board that does not seem to understand what we are doing.

Jacobson: Emotions on the board fly high pretty quickly.

Mangus: We have a few key points. They will go to the attorney and we will have them next month so we can see what they come up with. Let's see how the process is going to work with the attorney. Absolutely, our ordinance is in better shape than it was two years ago.

Dean: Should we try to do a joint meeting again for a face-to-face to discuss issues and direction? Not at this time.

Hooper: They are not seeing the history of what we go through. The board needs to realize that we, the PC, are doing our due diligence.

Savage: The board does not want us making changes to the ordinance.

Chair's Report, Mangus: The board said we are not doing ADUs, it is not popular. We may or may not get back to it. Event barns has gone to the attorney. When it came out at the board meeting that we were missing pieces of the ordinance we found that the missing pieces had not been removed by us or changed but hadn't shown up in our version of the ordinance even though it / they were in the clerk's version of the ordinance.

The steps will be: We will do a section, it goes to the board, they send it to the attorney then it comes back to the PC, we make adjustments and do a public hearing then send it back to the board for final approval. We will see if this process will help it move faster or if will cause a grid-lock.

Township Board Rep., Lawson: Board is looking into the FEMA flood maps. FEMA is looking to stop providing insurance. We have six people in our township that has FEMA insurance. If FEMA does away with it how does that affect the township? The question has been sent to the attorney. We have to accept or refuse by the end of August.

ZBA Representative, Hooper: No meetings.

Committee Reports: None.

Additional Items: None.

Old Business:

1. Status of Amendments 73-76. Completed during the ZA report
2. Amendments 73 & 74 Review and reapprove as appropriate.
Article 6.10 uses / permitted uses wording – let the attorney review. Consensus to let the attorney address.
Article 6.10 K – the township board rejected and it will be removed. Consensus.
Article 6.11 G use the 7.12G wording. Consensus.
Article 6.13 B – rejected by the board and will be removed. Consensus.
Amendment 53 wording was in the clerk's version, go with that and take out what we had attempted to add.
Article 7.13 special use permits only showed up in the clerk's version so we don't need to specify it again.
Eliminate PUD and use the more specific wording.
Fence standards, try to fix them again or don't touch it just move them. Consensus to just move them. (37.13)
Public hearing for August.
3. Article 17 – land use permits - approve /alter draft for lawyer review. Requirement of a land use permit was not in there. It must be added. This can go to the attorney right now. Move to public hearing for August.
4. Article 37, balance of text – 2nd review. 37.10 C Remove the Performance Guarantee. To public hearing for August with these minor adjustments.
5. **Motion** to take Article 17.14 to public hearing at the regular meeting in August by Jacobson, second by Dean. All in favor. Motion carried.

Motion to send article 37.10 as amended and move fences to the board for preliminary review by Jacobson, second by Lawson. All in favor. Motion carried.

New Business:

1. Article 37, Animals – 1st review-time permitting postponed

Next Regular Meeting August 1, 2018.

Agenda: Public hearing for 17.14

Public Comment: None.

Commission Discussion/Comments: None

Continuing Education: None.

Adjournment: 9:31 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

Grand Traverse Sheriff Department Calls for Service Statistics

Month Year
July 2018

Day of Week	Mon	Tues	Weds	Thurs	Fri	Sat	Sun	TOTAL				
	555	639	492	549	530	463	496	3,724				
Hour of Day	0	1	2	3	4	5	6	7	8	9	10	11
	117	66	64	38	23	28	68	97	151	184	204	203
Location	12	13	14	15	16	17	18	19	20	21	22	23
	192	221	238	206	253	219	195	176	169	216	135	161
Citations	Traffic Crashes			Arrests		*Other	Criminal	Non-Criminal	Traffic Crashes	Totals		
	Fatal	PIA	PDA	OWI	Criminal							
01 Acme	18	0	3	12	0	9	115	32	56	15	218	
02 Blair	30	0	3	31	2	16	213	84	123	34	454	
03 East Bay	43	0	4	27	2	18	247	90	122	31	490	
04 Fife Lake	9	0	1	3	1	1	81	7	13	4	105	
05 Garfield	58	0	9	69	7	88	654	413	378	78	1,523	
06 Grant	3	0	1	1	1	2	21	9	10	2	42	
07 Green Lake	9	0	2	5	2	3	125	29	59	7	220	
08 Long Lake	13	0	2	9	0	12	64	32	57	11	164	
09 Mayfield	4	0	1	5	1	3	45	6	3	6	60	
10 Peninsula	7	0	0	11	1	0	54	19	60	11	144	
11 Paradise	14	0	0	7	0	0	62	13	31	7	113	
12 Union	0	0	0	1	0	0	13	3	4	1	21	
13 Whitewater	3	0	0	5	0	2	44	7	18	5	74	
29 Fife Lake Vlg	0	0	0	2	0	0	17	4	9	2	32	
30 Kingsley Vlg	3	0	0	3	0	11	28	19	17	3	67	
66 Traverse City	9	0	0	0	0	80	0	0	0	0	0	
84 Out of County	0	0	0	0	0	21	0	0	0	0	0	
Totals	223	0	26	191	17	266	1,783	767	960	217	3,727	

*Other Calls for Service Include: 911 Hangups; BOL; Follow-up to Complaints; Motorist Assists; Public Relations; Serving Legal papers; Traffic Stops; Warrant Attempts

As of 1/01/18, MIP alcohol citations are civil infractions, therefore no arrest is applicable.

Ticket stats are based on what District Court has entered as of 8/01/18.

Arrest stats are as of 8/01/18.

Totals are not equal.



FEMA

JUL 24 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED



Ron Popp
Supervisor, Township of Whitewater
5777 Vinton Road
Williamsburg, Michigan 49690

Dear Mr. Popp:

I am writing this letter as an official reminder that the Township of Whitewater, Michigan, has until August 28, 2018, to adopt and have the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office approve floodplain management measures that satisfy 44 Code of Federal Regulations (CFR) Section 60.3(b) of the National Flood Insurance Program (NFIP) regulations.

The Township of Whitewater must adopt floodplain management measures, such as a floodplain management ordinance, that meet or exceed the minimum NFIP requirements (copy enclosed) by August 28, 2018, to avoid suspension from the NFIP. If suspended, your community becomes ineligible for flood insurance through the NFIP, new insurance policies cannot be sold, and existing policies cannot be renewed.

Under the Flood Disaster Protection Act of 1973, as amended, flood insurance must be purchased by property owners seeking any Federal financial assistance for construction or acquisition of buildings in Special Flood Hazard Areas (SFHAs). This financial assistance includes certain federally guaranteed mortgages and direct loans, federal disaster relief loans and grants, as well as other similarly described assistance from FEMA and other agencies.

In addition, all loans individuals obtain from Federally regulated, supervised, or insured lending institutions that are secured by improved real estate located in SFHAs are also contingent upon the borrower obtaining flood insurance coverage on the building. However, purchasing and maintaining flood insurance coverage on a voluntary basis is frequently recommended for properties located outside SFHAs.

Your NFIP State Coordinator and FEMA would like to assist the Township of Whitewater to ensure it remains in good standing with the NFIP and avoids suspension from the Program. If your community is suspended, it may regain its eligibility in the NFIP by enacting the floodplain management measures established in 44 CFR Section 60.3 of the NFIP regulations. As stated in my previous correspondence, I recommend you contact your NFIP State Coordinator or the FEMA Regional Office if the Township of Whitewater is encountering difficulties in enacting its measures. I recognize that your community may be in the final adoption process or may have recently adopted

JUL 24 2018

Ron Popp

Page 2

the appropriate floodplain management measures. Please submit these measures to the Floodplain Management Program at the Michigan Department of Environmental Quality. Matthew Occhipinti, P.E., the NFIP State Coordinator, is accessible by telephone at (616) 204-1708, in writing at 350 Ottawa Avenue Northwest, Unit 10, Grand Rapids, Michigan 49503-2316, or by electronic mail at occhipintim@michigan.gov.

The FEMA Regional staff in Chicago, Illinois, is also available to assist you with your floodplain management measures. The FEMA Regional Office may be contacted by telephone at (312) 408-5500 or in writing. Please send your written inquiries to the Director, Federal Insurance and Mitigation Division, FEMA Region V, at 536 South Clark Street, Sixth Floor, Chicago, Illinois 60605.

In the event your community does not adopt and/or submit the necessary floodplain management measures that meet or exceed the minimum NFIP requirements, I must take the necessary steps to suspend your community from the NFIP. This letter is FEMA's final notification before your community is suspended from the Program.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Sears". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rachel Sears, Director
Floodplain Management Division
Mitigation Directorate | FEMA

Enclosure

cc: James K. Joseph, Regional Administrator, FEMA Region V
Matthew Occhipinti, P.E., NFIP State Coordinator, Michigan Department of Environmental
Quality
Dennis Habedank, Zoning Administrator, Township of Whitewater

§ 59.24 Suspension of community eligibility.

(a) A community eligible for the sale of flood insurance shall be subject to suspension from the Program for failing to submit copies of adequate flood plain management regulations meeting the minimum requirements of paragraphs (b), (c), (d), (e) or (f) of § 60.3 or paragraph (b) of §§ 60.4 or 60.5, within six months from the date the Federal Insurance Administrator provides the data upon which the flood plain regulations for the applicable paragraph shall be based. Where there has not been any submission by the community, the Federal Insurance Administrator shall notify the community that 90 days remain in the six month period in order to submit adequate flood plain management regulations. Where there has been an inadequate submission, the Federal Insurance Administrator shall notify the community of the specific deficiencies in its submitted flood plain management regulations and inform the community of the amount of time remaining within the six month period. If, subsequently, copies of adequate flood plain management regulations are not received by the Administrator, no later than 30 days before the expiration of the original six month period the Federal Insurance Administrator shall provide written notice to the community and to the state and assure publication in the FEDERAL REGISTER under part 64 of this subchapter of the community's loss of eligibility for the sale of flood insurance, such suspension to become effective upon the expiration of the six month period. Should the community remedy the defect and the Federal Insurance Administrator receive copies of adequate flood plain management regulations within the notice period, the suspension notice shall be rescinded by the Federal Insurance Administrator. If the Federal Insurance Administrator receives notice from the State that it has enacted adequate flood plain management regulations for the community within the notice period, the suspension notice shall be rescinded by the Federal Insurance Administrator. The community's eligibility shall remain terminated after suspension until copies of adequate flood plain management regulations have been received and approved by the Federal Insurance Administrator.

(b) A community eligible for the sale of flood insurance which fails to adequately enforce flood plain management regulations meeting the minimum requirements set forth in §§ 60.3, 60.4 and/or 60.5 shall be subject to probation. Probation shall represent formal notification to the community that the Federal Insurance Administrator regards the community's flood plain management program as not compliant with NFIP criteria. Prior to imposing probation, the Federal Insurance Administrator (1) shall inform the community upon 90 days prior written notice of the impending probation and of the specific program deficiencies and violations relative to the failure to enforce, (2) shall, at least 60 days before probation is to begin, issue a press release to local media explaining the reasons for and the effects of probation, and (3) shall, at least 90 days before probation is to begin, advise all policyholders in the community of the impending probation and the additional premium that will be charged, as provided in this paragraph, on policies sold or renewed during the period of probation. During this 90-day period the community shall have the opportunity to avoid probation by demonstrating compliance with Program requirements, or by correcting Program deficiencies and remedying all violations to the maximum extent possible. If, at the end of the 90-day period, the Federal Insurance Administrator determines that the community has failed to do so, the probation shall go into effect. Probation may be continued for up to one year after the community corrects all Program deficiencies and remedies all violations to the maximum extent possible. Flood insurance may be sold or renewed in the community while it is on probation. Where a policy covers property located in a community placed on probation on or after October 1, 1986, but prior to October 1, 1992, an additional premium of \$25.00 shall be charged on each such policy newly issued or renewed during the one-year period beginning on the date the community is placed on probation and during any successive one-year periods that begin prior to October 1, 1992. Where a community's probation begins on or after October 1, 1992, the additional premium described in the preceding sentence shall be \$50.00, which shall also be charged during any successive one-year periods during which the community remains on probation for any part thereof. This \$50.00 additional premium shall further be charged during any successive one-year periods that begin on or after October 1, 1992, where the preceding one-year probation period began prior to October 1, 1992.

(c) A community eligible for the sale of flood insurance which fails to adequately enforce its flood plain management regulations meeting the minimum requirements set forth in §§ 60.3, 60.4 and/or 60.5

and does not correct its Program deficiencies and remedy all violations to the maximum extent possible in accordance with compliance deadlines established during a period of probation shall be subject to suspension of its Program eligibility. Under such circumstances, the Federal Insurance Administrator shall grant the community 30 days in which to show cause why it should not be suspended. The Federal Insurance Administrator may conduct a hearing, written or oral, before commencing suspensive action. If a community is to be suspended, the Federal Insurance Administrator shall inform it upon 30 days prior written notice and upon publication in the FEDERAL REGISTER under part 64 of this subchapter of its loss of eligibility for the sale of flood insurance. In the event of impending suspension, the Federal Insurance Administrator shall issue a press release to the local media explaining the reasons and effects of the suspension. The community's eligibility shall only be reinstated by the Federal Insurance Administrator upon his receipt of a local legislative or executive measure reaffirming the community's formal intent to adequately enforce the flood plain management requirements of this subpart, together with evidence of action taken by the community to correct Program deficiencies and remedy to the maximum extent possible those violations which caused the suspension. In certain cases, the Federal Insurance Administrator, in order to evaluate the community's performance under the terms of its submission, may withhold reinstatement for a period not to exceed one year from the date of his receipt of the satisfactory submission or place the community on probation as provided for in paragraph (b) of this section.

(d) A community eligible for the sale of flood insurance which repeals its flood plain management regulations, allows its regulations to lapse, or amends its regulations so that they no longer meet the minimum requirements set forth in §§ 60.3, 60.4 and/or 60.5 shall be suspended from the Program. If a community is to be suspended, the Federal Insurance Administrator shall inform it upon 30 days prior written notice and upon publication in the FEDERAL REGISTER under part 64 of this subchapter of its loss of eligibility for the sale of flood insurance. The community eligibility shall remain terminated after suspension until copies of adequate flood plain management regulations have been received and approved by the Federal Insurance Administrator.

(e) A community eligible for the sale of flood insurance may withdraw from the Program by submitting to the Federal Insurance Administrator a copy of a legislative action that explicitly states its desire to withdraw from the National Flood Insurance Program. Upon receipt of a certified copy of a final legislative action, the Federal Insurance Administrator shall withdraw the community from the Program and publish in the FEDERAL REGISTER under part 64 of this subchapter its loss of eligibility for the sale of flood insurance. A community that has withdrawn from the Program may be reinstated if it submits the application materials specified in § 59.22(a).

(f) If during a period of ineligibility under paragraphs (a), (d), or (e) of this section, a community has permitted actions to take place that have aggravated existing flood plain, mudslide (i.e., mudflow) and/or flood related erosion hazards, the Federal Insurance Administrator may withhold reinstatement until the community submits evidence that it has taken action to remedy to the maximum extent possible the increased hazards. The Administrator may also place the reinstated community on probation as provided for in paragraph (b) of this section.

(g) The Federal Insurance Administrator shall promptly notify the servicing company and any insurers issuing flood insurance pursuant to an arrangement with the Federal Insurance Administrator of those communities whose eligibility has been suspended or which have withdrawn from the program. Flood insurance shall not be sold or renewed in those communities. Policies sold or renewed within a community during a period of ineligibility are deemed to be voidable by the Federal Insurance Administrator whether or not the parties to sale or renewal had actual notice of the ineligibility.

§ 60.3 Flood plain management criteria for flood-prone areas.

The Federal Insurance Administrator will provide the data upon which flood plain management regulations shall be based. If the Federal Insurance Administrator has not provided sufficient data to furnish a basis for these regulations in a particular community, the community shall obtain, review and reasonably utilize data available from other Federal, State or other sources pending receipt of data from the Federal Insurance Administrator. However, when special flood hazard area designations and water surface elevations have been furnished by the Federal Insurance Administrator, they shall apply. The symbols defining such special flood hazard designations are set forth in § 64.3 of this subchapter. In all cases the minimum requirements governing the adequacy of the flood plain management regulations for flood-prone areas adopted by a particular community depend on the amount of technical data formally provided to the community by the Federal Insurance Administrator. Minimum standards for communities are as follows:

(a) When the Federal Insurance Administrator has not defined the special flood hazard areas within a community, has not provided water surface elevation data, and has not provided sufficient data to identify the floodway or coastal high hazard area, but the community has indicated the presence of such hazards by submitting an application to participate in the Program, the community shall:

(1) Require permits for all proposed construction or other development in the community, including the placement of manufactured homes, so that it may determine whether such construction or other development is proposed within flood-prone areas;

(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (ii) be constructed with materials resistant to flood damage, (iii) be constructed by methods and practices that minimize flood damages, and (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(6) Require within flood-prone areas (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) When the Federal Insurance Administrator has designated areas of special flood hazards (A zones) by the publication of a community's FHBM or FIRM, but has neither produced water surface elevation data nor identified a floodway or coastal high hazard area, the community shall:

(1) Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the community's FHBM or FIRM;

(2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;

(3) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data;

(4) Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, including data developed pursuant to paragraph (b)(3) of this section, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the community's FHBM or FIRM meet the standards in paragraphs (c)(2), (c)(3), (c)(5), (c)(6), (c)(12), (c)(14), (d)(2) and (d)(3) of this section;

(5) Where base flood elevation data are utilized, within Zone A on the community's FHBM or FIRM:

(i) Obtain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures, and

(ii) Obtain, if the structure has been floodproofed in accordance with paragraph (c)(3)(ii) of this section, the elevation (in relation to mean sea level) to which the structure was floodproofed, and

(iii) Maintain a record of all such information with the official designated by the community under § 59.22 (a)(9)(iii);

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administrator;

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;

(8) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(c) When the Federal Insurance Administrator has provided a notice of final flood elevations for one or more special flood hazard areas on the community's FIRM and, if appropriate, has designated other special flood hazard areas without base flood elevations on the community's FIRM, but has not identified a regulatory floodway or coastal high hazard area, the community shall:

(1) Require the standards of paragraph (b) of this section within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the community's FIRM;

(2) Require that all new construction and substantial improvements of residential structures within Zones A1-30, AE and AH zones on the community's FIRM have the lowest floor (including basement) elevated to or above the base flood level, unless the community is granted an exception by the Federal Insurance Administrator for the allowance of basements in accordance with § 60.6 (b) or (c);

(3) Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the community's firm (i) have the lowest floor (including basement) elevated to or above the base flood level or, (ii) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(4) Provide that where a non-residential structure is intended to be made watertight below the base flood level, (i) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (c)(3)(ii) or (c)(8)(ii) of this section, and (ii) a record of such certificates which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the official designated by the community under § 59.22(a)(9)(iii);

(5) Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(6) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites

(i) Outside of a manufactured home park or subdivision,

(ii) In a new manufactured home park or subdivision,

(iii) In an expansion to an existing manufactured home park or subdivision, or

(iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement.

(7) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified);

(8) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of nonresidential structures (i) have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's

FIRM (at least two feet if no depth number is specified), or (ii) together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in § 60.3(c)(3)(ii);

(9) Require within any A99 zones on a community's FIRM the standards of paragraphs (a)(1) through (a)(4)(i) and (b)(5) through (b)(9) of this section;

(10) Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(11) Require within Zones AH and AO, adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

(12) Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A-1-30, AH, and AE on the community's FIRM that are not subject to the provisions of paragraph (c)(6) of this section be elevated so that either

(i) The lowest floor of the manufactured home is at or above the base flood elevation, or

(ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

(13) Notwithstanding any other provisions of § 60.3, a community may approve certain development in Zones A1-30, AE, and AH, on the community's FIRM which increase the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision, fulfills the requirements for such a revision as established under the provisions of § 65.12, and receives the approval of the Federal Insurance Administrator.

(14) Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either

(i) Be on the site for fewer than 180 consecutive days,

(ii) Be fully licensed and ready for highway use, or

(iii) Meet the permit requirements of paragraph (b)(1) of this section and the elevation and anchoring requirements for "manufactured homes" in paragraph (c)(6) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(d) When the Federal Insurance Administrator has provided a notice of final base flood elevations within Zones A1-30 and/or AE on the community's FIRM and, if appropriate, has designated AO zones, AH zones, A99 zones, and A zones on the community's FIRM, and has provided data from which the community shall designate its regulatory floodway, the community shall:

(1) Meet the requirements of paragraphs (c) (1) through (14) of this section;

(2) Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point;

(3) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;

(4) Notwithstanding any other provisions of § 60.3, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of the Federal Insurance Administrator.

(e) When the Federal Insurance Administrator has provided a notice of final base flood elevations within Zones A1-30 and/or AE on the community's FIRM and, if appropriate, has designated AH zones, AO zones, A99 zones, and A zones on the community's FIRM, and has identified on the community's FIRM coastal high hazard areas by designating Zones V1-30, VE, and/or V, the community shall:

(1) Meet the requirements of paragraphs (c)(1) through (14) of this section;

(2) Within Zones V1-30, VE, and V on a community's FIRM, (i) obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, and whether or not such structures contain a basement, and (ii) maintain a record of all such information with the official designated by the community under § 59.22(a)(9)(iii);

(3) Provide that all new construction within Zones V1-30, VE, and V on the community's FIRM is located landward of the reach of mean high tide;

(4) Provide that all new construction and substantial improvements in Zones V1-30 and VE, and also Zone V if base flood elevation data is available, on the community's FIRM, are elevated on pilings and columns so that (i) the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level; and (ii) the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of paragraphs (e)(4) (i) and (ii) of this section.

(5) Provide that all new construction and substantial improvements within Zones V1-30, VE, and V on the community's FIRM have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

(i) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and,

(ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.

Such enclosed space shall be useable solely for parking of vehicles, building access, or storage.

(6) Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, and V on the community's FIRM;

(7) Prohibit man-made alteration of sand dunes and mangrove stands within Zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage.

(8) Require that manufactured homes placed or substantially improved within Zones V1-30, V, and VE on the community's FIRM on sites

(i) Outside of a manufactured home park or subdivision,

(ii) In a new manufactured home park or subdivision,

(iii) In an expansion to an existing manufactured home park or subdivision, or

(iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of paragraphs (e)(2) through (7) of this section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the community's FIRM meet the requirements of paragraph (c)(12) of this section.

(9) Require that recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either

(i) Be on the site for fewer than 180 consecutive days,

(ii) Be fully licensed and ready for highway use, or

(iii) Meet the requirements in paragraphs (b)(1) and (e) (2) through (7) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(f) When the Federal Insurance Administrator has provided a notice of final base flood elevations within Zones A1-30 or AE on the community's FIRM, and, if appropriate, has designated AH zones, AO zones, A99 zones, and A zones on the community's FIRM, and has identified flood protection restoration areas by designating Zones AR, AR/A1-30, AR/AE, AR/AH, AR/AO, or AR/A, the community shall:

(1) Meet the requirements of paragraphs (c)(1) through (14) and (d)(1) through (4) of this section.

(2) Adopt the official map or legal description of those areas within Zones AR, AR/A1-30, AR/AE, AR/AH, AR/A, or AR/AO that are designated developed areas as defined in § 59.1 in accordance with the eligibility procedures under § 65.14.

(3) For all new construction of structures in areas within Zone AR that are designated as developed areas and in other areas within Zone AR where the AR flood depth is 5 feet or less:

(i) Determine the lower of either the AR base flood elevation or the elevation that is 3 feet above highest adjacent grade; and

(ii) Using this elevation, require the standards of paragraphs (c)(1) through (14) of this section.

(4) For all new construction of structures in those areas within Zone AR that are not designated as developed areas where the AR flood depth is greater than 5 feet:

(i) Determine the AR base flood elevation; and

(ii) Using that elevation require the standards of paragraphs (c)(1) through (14) of this section.

(5) For all new construction of structures in areas within Zone AR/A1-30, AR/AE, AR/AH, AR/AO, and AR/A:

(i) Determine the applicable elevation for Zone AR from paragraphs (a)(3) and (4) of this section;

(ii) Determine the base flood elevation or flood depth for the underlying A1-30, AE, AH, AO and A Zone; and

(iii) Using the higher elevation from paragraphs (a)(5)(i) and (ii) of this section require the standards of paragraphs (c)(1) through (14) of this section.

(6) For all substantial improvements to existing construction within Zones AR/A1-30, AR/AE, AR/AH, AR/AO, and AR/A:

(i) Determine the A1-30 or AE, AH, AO, or A Zone base flood elevation; and

(ii) Using this elevation apply the requirements of paragraphs (c)(1) through (14) of this section.

(7) Notify the permit applicant that the area has been designated as an AR, AR/A1-30, AR/AE, AR/AH, AR/AO, or AR/A Zone and whether the structure will be elevated or protected to or above the AR base flood elevation.

[41 FR 46975, Oct. 26, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 60.3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

Ron Popp

From: Deepak Prabhaker [REDACTED]
Sent: Tuesday, July 24, 2018 8:05 AM
To: Ron Popp
Subject: concerns regarding Cook Road property commercial zoning request

Dear Mr. Popp,

I am a resident at [REDACTED] Cook Road. I teach fifth grade at Mill Creek Elementary and my wife and I have four sons (ages: 1.5, 4.5, 7, 8.5).

We have been enjoying family fun this summer and my youngest son likes to walk to the end of our driveway and ask me about the big piles of dirt that have been brought to the property across the street from us.

Yesterday, a neighbor brought to my attention that the property owners are seeking permission to get zoned as commercial, with the goal of putting an events hall there.

I am contacting you to get clarity on the situation. If this is true, I have serious concerns about how this would impact the rural solitude we love and our quality of life. I believe my neighbors feel the same way, and we would be ready to publicly voice our concerns and follow the legal procedures needed to resolve this.

I have no prior experience with a matter like this, and don't know where to start, so I wanted to reach out to you for information and guidance on next steps.

If it is more efficient for us to speak over phone, my number is: [REDACTED]

Thank you for all that you do, and I look forward to connecting on this matter.

Regards,

Dee Prabhaker

Ron Popp

From: Deepak Prabhaker [REDACTED]
Sent: Wednesday, August 8, 2018 1:27 PM
To: Ron Popp
Subject: follow up on Events Barn ordinance

Dear Mr. Popp,

I will be unable to attend the August 14th Township Board meeting but wanted to reach out regarding the status and next steps of the Event Barns ordinance.

At the August 1st Planning Commission meeting, I stated during Public Comments that the ordinance does not provide adequate protection to neighboring residents. If the Planning Commission is tasked with continuing to work on the language of this ordinance, I believe it must be revised to:

- (1) reflect the original intent of providing farmers with existing structures that are truly "in the middle of nowhere" the opportunity for limited-use secondary income
- (2) provide extreme protections to the peace and quiet, safety and quality of life of residents

In particular, the line items that refer to the setback location of the primary venue, the frequency of annual use, the hours of operation and lighting/sound restrictions have the power to protect (or not protect) the impact to neighboring residents.

Thank you for all that you do.

Regards,

Dee Prabhaker

Ron Popp

From: Phil Babcock [REDACTED]
Sent: Wednesday, August 1, 2018 9:03 PM
To: supervisor@whitewatertownship.org
Subject: Fwd: The Emerging Trend of Wedding Barns > Fahey Schultz Burzych Rhodes

Good Morning, Mr. Popp

Just a question, has the case of Webster township vs Waitz been considered for the event barn ordinance?

Thank You in advance
Phil Babcock
[REDACTED] Cook Road

Sent from my iPhone

Begin forwarded message:

From: Phil Babcock <[REDACTED]>
Date: August 1, 2018 at 20:34:14 EDT
To: [REDACTED]
Subject: The Emerging Trend of Wedding Barns > Fahey Schultz Burzych Rhodes

<https://www.fsbrlaw.com/Resources/Articles/ID/455/The-Emerging-Trend-of-Wedding-Barns>

The Emerging Trend of Wedding Barns

February 2017

New uses are always impacting how a township applies or amends its regulations. Numerous townships have seen an emerging trend where historic agricultural barns of the past are converted to provide a new venue for weddings, conferences, and parties. Since these barns are often located in the rural areas of townships, the new commercial operation of event barns and wedding barns are occurring in township zoning districts where local regulations often do not address these activities. Event barns and wedding barns have both positive and negative benefits. While it creates an environment for two people to tie the knot, it can disturb adjoining property owners with noise, excess traffic, trespassing, and unsafe drinking conditions. In this E-letter

we focus on this new emerging use and how townships should consider addressing them.

Growing Trend in Agricultural Wedding Venues

Repurposing old structures has seen an explosion of interest in recent years—whether historic homes or grand former public buildings. Old agricultural barns and structures are no exception and are attractive to both rural residents looking to host events in familiar territory or to urban dwellers seeking the comfort and natural beauty found in the wide open spaces of a countryside setting. The expansive interest in barns and rural settings as a venue has created a diversity of demand for old barns from entrepreneurs converting old barns to farmers sprucing up an old barn and allowing customers a venue and the ability to interact with their livestock.

In part, the emerging trend is the result of increased wedding costs. Many banquet halls and urban venues have costly rates and stringent requirements on preferred vendors. On the other hand, wedding barn operators provide more flexibility at a discount. There also is a keen interest in couples looking for rural settings to hold a ceremony and reception in one peaceful location. This demand has allowed old barns converted into an event barn to rent them for as much as \$10,000 per night.

Although event barns bring welcome revenue and exposure to rural areas, the events held can often be disruptive to adjacent uses. These disruptions include late night music, live bands, light pollution, increased traffic, late night traffic, inebriated revelers, and even trespassers who wander about the barn site and inadvertently onto adjacent farming properties. Neighboring property owners often are not thrilled with this change to their former weekend peace and tranquility.

Yet the event barn operators also have expectations regarding the use of their property. These operators may seek use variances to expand a residential use, or may argue their event barn is an accessory use, or they may claim their use is consistent with an existing zoning classification.

Use Variances

Event barns are typically located within agricultural or residential districts. An old barn is repurposed into an assembly hall for commercial purposes. When

local zoning regulations do not clearly provide for such use, some owners may seek use variances to permit conversion of the barn from a farming operation to a commercial operation. This poses a problem since use variances are disfavored under the Michigan Zoning Enabling Act. Zoning boards of appeal have clear authority to issue nonuse variances. MCL [125.3604](#)(8). In most jurisdictions, however, a use variance will not be an available option. In a limited number of communities, the zoning ordinance may still permit such variances, but it must be explicitly stated in the zoning ordinance and may be revoked by the township board. See MCL [125.3604](#)(9), (11).

Conversion of an old barn (or any agricultural building) also presents safety issues that townships should consider. These barns were originally designed for specific agricultural uses. They may not have been constructed in compliance with the building code, as agricultural buildings are generally exempt under the state law from requiring a building permit for construction or alteration (unless there is a change of use). For that reason, although a barn may have enough square feet to house 300 guests, other safety requirements, such as fire suppression, electrical wiring and ingress-egress locations may not be sufficient for hosting these events. Any change in use for barns should be evaluated carefully to ensure that safety concerns are addressed.

Accessory Use

Owners of old barns have also suggested that the use of the barn as an event venue is an accessory use to the other structures or uses of the property. Under this theory, many owners suggest that current regulations permit operation of the event barn without any further permitting. Generally, an accessory use is defined as an activity that is clearly *incidental to, customarily found in conjunction with*, subordinate to, and located on the same zoning lot as a permitted use.

Thus, for an owner to be correct, the event barn must be incidental to and customarily found in conjunction with the primary use. This is a difficult task for event barn operators. The mere fact this is an emerging trend suggests that wedding barns (as a commercial use) are not customarily incidental to single-family residences or even commercial farms (such as cash crop farms or livestock farms). In addition, the constant use of the wedding barn on a routine basis often overshadows the primary use, meaning it is not incidental or subordinate to the primary use.

The Michigan Court of Appeals recently held that event barns are not accessory uses within agricultural districts. In that case, the property owners established an event barn on agricultural property claiming the primary use of the property would be residential. Events included rehearsal dinners in addition to the weddings, which featured up to 300 people. Since the township zoning ordinance did not expressly permit such event barns (or a similar use in the district), the event barn operator claimed it was an accessory use. The Court found that “the barn’s use was not ‘subordinate to’ the property’s use as a single-family dwelling.” The Court recognized that “families occasionally host weddings and gatherings in their backyards and outbuildings,” but that the operation of an event barn was in excess of those smaller, less intense uses.

The Court of Appeals analysis pinpoints that the conversion of an old barn to a new commercial use quickly surpasses the primary use. The new use creates numerous issues that are not typical of a single-family dwelling, including noise and traffic, and the concentration of events to nights and weekends. As the Court recognized, such uses are commercial in nature and not authorized to operate within a township, unless the zoning ordinance specifically authorizes such. *Webster Twp v Waitz*, unpublished opinion per curiam of the Court of Appeals, issued June 7, 2016 (Docket No. 325008).

Agritourism

Another possibility is that a landowner will claim their event barn is “agritourism.” Agritourism is a new and growing industry on farms. As the term suggests, it involves leisure activities on farms and agricultural property. The issue with agritourism is there is not a standard accepted definition.

The Merriam-Webster dictionary defines agritourism as “the practice of touring agricultural areas to see farms and often to participate in farm activities,” and the American Heritage Dictionary defines it as “tourism in which tourists board at farms or in rural villages and experience farming at close hand.” Other farm organizations and associations suggest the term is much broader. This can pose issues with defining and regulating agritourism.

Townships that permit agritourism can face the question whether an event barn could be considered agritourism. For example, pumpkin patches and corn mazes occur during distinct growing seasons. These activities are closely related to agricultural products—pumpkins, corn, hay—which constitute at least some participation in farm activities. These are widely-accepted as agritourism.

Unlike these uses, weddings or other events can be held year round, and often have no relationship to farm activities (other than the decorations). Even so, not all organizations agree that weddings are unrelated to agricultural, and some have concluded that weddings do constitute agritourism.

If a township permits agritourism or does not clearly define the scope of uses permitted within its jurisdiction, then landowners may rely on the unclarity in the term agritourism to suggest that event barns are permitted. In these situations, it is often recommended to clarify current regulations or determine whether adopting an appropriate regulation addressing agritourism and defining its scope should be done.

Solutions

With the growing popularity of agritourism and rustic weddings, townships need to be aware how these new land uses may impact their communities. Event barns may cause unforeseen safety concerns, as well as impact adjacent uses. Townships should evaluate current regulations addressing agricultural uses and determine whether sufficient clarity exists to address event barns and agritourism.

Several possible solutions exist for a township concerned about agritourism generally and event barns specifically. Zoning ordinances generally prohibit those uses not specifically authorized. Thus, townships can amend zoning ordinances to explicitly allow the uses, specify the district in which the uses can operate, and provide the conditions under which the use will be required to operate. These amendments should consider whether agritourism is an appropriate term to be used in the ordinance and if so, whether the definition of agritourism clearly sets forth the type and intensity of the activities that the township is authorizing.

-- Matt Kuschel

Click here for a [PDF version](#) of this publication.

Fahey Schultz Burzych Rhodes PLC, Your Township Attorneys, is a Michigan law firm specializing in the representation of Michigan townships. Our lawyers have more than 150 years of experience in township law, and have represented more than 150 townships across the state of Michigan. This publication is intended for our clients and friends. This communication highlights specific

areas of law, and is not legal advice. The reader should consult an attorney to determine how the information applies to any specific situation.

Sent from my iPhone

Ron Popp

From: Cheryl A. Goss <clerk@whitewatertownship.org>
Sent: Thursday, July 26, 2018 11:44 AM
To: Cheryl A. Goss; Della Benak; Lloyd Lawson; Paul Hubbell; Ron Popp
Cc: Dennis Habedank
Subject: Art Schneider LLC Request for ZO Amendment re: Event Barns
Attachments: Art Schneider LLC Request for ZO Amendment re Event Barns.pdf

FYI – Document attached.

Cheryl A. Goss, CMMC

Whitewater Township Clerk
5777 Vinton Road, P.O. Box 159
Williamsburg, Michigan 49690
Telephone: 231.267.5141 X 24
Fax: 231.267.9020

clerk@whitewatertownship.org

Office Hours: Mon/Tue/Wed/Thurs 8:30 am to 5:00 pm

July 24, 2018



Whitewater Township Planning Commission

Whitewater Township Zoning Administrator

Whitewater Township Clerk

**Re: Event Barns – Request for Amendment to Article 10 – Agricultural A-1
Specifically, addition of language to allow event barns in the agricultural district**

It is has only now come to our attention that we should have filed a Request for Amendment (Article 19) when we began the engagement process with the Board/Planning Commission back in early 2017. Please accept this letter and \$300.00 application fee as our ‘official’ Request for amendment to Article 10 – Agricultural A-1 as discussed in several Planning commission meetings and at least one township board meeting concerning adding a Special Use Permit option for Event Barns.

In the fall of 2016, we purchased over 445 acres of property from the Kettlewells. We have always wanted to own a large parcel and found this a beautiful piece of property. Soon after the purchase, we began working with Mansfield Land Use Consultants to explore changing an existing barn into some ‘event space’. They connected with the Zoning Administrator at the time who let them know that there was NO option for even asking for a Special Use Permit without a change in the Agricultural Zoning District ordinance. It was from this point, that we began working with the Planning Commission to explore a change in the zoning language to allow either Event Barns as an ‘allowed use’ or a Special Use Permit application process. Following our initial discussions with the Planning Commission, they pursued adding language for inclusion in the Ordinance. In accordance with the State of Michigan Zoning Enabling Act, discussion was held, language was introduced, a public hearing was held, and the proposed amendment was forwarded on to the Township Board for consideration. We remained engaged in the ongoing process.

While working with the Planning Commission, we learned that there might be concerns about the traffic for an Event Space at the Cook Road location of the existing Barn. At the same time, we learned that the foundation of the current barn would not be sufficient for this use. We then changed our focus to explore using the Barn Wood and having the Event Space located so that the entrance would be from Highway M-72.

The Planning Commission has taken the time to evaluate other Zoning ordinances in surrounding communities, proposed wording to allow Special Use Permits and held a Public Hearing where there were no objections. We have been awaiting input from the Board on what the Township Attorney wanted to change in the proposed wording.

What we are planning to do:

- Build an Event Barn
- It is our hope to incorporate the Barn wood that originally existed on the property
- Barn will have adequate facilities per health department regulations
- Barn will have fire protection sprinkler system
- Barn will have adequate parking for facility

As we have previously discussed, it is our feeling that the allowance of event barns, along with other value-added agricultural enterprises, in the Agricultural Zoning District provides additional opportunity to large parcel owners to utilize their land and keep viable large parcels intact. We have also reviewed the 2015 Whitewater Township Master Plan and found that the proposed Ordinance text change satisfies the goals and objectives of the Master Plan. First, the use is compatible with other uses in the Agricultural district, and the text change is drafted such that the event center would be located where supporting infrastructure, (i.e. adequate roads) is available. Most importantly, an event center will help to build a sense of community as it will 'encourage social and cultural activities for year-around and seasonal residents.' The proposed allowance of event centers within the Township will not only provide needed activities for year-around residents, but will cater to seasonal housing units which consist of just under 22% of all housing units in the Township. The inclusion of event barns as Special Uses in the Agricultural District will also bolster Tourism, one of the major businesses in the Township.

The proposed use is consistent with, and less intense than, other allowed uses in the current agricultural zoning district such as golf courses and commercial campgrounds with the former being permitted by right and the latter being permitted as a special land use.

We shall await your notice of hearing on this request.



David P. Williams
Management Representative
Art Schneider, LLC
912 W. Sugnet Road
Midland, MI 48640

713/628-5679



Carol A. Williams
Management Representative
Art Schneider, LLC
912 W. Sugnet Road
Midland, MI 48640

989/615-6178

The following text is a DRAFT under review by the WWTS Planning Commission.

Goal: Establish standard for the preservation, restoration, rebuilding, or recreation of historic agricultural structures as event venues on large tracks of land.

NEW

EXISTING

NOTES

PROPOSED

Article 3 – Definitions

Event Barn: A historic agricultural barn or similar structure offered for rent as an event venue.

Article 10 – Agricultural

10.11 Uses Permitted By Special Use Permits

- C. Event Barns or similar public venues subject to the standards in Article 37, Supplemental.

Article 11 – Recreational

11.11 Uses Permitted By Special Use Permits

- C. Event Barns or similar public venues subject to the standards in Article 37, Supplemental.

Article 37 - Supplemental

37.11 Event Barns or similar public venues shall be permitted by Special Use Permit, Article 25 and subject to the following:

1. Primary access to all facilities shall be via a county maintained paved road.
2. Primary structures shall be setback 100' from the front lot line and 500' from neighboring residences.
3. Facilities shall be situated on parcels greater than 20 acres of land.
4. Hours of operation for events shall be limited to 8am through 11pm unless otherwise pre-approved by the planning commission for a specific event.
5. The owner or owner's representative shall be on site for all events.
6. All speakers, performances, and musical entertainment shall be contained within the structure.
7. Adequate parking shall be provided
8. All facilities shall be approved and inspected by the appropriate agencies.
9. Additional consideration shall be given to facilities that incorporate the preservation or use of existing agricultural structures.

July 31, 2018

Whitewater Township Clerk
Whitewater Township Planning Commission
Whitewater Township Zoning Administrator

Re: Event Barns in Agricultural Land

We have had an opportunity to review the new language prepared by your Township Attorney as it related to adding "Event Barns" as a special use in the agricultural and recreational zones. Based upon that extremely restrictive, proposed language, we do not feel that it would be possible to continue forward exploring this option for our property.

The restrictions listed, such as 35 total events per year, the prohibition of using any other existing buildings, no on-site refuse container, no dishwashing, etc are unworkable. We cannot imagine that anyone would operate an event barn or any business under these conditions. But, we presume that was the intention of the wording.

We would again like to thank the Planning Commission for all of their hard work on the ordinances. It goes unappreciated by many, but after this long process, we came to admire their commitment to the Township and its residents.

Please consider this a formal request to withdraw our request for the ordinance amendment.



Carol A. Williams
Art Schneider, LLC



David P. Williams
Art Schneider, LLC

Ron Popp

From: Brandon Flynn <firechief@whitewatertownship.org>
Sent: Friday, July 27, 2018 7:05 AM
To: Ron Popp
Cc: Cheryl A. Goss
Subject: Fire Engine Rental

I heard back from Blaire Twp. In regards to the borrowing of E22 (Old Rural E6) while E3 goes to Grayling for much needed repairs. Although they do not have the paperwork ready, I was advised that they are going to charge a flat rate of \$350/day. As soon as I have an agreement in hand I will forward it to both of you for review before we proceed, I will also contact CSI to get an estimate of time they will need E3 for the repairs.

Thank you,



Brandon Flynn | Fire Chief

Whitewater Township Fire Department

8380 Old M 72 | PO Box 9

Williamsburg, Michigan 49690

p. 231.267.5969 | c. 810.217.2718 | e. firechief@whitewatertownship.org

**Whitewater Township Board
Minutes of Regular Meeting held July 10, 2018**

Call to Order/Pledge of Allegiance

Supervisor Popp called the meeting to order at 7:02 p.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: Goss, Hubbell, Lawson, Popp

Board Members absent: Benak

Others present: Fire Chief Brandon Flynn, County Commissioner Carol Crawford, Tim and Cindy Arbenowske, Nick Carpenter, Katie Wibby and Isabella

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment

None

Public Hearing

None

Reports/Presentations/Announcements/Comments

County Board of Commissioners Report

Carol Crawford gave the following report:

- A couple days ago, they had a report from the MERS pension system. At the end of 2016, they were 45% funded. At the end of 2017, they were 52% funded. They have already paid in the \$5.9 million payment in February for the whole year, so they are really close to the 60% that the state would like them to be. The report highlighted that if they continue to pay the \$5.9 million every year, even though they agreed to 16 years, they will be closer to 100% in about 10 years.
- Nate Alger began last Monday as the new county administrator.
- The HR director and deputy administrator positions are open. They are also looking for an animal control officer and corrections officers.
- They have pool improvements going on at the Civic Center, i.e., interior of the pool, the liner, air handler, new roof, locker rooms.
- Next Wednesday, they will talk about their audit. They have a clean audit report. The finances are doing very well. Things are going well overall.
- They had 40 employees walk in the parade on Saturday with T-shirts.

There were no questions.

County Road Commissioner Report – No one is present from the Road Commission.

Mobile Medical Response Report – No one is present from Mobile Medical Response. June reports are in the board packet.

Fire Department Report

Chief Flynn stated one of their first duties was to establish the chain of command. The members talked it over diligently. Nick Carpenter is the Assistant Chief, and Tim Arbenowske is the Captain. The other positions have not been filled due to staffing levels. Flynn stated he is glad to have Tim as one of his right-hand men on the department. Flynn read his formal announcement of the appointments.

Nick Carpenter was presented with his new badge, insignia, and helmet shield reflecting his appointment to the position of Assistant Chief.

Tim Arbenowske was presented with his new badge, insignia, and helmet shield reflecting his appointment to the position of Captain.

Chief Flynn's June report is as follows:

- The Whitewater Township Fire Department responded to 7 emergency calls and conducted 2 public education demonstrations, for a total of 9 incident reports.
- The firefighters participated in 20 hours of training and station duties in June. The training classes included water pumps, water supply, water rescue, and drivers' training.
- On June 23rd, the fire department hosted the first annual open house, with the help of the township board and Whitewater Emergency Services Auxiliary. The auxiliary, board members, and firefighters spent the afternoon showing off the newly renovated Emergency Services Building, with a ribbon cutting ceremony at noon. Residents enjoyed food, fun, fire trucks, and a trip through the fire safety smokehouse. Chief Flynn noted the smokehouse was provided by the GTB Fire Department and he has written a letter of thanks to them.
- Other activity in the busy month of June included relabeling of all vehicles with the new Whitewater Township Fire Department logo. They are in the process of inspecting, repairing and relabeling their protective gear. When this is complete, all of the firefighters will have like-new gear that will last the remainder of the 10-year service life. All of the apparatus is also under inspection. Flynn noted that just a few things need to happen to bring vehicles up to NFPA and DOT regulations and standards.
- The Emergency Services Building still has a few lingering details from the construction project. Flynn stated he has been working diligently with the clerk on this. The county has not cleared the soil erosion permit yet because of lack of grass. He will be doing some watering and keeping up on that in an effort to get that issue resolved.
- Flynn has presented a couple quotes to replace apparatus bay lights. There are 15 lights that need to be replaced. Flynn installed some lightbulbs, but it appears they are all on the same circuit and the circuit was overloaded and kept tripping the breaker, so he took out some bulbs. This is the last room in the station that needs LED lighting.
- Flynn reported that he found a small natural gas leak at the meter bank. He called DTE and they came right out and repaired it.
- The workout room is complete. McLain Cycle provided a tutorial on the equipment.

- Flynn also reported that the fire department installed three bollards around the standby generator and painted them bright yellow.

There were no questions.

Planning Commission Report

Lloyd Lawson noted that the next planning commission meeting is tomorrow night.

Parks & Recreation Advisory Committee Report

Cheryl Goss gave the following report:

- The committee met last night and they are pursuing their various budgeted projects.
- The engineered drawing for the batting cage has not been received yet.
- The area for the used playground equipment installation at the campground will be finish leveled soon and a tentative date of August 18 has been scheduled for a work bee to set the posts and bases. There are a few parts and pieces to order to complete the installation, i.e., chains, swings, a couple bearings for the merry-go-round.
- Still waiting to hear on the two tribal grants that were submitted at the end of May.
- Work on removing the bushes on the berms at Hi Pray Park will start later this week. The berms will be left in place.
- The committee has suggested that the drives and parking lot at Hi Pray Park be graded. Nothing has been done there in several years.

Popp suggested the road commission might be willing to grade it if we buy the gravel.

Goss asked that a quote for the gravel be provided since this cost was not budgeted for this year.

Consent Calendar

Receive and File

1. Supervisor's Report for June 2018
2. Clerk/Park & Recreation Administrator's Report for June/July 2018
3. Zoning Administrator's Report for June 2018 (not available)
4. Mobile Medical Response June 2018 Activity Reports
5. Whitewater Township Fire Department June 2018 Report
6. Approved 04/09/2018 Parks & Recreation Advisory Committee Minutes
7. Approved 05/02/2018 Planning Commission Minutes
8. Approved 05/09/2018 Historical Society Minutes
9. Approved 05/14/2018 Parks & Recreation Advisory Committee Minutes
10. Approved 05/30/2018 Planning Commission Special Meeting Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for June 2018 and 2nd Quarter Totals
2. Letter 06/18/2018 Area Waste re: Cleanup Day
3. Letter 06/25/2018 Fire Chief Flynn re: Open House

4. E-mail 07/05/2018 Carol Williams re: Event Barn Ordinance

Minutes

1. Recommend approval of 06/12/2018 and 06/26/2018 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 42795 through 42913
2. Approval of First Community Bank Miami Beach voucher # 1242
3. Approval of First Community Bank WMDLS voucher # 1313

Budget Amendments (none)

Revenue & Expenditure Report (none)

Motion by Hubbell to approve the consent calendar as presented; second by Goss. There was no further discussion. **Roll call vote: Benak, absent; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.**

Unfinished Business

Whitewater Township Fire Department

Clearwater Mutual Aid Agreement – Chief Flynn’s Review

Chief Flynn stated the proposed agreement is pretty standard language, and likes the sentence in the e-mail which states Clearwater Township has no interest in charging for mutual aid. He believes they will be reliant on mutual aid themselves.

Discussion followed.

Motion by Goss to authorize Chief Flynn and the supervisor to sign the Clearwater Mutual Aid Agreement as presented; second by Popp. There was no further discussion. **Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, absent. Motion carried.**

Goss noted that Fife Lake Township has returned the mutual aid agreement we sent to them and she will provide that agreement to Chief Flynn for his signature.

Popp noted that agreement also likely includes Union Township.

Goss responded that the Whitewater Township Board has already approved the agreement with Fife Lake Township.

Request for Capital Items

Chief Flynn provided a memo and two quotes for LED lighting in the apparatus bay.

Motion by Popp to approve Chief Flynn’s capital expense requests for lights, both in stationary form and in mobile form.

Goss noted the motion is not specific enough. Goss also noted that, in the interests of full disclosure, Top Line is who Chief Flynn used to work for.

Discussion followed.

Popp requested a change to the Top Line proposal, that the MC cable for wiring night lights is concealed, run above the ceiling line, not below.

After discussion, including the fact that the current installation is surface pipe, Popp withdrew his objection.

Motion by Goss to approve the quote from Top Line Electric in the amount of \$2,950 for LED lighting in the apparatus bay; second by Lawson. There was no further discussion. **Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, absent; Goss, yes. Motion carried.**

Chief Flynn has a second capital request for installation of a utility bar with lights on the boat.

It was noted that there are no navigation lights on the boat.

Discussion followed. Popp and Lawson would like to add navigation lights.

Motion by Goss to approve the quote from MRC in the amount of \$2,577 for rescue lights on the Seawolf boat; second by Hubbell. There was no further discussion. **Roll call vote: Lawson, yes; Popp, no; Benak, absent; Goss, yes; Hubbell, yes. Motion carried.**

An additional quote will be sought for navigation lights.

Update on Zoning Ordinance Amendment Nos. 73, 74 and 76

No new documents have been provided.

Review/Approve Proposal for MDOT Parcel Phase II Environmental Assessment

Popp provided a letter from Attorney Chris Patterson, as well as a quote from Otwell Mawby for the Phase II environmental study.

It was noted that \$2,925 has been spent so far on the survey and revision of the parcel drawing, as well as the Phase 1 environmental assessment.

Discussion followed regarding the potential use. Additional parking? Storage? Drive around the building?

Chief Flynn stated he would not want to dump more money into the land or building, although purchasing the land for a drive around makes sense.

Various discussion ensued.

Motion by Popp to continue the process and award Otwell Mawby up to \$4,210 in Phase II engineering fees.

Goss noted the Phase II engineering fees are \$2,010.

Popp amended his motion to authorize Otwell Mawby \$2,010 for their Phase II ESA Investigation, and an additional \$2,200 for their Baseline Environmental Assessment and Due Care Plan, if required.

Motion failed for lack of a second.

Goss stated she would go along with spending the \$2,010 for the Phase II but believes it should be reevaluated after that.

Motion by Lawson to award Otwell Mawby PC the Phase II ESA Investigation in the amount of \$2,010 for the second Phase II report, BEA to be determined at a later date; second by Hubbell. There was no further discussion. Roll call vote: Popp, yes; Benak, absent; Goss, yes; Hubbell, yes; Lawson, yes. Motion carried.

Popp will initial the \$2,010 price on the Authorization to Proceed form and return it to Otwell Mawby.

Review/Approve Batting Cage Plan

The engineered drawing has not been received. This matter will be placed on the 7/24 agenda.

Review/Approve Proposed National Flood Insurance Program (NFIP) Ordinance, Resolution, and Intergovernmental Agreement

Popp stated that FEMA redid their flood maps and are in the process of redoing some of their requirements to belong to the National Flood Insurance Program, and noted that Grand Traverse County building officials enforce national flood rules in Whitewater Township. Popp provided details of other changes, and stated the question is whether or not we want to subject our citizens to all of these rules.

Lawson noted that it is before Congress right now, and by December 8 it may not exist anymore. They are talking about privatizing it. There are 5 million people in the program who will have to go to a regular insurance company if Congress discontinues the flood insurance program. It is something we need to consider. The ordinance may not be useable in December because the guidelines will be gone. He stated the flood insurance program was bailed out last year to the tune of \$30 billion. Also, there are some restrictions which are ridiculous, and cited a couple of them, stating some of the costs and burdens that will be put on people are excessive and not warranted. We do not have major floods around here. Also, the Inspector General's office has a big report on the flood insurance program which cites things that need to be fixed, including that 80% of their maps are over 15 years old. They have not followed the changes of growth, natural change, erosion, path change of rivers, etc.

Popp stated we do have new maps which go into effect August 28th.

Hubbell stated he knows, from the ag part of it, that the government is doing away with the farmer being insured by the federal government; it is all being privatized. Hubbell stated he is leaning toward not doing this to the citizens right now. There are too many uncertainties of what is going to happen in the future.

Lawson stated Habedank has said people who want to build in the flood plain can get a waiver from their mortgage company and still get a mortgage.

Popp stated Whitewater Township currently has six policies in place in the total amount of \$1,370,000. If the township does not update, those people will lose their policies.

Lawson stated they can get it other ways.

Discussion followed.

Hubbell stated this is something that maybe we should have our lawyer look at for us.

Goss suggested we get a quick opinion from the attorney as to what repercussions we might be facing if we pull out of this program.

Popp suggested that the six policyholders be contacted and informed that the township is thinking about not renewing with NFIP.

Goss offered to e-mail Chris Patterson to ask what the repercussions would be of not continuing in the NFIP.

Popp brought up that Appendix G is part of the state code. If we provide the authority to the county to enforce the state code, these rules will be enforced upon the township anyway, whether we are part of the program or not.

Various discussion again followed.

Lawson stated he wants to know what the township's liability is to the six people.

Popp asked whether the original authority refers to Appendix G.

Goss will look for the original resolution in the 1987 minutes, and noted that the proposed documents provided by Popp have errors.

Popp stated we will get our questions answered and bring the matter back on 7/24.

There was board consensus that if we are late on the August 28th date, we are late.

Emergency Services Building Renovation/Addition Project Update

Goss provided an update memo and the last two pay applications, and noted everything has been paid.

Popp inquired when we had to get a sewage lift pump for the septic at the fire station.

Hubbell pointed to page 186 of the packet where it says “add sewage lift pump wiring” on an Advantage Electric invoice.

Discussion followed.

Goss will ask Chris Richter about the \$962.85 invoice from Advantage Electric for “add sewage lift pump wiring.”

New Business

Ambulance Millage Fact Sheet

Goss provided a proposed fact sheet.

Motion by Lawson to approve the document entitled Facts About Ambulance Service in Whitewater Township; second by Popp. There was no further discussion. **On voice vote, all those present voted in favor, none opposed, Benak absent. Motion carried.**

Tabled Items

Review Administrative Policy Section 5 (tabled 10/14/2014)

This agenda item will remain tabled.

Review Ordinance 22 Pension Plan (tabled 10/25/2016)

This agenda item will remain tabled.

Review Whitewater Township Planning & Zoning Fees (tabled 02/28/2017)

This agenda item will remain tabled.

Board Comments/Discussion

Hubbell requested the gravel roads be brined again.

Goss provided an update of conversations she had today with Wayne Miller and the Road Commission.

Discussion followed regarding the number of brinings that have been done. There has only been one application so far.

Hubbell would like to see the brining speeded up, if possible.

Announcements

Next meeting date is July 24, 2018, at 7:00 p.m.

Public Comment

None

Adjournment

Motion by Lawson to adjourn; second by Hubbell. On voice vote, all those present voted in favor, none opposed, Benak absent. Meeting adjourned at 9:07 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk

DRAFT

**Whitewater Township Board
Minutes of Regular Meeting held July 24, 2018**

Call to Order

Supervisor Popp called the meeting to order at 7:00 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

Roll Call of Board Members

Board members present: Benak, Goss, Lawson, Popp

Board members absent: Hubbell

Others present: 11

Set/Adjust Meeting Agenda

There were no adjustments.

Declaration of Conflict of Interest

None

Public Comment

Janet Bachi, 6987 Cook Road, Williamsburg, stated they have concerns of the agricultural property, putting an event barn onto it because it becomes a business, becomes commercial, and it needs to be on commercial property. Once you allow that to happen, what happens to all the other property that is around us? They should put it on 72 and have access to and from the property on 72. They should be trying to get their property commercial, not keeping it agricultural. Once it is set that somebody can do that, what keeps them from doing that anywhere on that piece of property? Also, the township posts things in the newspaper for two weeks because that is all that you have to do, but times have changed, a lot of people don't read a newspaper anymore, everything is online. Everybody got a mailing when a neighbor put up a garage. How come nobody in their area has been informed of what is proposed that these people are trying to do that affects all of us and our property? Things need to be changed, a better way of informing the people in the community.

Deepak Prabhaker, 6925 Cook Road, stated he has the same concerns. He moved from the suburbs of Illinois for the rural character and quality of life. He stated he has concerns and fears about what it might look like. He doesn't know how to access the information to really understand what it is that is being planned that is going to happen. Will every weekend in the summer be spoiled with weddings in their backyard, or will it be that the action, the traffic, the noise, the light, the incoming visitors really are closer to 72 and it does not impact us on Cook Road? He stated his comment is a request for information at this point. He does not know if there is something that he should be concerned about, that he should be fighting for, and he does not know how to get the information.

Norm Bell, 6659 Cook Road, stated he received this flier in his mailbox today, he has no idea what it is about, he has no idea where the Webster farm is, he hasn't been here that long, so he needs an address. It would be nice tonight if the board would review what is on the table for those who don't know what is going on. Also, he would like the board to consider putting No

Thru Truck signs at the 72 end of Cook Road and at Palaestrum and Elk Lake Road. He stated they have semis coming down through there every day now.

Ron Bachi, 6987 Cook Road, stated this is the first meeting he has ever been to. He stated he has never cared too much what someone is doing with their own property that they pay taxes on. He asked the board to think about the activity and things that are going on on Cook Road right now. He stated he has a lot of questions, the hundreds and hundreds of yards of dirt that have appeared and then disappeared. He thought you needed a permit, not just a posting that says you cannot go on the property and look at what you are doing. His second concern is that they are in the dark as to what is being proposed or passed. There are so many concerns with taking a piece of property and changing it. He believes the property across the street is zoned agricultural forest. He is concerned about changing the zoning. He is 100% sure that if you asked everyone what is in their best interests, it would not be a commercial venue. He described the condition of the road. There are no shoulders. A neighbor's daughter was hit by a car. The point of entrance to the subdivision at the top is very dangerous. The entrance from 72 onto Cook Road would have to be addressed. There are runners and bikers on the road and there is no shoulder. The road is overused and is in very poor condition. He stated he feels bad about any opposition that someone has when they want to do something to their own property, but you have to look out for the best interests of the community.

Tom Czerwienski, 7021 Cook Road, stated he would like to reiterate all the concerns that were said previously. A lot of people are here and the main concern is that none of them knew this was going on. The procedure is lacking in notifying all the residents. He has lived here for 38 years and has never read the Record-Eagle. There has to be a different procedure for notifying people. He stated he talked to Popp, who told him the process has been going on for 4 or 5 months; there have been planning commission meetings where it has been discussed and nobody shows up for the meetings. It is because nobody knows. He gave an example of another property he owns where they all receive a notice when something major is going on and they have meetings before they do anything. That should be implemented here, too, because everyone here is very concerned about anything that will affect the property values or the way they live. If they did know it was going on here, they would be at the planning commission meetings and other meetings where their voices could be heard before you make a decision.

Kim Mangus, 1214 Cerro Drive, stated event barns are on the agenda for their Wednesday meeting at 7 o'clock. They will be reviewing the attorney's recommendations for rules to be set up to allow for a special use for event barns to be applied for. There are no applications currently because there is no ordinance that would govern it. To the planning commission's knowledge, the only thing that has occurred so far is the removal of the barn because their engineers informed them that it was dangerous and could not be salvaged. There are no plans that have been submitted to the planning commission, but Wednesday they will be discussing the recommendations from the attorney and hopefully forwarding them to the board for consideration.

Popp confirmed the meeting is Wednesday, August 1st, at 7:00 p.m. at the township hall.

Glenn Savage, 9833 Pineneedle Lane, stated his address is in Wintergreen Heights subdivision just off Cook Road. He described an event barn in Gaylord at which he attended a wedding and reception, and stated he has no problems with event barns. He stated he does not see anything wrong with a facility like that in Whitewater Township. You cannot put it on 10 or 20 acres of ground. The facility itself has to be away from people. He agreed with those who spoke that it would be a lot of traffic on Cook Road. He stated he does not know at this point where the entrance is going to be. The planning commission is trying to develop an ordinance. He stated they do not have any citizens come to the meetings, so they have to rely on the information that they get. He stated they ask people to come to their meetings; they want people there. He stated you have to be involved in your community, and thanked those present for attending tonight, but stated they should come to some of the planning commission meetings and help them out.

Beverly Czerwienski, 7021 Cook Road, stated she is the one who put out the letter because her neighbor told her this event building was going to be right across the street. On one of her last stops, Mr. Hooper told her it was not going to be put on Cook Road; he would not want it on his road either, and suggested the man could have access off 72 to go to the venue, which would not be a sound problem for neighbors. He said the building was not going to be put up on Cook Road. She stated she stopped passing out fliers. She stated she does think the board is failing when they have their meetings, nobody reads the papers, there should be some sort of a flier or something that people can go to, to know. Even sending out something once a year when meetings are going to be held would be helpful. If you know some of the issues that are going to be presented, they should also be on that line; we will be talking about such and such. If you are not notified, you cannot do anything about it. She hopes the man is right and they are going to build further down the road.

Popp stated on the home page of the website there is a meeting notice for all of the different boards and commissions posted for the upcoming year. We do not have what is going to be discussed a year in advance.

Lawson noted the next meeting's agenda and packet is also on the website for upcoming meetings.

General discussion followed regarding ways to get information and different ways to communicate with the public.

Correspondence

There was one item of correspondence, which was not discussed.

Public Hearing

None

Reports/Presentations

None

Unfinished Business**Zoning Ordinance Amendment Nos. 73 and 74**

Revised documents have been provided by the planning commission chairperson.

Popp noted that there are references to amendments that have already been put through and some amendments that are pending, but we do not have at the board level a copy of the changes to the zoning ordinance that we have already made, meaning in the packet. What are the changes to Article 25?

Brief discussion followed.

Goss noted, for the record, that Article 15 has been amended, but Article 25 has not.

Mangus confirmed there have been no changes to Article 25.

Goss noted the updated articles are on the website at a green link.

Referring to page 5 of the packet, Article 7, multiple residential, R-2 and R-3, Section 7.02A, "All structures and uses permitted within the zoning district shall conform to the entirety of this ordinance except those structures, land uses which predate the effective date of this ordinance or any portion thereof or its subsequent amendments," Popp asked did we just legalize nonconforming.

Benak asked is this grandfathering in.

Mangus replied that if it was already legal, you cannot go in and make someone change.

Popp then asked: Any structure that was preexisting does not have to comply with this?

Lawson stated it may not already.

Popp inquired so then what do we have to comply with. If I had an existing property, which existed before this ordinance, what regulates me?

Glenn Savage replied that you exist as you are, period. If you want to make changes, then you have to conform to the new ordinance on any changes.

Mangus stated this is an attorney question, and the board should send their own list of notes with this to the attorney.

Benak stated her question is: Is this grandfathering in? The attorney will tell us.

Goss stated these documents do not have the heading on top which says what zoning ordinance amendment it is. It is very difficult to follow. Once the heading referring to the proposed zoning ordinance amendment is placed on the document, that should be the document that is used.

Mangus apologized and stated she will correct it going forward.

Goss added that, without a word-for-word comparison, we do not know if these are the same documents.

Benak stated she compared these documents with the existing language and what was changed, and that is how she made her notes.

Mangus explained that she was instructed by the board to add the missing chunks of ordinance that mysteriously showed up and reincorporate them back into the text for the board to review again, but she did not feel comfortable just adding those things back in, given what some of the topics were, and resubmitting them to the board without the planning commission's input. So this document went back to the planning commission so they could choose between wording that was in there that the PC was unaware of or the wording that the PC had come up, and those items were selected. So there will be some minor variances regarding ADUs, special use permits. On some items, they choose to add a question for the attorney.

Benak pointed to 7.10B where there are additional words added, "either attached or detached structures."

Mangus stated that should not be there. She stated she took the reference out in Article 6 but not in Article 7.

The "either attached or detached structures" verbiage should be removed from Article 7.

Goss continued with the following comments:

- 7.01 Intent, "accessory structures" is not defined in the zoning ordinance.
- 7.02A, "use" is not defined in the zoning ordinance. Checking three other nearby zoning ordinances, the term "use" is defined in 2 out of 3 of them.
- The language in 7.02A is problematic. "Effective date of ordinance" should be replaced with the actual date. 12/23/1972? What is meant to be accomplished by adding the language "or its subsequent amendments?" The attorney should be consulted. The same language was also used in the amendments to commercial, village, and industrial.
- 7.10, where there is reinsertion of the language from the website, the existing language does not say R1. It says R2. Also, the punctuation of the original text has not been accurately depicted.

Popp stated his comment here is to leave that verbiage in (referring to "No building or structure or any part thereof shall be erected, altered or used on land or premises used in whole or in part in Residential District R-1 (sic) for other than one or more of the following specified uses, viz:"), and it should be reinserted in all of the districts.

Referring to 7.10C, Farming of all types, Goss inquired if farming includes the growing of crops.

Mangus replied yes.

Benak referred to the wording in 7.10 which says “C-D-E redundant to R1,” but noted that it is not redundant to R1 because, in R1, home occupation is shortened, churches are shortened, schools are shortened. They are not the same description, so it is not redundant. Benak stated she would rather see the same descriptions in there. Benak asked why they are different.

Mangus stated churches are actually more extensive because they added a couple rules. Regarding schools, now that we have a parking ordinance, we do not need it mentioned because it is addressed in another location in the ordinance. Parking is Article 34 of the zoning ordinance. For farming of all types, they are trying to make sure livestock and any other rules are in one location. Home occupations is also addressed in supplemental, so it does not need to be in 7.10 also.

Mangus confirmed that Article 37 is the place to look for in-depth information about home occupations.

It was noted that Roman numerals are being replaced with regular numbers.

On the topic of the new language under 7.11, Uses Permitted by Special Use Permit, and the notation that the “Original has no Special Use Section,” Popp stated he assumes R2 did not have this.

Mangus clarified that the original that the planning commission started with did not have one, but the original that Goss had in her office did.

Referring to the wording “Any use, including the following, shall require a special use permit,” Popp asked if any use equals all use.

Mangus stated the wording being put forward is what was original to the ordinance. They opted to go with the original language, that they were unaware of, that was special use permit any other use similar to the uses permitted in the zoning district.

Popp stated he is simply making a recommendation that, instead of any use, we look at uses beyond the permitted use, or something of that nature, because “any use” is inclusive of the permitted uses.

Referring to 7.11D, Popp stated he does not believe this verbiage can be supported in court. An accurate description of special uses has to be given in the district provided. Vague statements are not supported under special use. Several special use permits granted by local planning commissions have been reversed because the special use was not identified.

Mangus agreed that whatever the attorney comes up with likely will transcend all districts.

The typo, R33, under 7.51 Intent will be corrected to R3.

Goss noted she has the same comment on 7.52 General Standards; the attorney should look at it.

Referring to 7.60, Goss stated she has the same comment as previously; the questions in red are for the attorney. Also, under 7.60A, it states B is redundant to R-1, but inquired of Mangus where it is stated in the zoning ordinance that multi-family dwellings are allowed in R-1.

After discussion, it was agreed that it should say B is redundant to R-2.

Popp noted that 7.61B is redundant to R2 (not R-1 as stated).

Popp stated he has the same comments on paragraph C as we had in R-2.

Referring to 7.63, Goss noted that the word “supplementary” is misspelled throughout.

Moving to Article 14, Goss noted the correct spelling of “easement,” but acknowledged that it was misspelled in the original text.

Referring to 14.11 and the 50-foot dimension, Popp stated that in Section 5 the setback distances or the distances away from the creeks that these special rules would apply has been established at 300 feet longstanding, although the Boardman River is not specifically mentioned in Section 5.

Mangus stated this was not a change; it was the existing text.

Popp also took issue with the language in red stating “PC is removing references to Article 5 whenever possible as it has extensive errors and move to a map-based system.” He stated Article 5 does not have extensive errors. It is specifically written in surveyor language.

Discussion followed.

Popp stated his point is that we will use the surveyor language in Article 5 to create the map, which is easier for the public to use, which he agrees with and understands, but he does not want this board to think there are errors in the surveying language, because he does not believe there is.

Benak asked what would be the point of removing references to it if we have found all the parts and later we are going to be replacing it with a map base.

Mangus replied because it will not be section 5.10 of Article 5; it will be the map of the districts.

Benak said shouldn't we leave it there until we have the map base in place and then go through and remove all the Article 5, Section 5.10s with reference to the new map base, instead of not having a reference at all.

Goss stated she agrees.

Mangus stated it is where you would automatically go to find the description.

Popp stated what we should have is both the map and the surveying language on the map.

Going back to 14.11, Benak stated she believes we need to leave that in there until we have it actually replaced.

Mangus then suggested that it just say “as described in Article 5.” She does not think it is actually in 5.10 anymore.

Benak stated we need to at least point to where it is, rather than completely removing them.

Mangus stated that would be a minor adjustment that the board could make at their own discretion.

Discussion followed as to generation of a map.

Benak asked that anywhere a map location is referenced, it should refer to Article 5.

Referring to 14.11A-2, Popp stated he thinks the language in green is too restrictive. He stated the only thing he would recommend is that we prohibit some mass excavation and minimize the ability to excavate the shoreline in some fashion.

Mangus replied that there is language requiring adherence to all DEQ and Soil Conservation District guidelines. The Boardman River is now a state-protected trout stream, which already has additional rules. There are a lot of things you cannot do adjacent to the Boardman River. Also, a good portion of the rules have been moved down to B. Those are criteria for evaluation for variances from the standard guidelines. They were not completely removed.

Brief discussion followed.

Popp stated the only thing he thinks we are overstepping is screening of adjacent manmade structures.

Goss inquired what “the use of the managed vegetative strip for stock watering areas” means and was told that “stock” means “livestock.” Goss suggested the word “livestock” be used instead.

Mangus inquired if it is the wish of the board that the “screening” be removed from the list of ZBA standards and guidelines.

There was consensus that “screening of adjacent manmade structures” will be removed on the planning commission’s next review.

Moving to Article 6, Section 6.02, General Standards, Goss reiterated that she has the same concerns with this language as stated for R-2 and R-3.

Under 6.10, referring to the questions in red print, Goss stated they are questions for the attorney.

Referring to 6.10E, Goss noted the existing text is very poorly worded, but we should await attorney input on that.

Referring to paragraph F, “storage of any or all property or equipment, including sheds, temporary storage structures, recreational equipment and lawn décor,” Popp inquired if we are attempting to allow the sheds and temporary storage structures so we can put all of our stuff in it.

Mangus replied that the intent is that if it does not require a building permit, it is an item that is stored on your property.

In answer to Popp’s question that if it is under 120 square feet, then it is essentially personal property, Lawson and Mangus replied yes.

Discussion ensued concerning the impracticality of compliance with setbacks from property lines for movable items.

Backing up to 6.10B, Benak noted the added language regarding private common areas and asked why it was lumped in with B; shouldn’t it be a separate item.

Discussion followed.

There was no disagreement with moving the private common areas language to a separate line.

The section 3.13A reference was briefly discussed.

In Section 6.10C, in answer to a question from Benak, Mangus noted that you have to comply with all setback requirements, not just side yard.

Discussion ensued regarding 6.10F, the wording “storage of any or all property or equipment” and the fact that stand-alone pole barns or storage buildings will be back on the PC’s agenda.

Referring to 6.10G, “accessory structures and landscape features such as pools, decks, patios, and gazebos,” Popp noted that they are allowed. Popp stated he did not know that decks were not allowed.

Comments followed concerning decks that are not on foundations.

Goss again noted that the term “accessory structures” needs to be defined.

Brief discussion of definitions followed.

Benak had questions about the difference between Section 6.10H and 6.11E, which Mangus explained as having to do with the number of people served.

Referring to 6.13A-3, Goss noted that the term “accessory structures” is again used, without being defined in the ordinance.

The next step for proposed Zoning Ordinance Amendments 73 and 74 was discussed. It was agreed as follows:

- Popp, Benak and Goss will generate bullet point lists of their questions for the attorney.
- Popp will forward to Goss the Word copy of the zoning ordinance amendments. Goss will make the small changes agreed upon.
- Goss will send the bullet point lists of questions and the updated Word version of the zoning ordinance amendments to the attorney requesting his review.

Review/Approve Batting Cage Plan

Goss reported that the engineered drawings are not yet available.

This matter will be placed on the 8/14 agenda.

Review/Approve Proposed National Flood Insurance Program (NFIP) Ordinance Motion by Popp to send Goss's redline copy of the ordinance to the attorney for his review and return to the board for its approval; second by Benak. Benak asked where the ordinance came from. Popp replied that the base ordinance was provided by Susan Conradson, Cadillac office of DEQ. Popp confirmed that it is a standard ordinance being passed around to all the townships.

This proposed ordinance will be set for public hearing at the 8/27 (sic) meeting.

On voice vote, all those present voted in favor, none opposed, Hubbell absent. Motion carried.

Update on Electrical Change Order for Emergency Services Building Renovation/Addition Project

Goss reported that the "Add Sewage Lift Pump Wiring" verbiage on the Advantage Electric invoice in the 7/10 board packet had to do with running power to an overflow alarm on the septic system. The township did not pay the \$962.85. It was not part of any change order. The alarm was required by the health department, but it was missed in the bidding process. The \$962.85 was not included in any of RCI's invoices; they paid it and absorbed it into the contract amount. The \$1,000 in change orders for Advantage Electric consisted of \$675 on Change Order 1 for the washer/dryer connections and \$325 on Change Order 3 for electrical work related to getting power to the heating unit and thermostat installed in the new truck bay.

Brief discussion followed.

New Business

Park Road Maintenance

Popp explained that the Road Commission was doing work on the county-owned portion of Park Road and inquired if the township would like to have work done on the township-owned portion. The price is approximately \$43,000.

Discussion followed.

Popp will leave it on the agenda and see what shakes out.

**Review Whitewater Township General Ordinance No. 49 – Abandoned Buildings
Motion by Popp to have Ordinance 49 reviewed by legal counsel.**

There was no second.

Discussion followed regarding lack of a civil infraction ordinance, other ordinances in the township which have a civil infraction penalty, expiration of Brad Link's appointment on 12/31/2014, an adopted wage, lack of a hearing officer.

Popp stated he will get an appointment document around, get Ted (Hooper's) name on it, have him here, and do it at the next meeting.

Benak suggested the ordinance be amended to add term limits.

Appointment of Ted Hooper as abandoned buildings hearing officer will be on the 8/14 agenda.

**Review/Approve Cost of Navigation Lights for Fire Department Boat
Motion by Lawson to approve the cost of navigation lights for the fire department boat, Marine 3; second by Goss. There was no further discussion. Roll call vote: Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes. Motion carried.**

Review/Approve Proposal for New Dock

Goss provided an updated quote as the first quote was not for a long enough dock. The updated quote is for a 50-foot dock.

Benak suggested we get another bid from somebody else.

Lawson and Popp both suggested Michigan Lake Products as another company to contact.

Benak stated there are tons of commercial dock places out there.

Goss will get another quote and bring it back on 8/14.

Tabled Items

Review Administrative Policy Section 5 (tabled 10/14/2014)

This agenda item will remain tabled.

Review Ordinance 22 Pension Plan (tabled 10/25/2016)

This agenda item will remain tabled.

Review Whitewater Township Planning & Zoning Fees (tabled 02/28/2017)

This agenda item will remain tabled.

Board Comments/Discussion

None

Announcements

Next regular township board meeting is August 14, 2018, at 7:00 p.m.

Public Comment

Beverly Czerwienski asked if the dock has to be purchased here in this area.

Goss stated we would purchase it from somewhere in the area.

Glenn Savage, 9833 Pineneedle Lane, said he has not been down Park Road, but from what he hears from the board, it sounds like it is a washboard. It is owned by the township and he is a member of the township. He would not want to see any lawsuits brought forward by citizens because you are not maintaining a private road properly. He said he thinks the priority of the township, instead of buying new docks and pavilions and rewiring the campsites for a park that is 90% people from out of the area, if we got a problem with the road system, maybe we better be raising the prices at our campsites so we can maintain a proper road, because that road and the safety of our citizens should come first.

Leon Clement, 7900 Baggs Road, stated he was under the impression we were going to talk about some high water marks or some floodplains tonight. He asked if he was misinformed.

Popp said we did not really talk much about them, but we did authorize to send a document, which is our involvement in the National Flood Insurance Program, off to the attorney for his review and then bring it back to us for review and potential adoption.

Clement stated his concern is every time we turn around there is a change. He stated he looked at our maps and he didn't see any floodplain in our township. If we are going to charge people a lot of money to have the county come out, even the people on Cook Road to see if they are in a floodplain, he thinks that is a misrepresentation. He stated he has been here since 1984 and he had a floodplain check on his house in 1991 and was not in the floodplain then. He stated he cannot see where they tell you what the floodplain is. He read it, 97 pages, and he did not see it, so he hopes we are not joining something that is going to cost our people a lot of money, that we do not need.

Discussion followed.

Adjournment

Motion by Lawson to adjourn; second by Popp. On voice vote, all those present voted in favor, none opposed. Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk

Bills for Approval
August 14, 2018

ALDEN STATE BANK
ACCTS PAYABLE 7/10
PAYROLL 7/20
ACCTS PAYABLE 7/24
PAYROLL 8/3
ACCTS PAYABLE 8/8

42914 - 43068
42914 - 42949
42950 - 42982
42983 - 43007
43008 - 43032
43033 - 43068

Grand Total \$11,422.94
Gross Payroll \$16,170.07
Grand Total \$26,879.12
Gross Payroll \$15,247.33
Grand Total \$27,024.55

FIRST COMMUNITY BANK - MIAMI BEACH 1243
ACCTS PAYABLE 7/24 1243

Grand Total \$46.51

FIRST COMMUNITY BANK - WMDLS 1314
ACCTS PAYABLE 7/24 1314

Grand Total \$755.76

ALDEN STATE BANK - MONEY MARKET

Check Register Report

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:00 pm

Page: 1

Whitewater Township

BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
ALDEN STATE BANK Checks							
42914	07/10/2018	Printed		AD ASSESS	AD ASSESSING INC	JULY 2018	1,803.36
42915	07/10/2018	Printed		AMERICAN	AMERICAN WASTE	7/01-7/31/2018	388.75
42916	07/10/2018	Printed		AQUATIC	AQUATIC TECHNOLOGY, NC	SWIM BUOYS(4)	643.60
42917	07/10/2018	Printed		AT&T-PARK	AT&T	07/01-07/31/2018	71.93
42918	07/10/2018	Printed		AT&T-CELL	AT&T MOBILITY	06/23-07/22/2018	46.90
42919	07/10/2018	Printed		BAK	BAK SPECIALTY SALES	WORLD WAR II FLAG HOLDERS	145.00
42920	07/10/2018	Printed		BRANDON F	BRANDON FLYNN	CELL PHONE JULY 2018	40.00
42921	07/10/2018	Printed		BRIAN COBB	BRIAN COBB	4/26-6/27/2018	138.78
42922	07/10/2018	Printed		CHARTER	CHARTER COMMUNICATIONS	07/01-07/31/2018	209.42
42923	07/10/2018	Printed		CHEMICAL	CHEMICAL CONTROL CO INC	BEEES NESTS AT WWTPARK	50.00
42924	07/10/2018	Printed		CHERRYLANI	CHERRYLAND ELECTRIC COOP	M72 & SKEGEMOG PT RD	43.42
42925	07/10/2018	Printed		C GOSS	CHERYL GOSS	4/05-6/29/2018	104.76
42926	07/10/2018	Printed		LOPER	CHUCK AND RAEJEAN LOPER	6/18-7/02/2018	14.04
42927	07/10/2018	Printed		CONSUMERS	CONSUMERS ENERGY	05/29-6/26/2018	173.80
42928	07/10/2018	Printed		DTE ENERGY	DTE ENERGY	05/22-06/21/2018	32.27
42929	07/10/2018	Printed		ES&S	ELECTION SYSTEMS & SOFTWARE	TABULATOR PAPER ROLLS	42.50
42930	07/10/2018	Printed		ERNEST	ERNEST L KEECH	CREMAINS GEORGIANA SIMMONS	50.00
42931	07/10/2018	Printed		FAST SIGNS	FAST SIGNS TRAVERSE CITY	MODIFY 36X48 SIGN	50.00
42932	07/10/2018	Printed		FIRE SER	FIRESERVICE MANAGEMENTLTD	1 SET CLEANING AND REPAIR	379.26
42933	07/10/2018	Printed		GILL-ROY	GILL-ROY'S HARDWARE 6737	PARK/TWP HALL	307.86
42934	07/10/2018	Printed		GMOSER	GMOSER'S SEPTIC SERVICE,INC	RENT AND CLEAN TOILETS	505.00
42935	07/10/2018	Printed		GTC TREAS	GRAND TRAVERSE CO TREASURER	2018 TAX MAPS	185.41
42936	07/10/2018	Printed		GOLF CARS	GREAT LAKES GOLF CARS	PARTS AND LABOR TO REPAIR	930.88
42937	07/10/2018	Printed		HOME CITY	HOME CITY ICE COMPANY	164 BAGS	219.60
42938	07/10/2018	Printed		JENNY	JENNYCLEAN	06/05-06/12-06/19-06/26/2018	400.00
42939	07/10/2018	Printed		KIM FINCH	KIM FINCH	MAY AND JUNE 2018	225.00
42940	07/10/2018	Printed		KSS ENTER	KSS ENTERPRISES	SUPPLIES	293.84
42941	07/10/2018	Printed		CULLIGAN	MCCARDEL CULLIGAN WATER COND	RENTAL FOR JULY 2018	9.00
42942	07/10/2018	Printed		NORTHSHOR	NORTHSHORE DOCK LLC	MOVE DOCK FURTHER OUT	150.00
42943	07/10/2018	Printed		POSTMASTER	POSTMASTER	RENT BOX 159-12 MONTHS	78.00
42944	07/10/2018	Printed		RILEY W	RILEY WEITSCHAT	6/21/2018	5.40
42945	07/10/2018	Printed		STROBES	STROBES N MORE	BULBS FOR EMERGENCY LIGHT	52.69
42946	07/10/2018	Printed		THIRLBY	THIRLBY AUTOMOTIVE	REPAIR PARTS	68.68
42947	07/10/2018	Printed		TRANS WORL	TRANSWORLD NETWORK CORP	06/07-07/06/2018	25.48
42948	07/10/2018	Printed		VISA	VISA	PARK/TWP BOARD/TELEPHONE/	2,747.31
42949	07/10/2018	Printed		WITMER P	WITMER PUBLIC SAFETY GROUP	CUSTOM BADGES	791.00
42983	07/24/2018	Printed		CHEMICAL	CHEMICAL CONTROL CO INC	TREAT YELLOW JACKET NEST	80.00
42984	07/24/2018	Printed		CONSUMERS	CONSUMERS ENERGY	06/15-07/16/2018	3,102.82
42985	07/24/2018	Printed		EFTPS	EFTPS	PAYROLLS 6/08/2018 & 6/22/2018	5,644.08
42986	07/24/2018	Printed		FAHEY	FAHEY SCHULTZ BURZYCH RHODES	SITE CONDOMINIUMS	3,442.50
42987	07/24/2018	Printed		FIRE SER	FIRESERVICE MANAGEMENTLTD	TURNOUT GEAR REPAIRS	358.04
42988	07/24/2018	Printed		FUELMAN	FUELMAN	FUEL PARK/FIRE	563.79
42989	07/24/2018	Printed		GILL-ROY	GILL-ROY'S HARDWARE 6737	HOSE REPAIR	149.64
42990	07/24/2018	Printed		GINOP	GINOP SALES INC	TRAILER DROPOFF	600.00
42991	07/24/2018	Printed		GREAT	GREAT LAKES WATER QUALITY LAB	WATER QUALITY TESTING	225.00
42992	07/24/2018	Printed		GT BAND	GT BAND OTTAWA & CHIPPEWA	03/30-07/05/2018	71.55
42993	07/24/2018	Printed		HOME CITY	HOME CITY ICE COMPANY	105 BAGS OF ICE	703.50
42994	07/24/2018	Printed		KOOVS	KOOVS PHOTOGRAPHY	750 UPDATED BROCHURES	471.00
42995	07/24/2018	Printed		KSS ENTER	KSS ENTERPRISES	MISC SUPPLIES	308.27
42996	07/24/2018	Printed		LAWN-N	LAWN-N-ORDER	MOWING FOR JULY 2018	2,990.00
42997	07/24/2018	Printed		MATTHEW M/	MATTHEW MARCINIAK	5 FACECORDS OF WOOD	175.00
42998	07/24/2018	Printed		PRO IM	PRO IMAGE DESIGN	REMOVE/REPLACE DECALS	2,865.00
42999	07/24/2018	Printed		STACY D	STACY DYKSTRA	CAMPING REFUND	135.00

Check Register Report

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:00 pm

Page: 2

Whitewater Township

BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
ALDEN STATE BANK Checks							
43000	07/24/2018	Printed		STAPLES	STAPLES CREDIT PLAN	TWP BOARD/FIRE/TREAS	248.09
43001	07/24/2018	Printed		STATE TAX	STATE OF MICHIGAN - TREASURY	PAYROLLS 6/08/18 & 6/22/18	1,135.25
43002	07/24/2018	Printed		THE COPY	THE COPY SHOP	TAX INFO ENVELOPES	312.70
43003	07/24/2018	Printed		TOTAL FUND	TOTAL FUNDS BY HASLER	POSTAGE FOR METER	1,000.00
43004	07/24/2018	Printed		UNIFI EQ	UNIFI EQUIPMENT FINANCE, INC.	LEASE ON COLOR COPIER	87.42
43005	07/24/2018	Printed		WHITE-WESA	WHITEWATER EMERGENCY SERVICES	BALLOONS FOR OPEN HOUSE	124.50
43006	07/24/2018	Printed		WHITEWATER	WHITEWATER TOWNSHIP	REFUND TO TAX ACCOUNT	44.97
43007	07/24/2018	Printed		WITMER P	WITMER PUBLIC SAFETY GROUP	MOBILE THREE TIER HOSE RACK	2,041.00
43033	08/08/2018	Printed		AD ASSESS	AD ASSESSING INC	AUG 2018	1,803.36
43034	08/08/2018	Printed		ALFIE	ALFIE LOGO GEAR	SWEATSHIRTS WITH PATCHES	1,382.60
43035	08/08/2018	Printed		ALLEN SUPP	ALLEN SUPPLY	DOOR CLOSERS FOR RESTROOMS	643.96
43036	08/08/2018	Printed		AMERICAN	AMERICAN WASTE	10 YARD TRAILER	677.00
43037	08/08/2018	Printed		AT&T-CELL	AT&T MOBILITY	06/23-07/22/2018	46.85
43038	08/08/2018	Printed		BRANDON F	BRANDON FLYNN	PHONE AUG 2018	40.00
43039	08/08/2018	Printed		BS&A	BS&A SOFTWARE	Annual serv/supp for tax sys.	1,348.00
43040	08/08/2018	Printed		CHARTER	CHARTER COMMUNICATIONS	08/01-08/31/2018	416.51
43041	08/08/2018	Printed		CHERRYLAND	CHERRYLAND ELECTRIC COOP	M72 & SKEGEMOG PT RD	43.42
43042	08/08/2018	Printed		GOSS	CHERYLA GOSS, PETTY CASHIER	MISC PETTY CASH RECPTS	282.74
43043	08/08/2018	Printed		C GOSS	CHERYL GOSS	EVENING MEAL FOR ELECTION	98.39
43044	08/08/2018	Printed		CITY OF T	CITY OF TRAVERSE CITY	HAZ-MAT FEE 7/01/18-06/30/19	395.00
43045	08/08/2018	Printed		CONSUMERS	CONSUMERS ENERGY	06/27-07/26/2018	181.43
43046	08/08/2018	Printed		DOROTHY J	DOROTHY JOHNSON	REFUND BOOKING NO6338058	58.00
43047	08/08/2018	Printed		DTE ENERGY	DTE ENERGY	06/22-07/23/2018	34.88
43048	08/08/2018	Printed		ES&S	ELECTION SYSTEMS & SOFTWARE	BLANK 19"	306.11
43049	08/08/2018	Printed		FAST SIGNS	FAST SIGNS TRAVERSE CITY	BOAT LAUNCH SIGNS	759.60
43050	08/08/2018	Printed		GILL-ROY	GILL-ROY'S HARDWARE 6737	MISC	369.39
43051	08/08/2018	Printed		GMOSER	GMOSER'S SEPTIC SERVICE, INC	JULY CLEANING & RENTAL TOILETS	864.65
43052	08/08/2018	Printed		GOURDIE	GOURDIE-FRASER & ASSOCIATES	START UP SEPTIC AT PARK	160.00
43053	08/08/2018	Printed		GTC TREAS	GRAND TRAVERSE CO TREASURER	RADIO MAINT/ ACTIVE 911 SUBS.	361.00
43054	08/08/2018	Printed		GTC ROAD	GRAND TRAVERSE COUNTY ROAD	2ND APPLICATION BRINE	10,232.00
43055	08/08/2018	Printed		HOME CITY	HOME CITY ICE COMPANY	108 BAGS	641.10
43056	08/08/2018	Printed		JENNY	JENNYCLEAN	7/04-7/11-7/18-7/25/2018	400.00
43057	08/08/2018	Printed		JOHN HANCC	JOHN HANCOCK LIFE INS CO	BENAK/HUBBELL	761.00
43058	08/08/2018	Printed		JUGS SPORT	JUGS SPORTS, INC	2 DOZ BASEBALLS	84.79
43059	08/08/2018	Printed		KERRY K	KERRY KINERY	INK CARTRIDGES	51.58
43060	08/08/2018	Printed		KSS ENTER	KSS ENTERPRISES	MISC SUPPLIES	446.85
43061	08/08/2018	Printed		CULLIGAN	MCCARDEL CULLIGAN WATER COND	RENTAL & 3 BOTTLED WATER	33.50
43062	08/08/2018	Printed		MUNSON OH	MUNSON OCCUPATIONAL HEALTH	ROBERT DANIELS PHYSICAL	194.20
43063	08/08/2018	Printed		PENNY MCA	PENNY MCARTHUR	REFUND BOOKING NO 63540110	87.00
43064	08/08/2018	Printed		FOUST	TERESA C FOUST	MILEAGE	16.19
43065	08/08/2018	Printed		BRUGGER	TIM BRUGGER	REFUND 6337445	58.00
43066	08/08/2018	Printed		VISA	VISA	REC/PARKFIRE/TWP BRD	2,744.07
43067	08/08/2018	Printed		VOYA INSTI	VOYA INSTITUTIONAL TRUST CO	APR/MAY/JUN 2018	150.00
43068	08/08/2018	Printed		WITMER P	WITMER PUBLIC SAFETY GROUP	SAFETY EQUIP	851.38

Total Checks: 97

Checks Total (excluding void checks):

65,326.61

Total Payments: 97

Bank Total (excluding void checks):

65,326.61

Check Register Report

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:00 pm

Page: 3

Whitewater Township

BANK: FIRST COMMUNITY BANK MB

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
FIRST COMMUNITY BANK MB Checks							
1243	07/24/2018	Printed		GTC TREAS	GRAND TRAVERSE CO TREASURER	DPW EXP FOR JUNE 2018	46.51
				Total Checks: 1		Checks Total (excluding void checks):	46.51
				Total Payments: 1		Bank Total (excluding void checks):	46.51

Check Register Report

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:00 pm

Page: 4

Whitewater Township

BANK: FIRST COMMUNITY BANK WMDLS

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
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FIRST COMMUNITY BANK WMDLS Checks

1314	07/24/2018	Printed		REFUND-W	REFUND - WMDLS SAD	28-13-760-006-00	755.76
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Total Checks: 1

Checks Total (excluding void checks):

755.76

Total Payments: 1

Bank Total (excluding void checks):

755.76

Total Payments: 99

Grand Total (excluding void checks):

66,128.88

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 08/14/2018

Date: 08/10/2018
 Time: 9:02 pm
 Page: 1

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Fund: 101 GENERAL FUND							
Dept: 000							
101-000-015	Prepaid Postage						
	TOTAL FUNDS BY HASLER		POSTAGE FOR METER	43003	07/12/2018	07/24/2018	1,000.00
							<u>1,000.00</u>
						Total Dept. 000:	1,000.00
Dept: 101 Township Board							
101-101-727	Office Supplies & Exp						
	CHERYLA GOSS, PETTY CA		MISC PETTY CASH RECPTS	43042	08/07/2018	08/08/2018	9.55
	POSTMASTER		RENT BOX 159-12 MONTHS	42943	07/02/2018	07/10/2018	78.00
	STAPLES CREDIT PLAN		TWP BOARD/FIRE/TREAS	43000	07/09/2018	07/24/2018	152.25
							<u>239.80</u>
101-101-830	Pension Plan						
	JOHN HANCOCK LIFE INS CO		BENAK/HUBBELL	43057	07/01/2018	08/08/2018	761.00
							<u>761.00</u>
101-101-852	Promotional Expense						
	CHERYLA GOSS, PETTY CA		MISC PETTY CASH RECPTS	43042	08/07/2018	08/08/2018	20.00
							<u>20.00</u>
101-101-940	Equipment Rental						
	UNIFI EQUIPMENT FINANCE	423701	LEASE ON COLOR COPIER	43004	07/21/2018	07/24/2018	87.42
							<u>87.42</u>
101-101-956	Miscellaneous Expen:						
	VISA		PARK/TWP BOARD/TELEPHON	42948	06/27/2018	07/10/2018	290.45
	VISA		REC/PARKFIRE/TWP BRD	43066	07/29/2018	08/08/2018	-6.33
	WHITEWATER EMERGENCY		BALLOONS FOR OPEN HOUSE	43005	06/29/2018	07/24/2018	124.50
							<u>408.62</u>
101-101-964	Refunds						
	WHITEWATER TOWNSHIP		REFUND TO TAX ACCOUNT	43006	07/23/2018	07/24/2018	44.97
							<u>44.97</u>
						Total Dept. Township Board:	1,561.81
Dept: 195 Elections							
101-195-727	Office Supplies & Exp						
	CHERYLA GOSS, PETTY CA		MISC PETTY CASH RECPTS	43042	08/07/2018	08/08/2018	24.49
	ELECTION SYSTEMS & SOF	1051879	TABULATOR PAPER ROLLS	42929	06/29/2018	07/10/2018	42.50
	ELECTION SYSTEMS & SOF	1054263	STUBBED/NUMB'D 17"	43048	07/25/2018	08/08/2018	140.52
	ELECTION SYSTEMS & SOF	1052135	BLANK 19"	43048	07/06/2018	08/08/2018	165.59
							<u>373.10</u>
101-195-860	Mileage Reimbursem:						
	CHERYL GOSS		4/05-6/29/2018	42925	07/02/2018	07/10/2018	32.40
	TERESA C FOST		MILEAGE	43064	08/07/2018	08/08/2018	16.19
							<u>48.59</u>
101-195-865	Meal/Lodging Expens						
	CHERYL GOSS		EVENING MEAL FOR ELECTIO	43043	08/07/2018	08/08/2018	98.39
							<u>98.39</u>
						Total Dept. Elections:	520.08
Dept: 209 Assessor							
101-209-727	Office Supplies & Exp						
	GRAND TRAVERSE CO TRE/	94961	2018 TAX MAPS	42935	06/22/2018	07/10/2018	185.41
							<u>185.41</u>
101-209-807	Assessing Services						

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:02 pm

Page: 2

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
	AD ASSESSING INC		JULY 2018	42914	07/01/2018	07/10/2018	1,803.36
	AD ASSESSING INC		AUG 2018	43033	08/01/2018	08/08/2018	1,803.36
							3,606.72
101-209-847	Software Support						
	BS&A SOFTWARE	119533	Annual serv/supp for tax sys.	43039	08/01/2018	08/08/2018	618.00
							618.00
							Total Dept. Assessor: 4,410.13
Dept: 210 Attorney							
101-210-801	Legal Services						
	FAHEY SCHULTZ BURZYCH	42778	SITE CONDOMINIUMS	42986	07/05/2018	07/24/2018	3,002.50
	FAHEY SCHULTZ BURZYCH	42779	Civil Infraction/Environmental	42986	07/05/2018	07/24/2018	360.00
	FAHEY SCHULTZ BURZYCH	42779	SITE CONDOMINIUMS	42986	07/24/2018	07/24/2018	80.00
							3,442.50
							Total Dept. Attorney: 3,442.50
Dept: 215 Clerk							
101-215-727	Office Supplies & Exp						
	CHERYL A GOSS, PETTY CA		MISC PETTY CASH RECPTS	43042	08/07/2018	08/08/2018	15.00
							15.00
101-215-860	Mileage Reimburseme						
	CHERYL GOSS		4/05-6/29/2018	42925	07/02/2018	07/10/2018	39.96
							39.96
							Total Dept. Clerk: 54.96
Dept: 253 Treasurer							
101-253-727	Office Supplies & Exp						
	STAPLES CREDIT PLAN		TWP BOARD/FIRE/TREAS	43000	07/09/2018	07/24/2018	61.79
	THE COPY SHOP	21344026	TAX INFO ENVELOPES	43002	06/25/2018	07/24/2018	312.70
							374.49
101-253-847	Software Support						
	BS&A SOFTWARE	119533	Annual serv/supp for tax sys.	43039	08/01/2018	08/08/2018	730.00
							730.00
							Total Dept. Treasurer: 1,104.49
Dept: 265 Township Hall & Groun							
101-265-740	Operating Expense &						
	CHERYL A GOSS, PETTY CA		MISC PETTY CASH RECPTS	43042	08/07/2018	08/08/2018	5.70
	MCCARDEL CULLIGAN WATI		RENTAL FOR JULY 2018	42941	07/01/2018	07/10/2018	9.00
	MCCARDEL CULLIGAN WATI		RENTAL & 3 BOTTLED WATER	43061	08/01/2018	08/08/2018	33.50
							48.20
101-265-809	Lawn Maintenance Se						
	LAWN-N-ORDER		MOWING FOR JULY 2018	42996	07/24/2018	07/24/2018	90.00
							90.00
101-265-810	Janitorial Services						
	KIM FINCH		MAY AND JUNE 2018	42939	06/30/2018	07/10/2018	225.00
							225.00
101-265-811	Waste Removal Servi						
	AMERICAN WASTE	2560149	7/01-7/31/2018	42915	07/01/2018	07/10/2018	15.00
	AMERICAN WASTE	2616562	08/01-08/31/2018	43036	08/01/2018	08/08/2018	16.00
							31.00
101-265-851	Internet/Website						
	CHARTER COMMUNICATION		7/30-8/29/2018	43040	07/20/2018	08/08/2018	59.99

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:02 pm

Page: 3

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							59.99
101-265-922	Electricity CONSUMERS ENERGY	203764044100	06/14-07/15/2018	42984	07/15/2018	07/24/2018	193.90
							193.90
101-265-923	Electric Heat CONSUMERS ENERGY	203764044101	06/14-07/15/2018	42984	07/15/2018	07/24/2018	54.32
							54.32
101-265-924	Telephone CHARTER COMMUNICATION VISA		7/30-8/29/2018 REC/PARKFIRE/TWP BRD	43040 43066	07/20/2018 07/29/2018	08/08/2018 08/08/2018	54.09 174.32
							228.41
101-265-930	Facility Repairs/Maint GILL-ROY'S HARDWARE 673	1806-800456	PARK/TWP HALL	42933	06/26/2018	07/10/2018	38.94
							38.94
							Total Dept. Township Hall & Grounds: 969.76
Dept: 276 Cemetery							
101-276-740	Operating Expense & BAK SPECIALTY SALES	20718	WORLD WAR II FLAG HOLDER	42919	07/02/2018	07/10/2018	145.00
							145.00
101-276-808	Cemetery Sexton ERNEST L KEECH		CREMAINS GEORGIANA SIMM	42930	06/29/2018	07/10/2018	50.00
							50.00
101-276-809	Lawn Maintenance Sx LAWN-N-ORDER		MOWING FOR JULY 2018	42996	07/24/2018	07/24/2018	450.00
							450.00
101-276-922	Electricity CONSUMERS ENERGY	207056307208	06/14-07/15/2018	42984	07/15/2018	07/24/2018	24.22
							24.22
							Total Dept. Cemetery: 669.22
Dept: 901 Capital Expenditure							
101-901-970	Capital Expenditure VISA		PARK/TWP BOARD/TELEPHON	42948	06/27/2018	07/10/2018	1,761.82
							1,761.82
							Total Dept. Capital Expenditure: 1,761.82
							tal Fund GENERAL FUND: 15,494.77
Fund: 203 ROAD FUND							
Dept: 446 Road Right of Way							
203-446-846	Road Brining Service GRAND TRAVERSE COUNTY	700032	FIRST APPLICATION BRINE	43054	07/09/2018	08/08/2018	5,216.00
	GRAND TRAVERSE COUNTY	700034	2ND APPLICATION BRINE	43054	08/02/2018	08/08/2018	5,016.00
							10,232.00
203-446-921	Street Lights CHERRYLAND ELECTRIC CC		M72 & MOORE RD	42924	06/27/2018	07/10/2018	13.74
	CHERRYLAND ELECTRIC CC		M72 & COOK RD	42924	06/27/2018	07/10/2018	14.84
	CHERRYLAND ELECTRIC CC		M72 & SKEGEMOG PT RD	42924	06/27/2018	07/10/2018	14.84
	CHERRYLAND ELECTRIC CC		M72 & MOORE RD	43041	07/25/2018	08/08/2018	13.74
	CHERRYLAND ELECTRIC CC		M72 & COOK RD	43041	07/25/2018	08/08/2018	14.84
	CHERRYLAND ELECTRIC CC		M72 & SKEGEMOG PT RD	43041	07/25/2018	08/08/2018	14.84

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:02 pm

Page: 4

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
	CONSUMERS ENERGY	206166775017	06/01-06/30/2018	42927	06/30/2018	07/10/2018	92.78
	CONSUMERS ENERGY	206700601546	07/01-07/31/18	43045	07/31/2018	08/08/2018	92.68
							272.30
							Total Dept. Road Right of Way: 10,504.30
							Total Fund ROAD FUND: 10,504.30
Fund: 206 FIRE FUND							
Dept: 336 Fire Dept							
206-336-727	Office Supplies & Exp						
	CHERYLA GOSS, PETTY CA		MISC PETTY CASH RECPTS	43042	08/07/2018	08/08/2018	84.00
	STAPLES CREDIT PLAN		TWP BOARD/FIRE/TREAS	43000	07/09/2018	07/24/2018	34.05
							118.05
206-336-739	Fuel & Oil						
	FUELMAN	N2VW5-PTKH8	FUEL PARK/FIRE	42988	07/12/2018	07/24/2018	466.64
							466.64
206-336-740	Operating Expense &						
	WITMER PUBLIC SAFETY GF	1873064	SAFETY EQUIP	43068	07/13/2018	08/08/2018	512.13
	WITMER PUBLIC SAFETY GF	1873064.001	SAFETY EQUIP	43068	07/23/2018	08/08/2018	339.25
							851.38
206-336-747	Uniforms						
	ALFIE LOGO GEAR	31644	SWEATSHIRTS WITH PATCHE:	43034	07/27/2018	08/08/2018	1,382.60
	FIRESERVICE MANAGEMEN	18817	2 SETS CLEANING AND REPA	42932	06/29/2018	07/10/2018	219.00
	FIRESERVICE MANAGEMEN	18832	1 SET CLEANING AND REPAIF	42932	07/03/2018	07/10/2018	160.26
	FIRESERVICE MANAGEMEN	18920	TURNOUT GEAR REPAIRS	42987	07/20/2018	07/24/2018	358.04
	WITMER PUBLIC SAFETY GF	1867627	CUSTOM BADGES	42949	07/05/2018	07/10/2018	791.00
							2,910.90
206-336-804	Professional Services						
	GRAND TRAVERSE CO TRE/	95119	RADIO MAINT/ ACTIVE 911 SUI	43053	07/27/2018	08/08/2018	361.00
							361.00
206-336-810	Janitorial Services						
	JENNYCLEAN	7251-7254	06/05-06/12-06/19-06/26/2018	42938	07/07/2018	07/10/2018	200.00
	JENNYCLEAN	7255,56,57,58	7/04-7/11-7/18-7/25/2018	43056	08/01/2018	08/08/2018	200.00
							400.00
206-336-811	Waste Removal Servi						
	AMERICAN WASTE	2561503	7/01-7/31/2018	42915	07/01/2018	07/10/2018	15.00
	AMERICAN WASTE	2614928	08/01-08/31/2018	43036	08/01/2018	08/08/2018	16.00
	AMERICAN WASTE	2115890	10 YARD TRAILER	43036	09/05/2017	08/08/2018	330.00
							361.00
206-336-815	Contractual Services						
	CITY OF TRAVERSE CITY	94551	HAZ-MAT FEE 7/01/18-06/30/19	43044	07/31/2018	08/08/2018	395.00
							395.00
206-336-851	Internet/Website						
	CHARTER COMMUNICATION		08/01-08/31/2018	43040	07/22/2018	08/08/2018	165.56
							165.56
206-336-860	Mileage Reimburse						
	CHERYL GOSS		4/05-6/29/2018	42925	07/02/2018	07/10/2018	16.20
							16.20
206-336-920	Natural Gas						
	DTE ENERGY		05/22-06/21/2018	42928	06/27/2018	07/10/2018	16.13
	DTE ENERGY		06/22-07/23/2018	43047	07/24/2018	08/08/2018	17.44
							33.57

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 08/14/2018

Date: 08/10/2018
Time: 9:02 pm
Page: 5

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
206-336-922	Electricity CONSUMERS ENERGY	207056307207	06/14-07/15/2018	42984	07/15/2018	07/24/2018	259.77
							259.77
206-336-924	Telephone CHARTER COMMUNICATION		06/01-06/30/2018	42922	05/22/2018	07/10/2018	52.35
	CHARTER COMMUNICATION		07/01-07/31/2018	42922	06/22/2018	07/10/2018	52.35
	CHARTER COMMUNICATION		08/01-08/31/2018	43040	07/22/2018	08/08/2018	68.43
							173.13
206-336-928	Water GT BAND OTTAWA & CHIPPE		03/30-07/05/2018	42992	07/05/2018	07/24/2018	35.78
							35.78
206-336-933	Vehicle Repair & Mair PRO IMAGE DESIGN	181138	REMOVE/REPLACE DECALS	42998	06/25/2018	07/24/2018	2,865.00
	STROBES N MORE	237578	BULBS FOR EMERGENCY LIGI	42945	06/29/2018	07/10/2018	52.69
	THIRLBY AUTOMOTIVE	146846	REPAIR PARTS	42946	06/27/2018	07/10/2018	68.68
	VISA		REC/PARKFIRE/TWP BRD	43066	07/29/2018	08/08/2018	1,339.98
							4,326.35
206-336-956	Miscellaneous Expen: BRANDON FLYNN		CELL PHONE JULY 2018	42920	07/01/2018	07/10/2018	40.00
	BRANDON FLYNN		PHONE AUG 2018	43038	08/01/2018	08/08/2018	40.00
							80.00
206-336-970	Capital Expenditure WITMER PUBLIC SAFETY GI	1872835	MOBILE THREE TIER HOSE R/	43007	07/10/2018	07/24/2018	2,041.00
							2,041.00
							Total Dept. Fire Dept: 12,995.33
							Total Fund FIRE FUND: 12,995.33
Fund: 208 PARK FUND							
Dept: 000							
208-000-626	Fees Charged DOROTHY JOHNSON		REFUND BOOKING NO633805	43046	07/05/2018	08/08/2018	58.00
	PENNY MCARTHUR		REFUND BOOKING NO 63370	43063	07/17/2018	08/08/2018	58.00
	PENNY MCARTHUR		REFUND BOOKING NO 635401	43063	07/17/2018	08/08/2018	29.00
	STACY DYKSTRA		CAMPING REFUND	42999	06/11/2018	07/24/2018	135.00
	TIM BRUGGER		REFUND 6337445	43065	07/14/2018	08/08/2018	58.00
							338.00
							Total Dept. 000: 338.00
Dept: 756 Township Park							
208-756-727	Office Supplies & Exp CHERYL A GOSS, PETTY CA		MISC PETTY CASH RECPTS	43042	08/07/2018	08/08/2018	49.25
	KERRY KINERY		INK CARTRIDGES	43059	08/05/2018	08/08/2018	45.58
	VISA		PARK/TWP BOARD/TELEPHON	42948	06/27/2018	07/10/2018	28.29
	VISA		REC/PARKFIRE/TWP BRD	43066	07/29/2018	08/08/2018	5.28
							128.40
208-756-739	Fuel & Oil FUELMAN	N2VW5-PTKH8	FUEL PARK/FIRE	42988	07/12/2018	07/24/2018	97.15
							97.15
208-756-740	Operating Expense & CHERYL A GOSS, PETTY CA		MISC PETTY CASH RECPTS	43042	08/07/2018	08/08/2018	74.75

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:02 pm

Page: 6

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
	GILL-ROY'S HARDWARE 673	1806-805055	PARK/REC	42933	06/27/2018	07/10/2018	7.99
	GILL-ROY'S HARDWARE 673	1806-800456	PARK/TWP HALL	42933	06/26/2018	07/10/2018	184.65
	GILL-ROY'S HARDWARE 673	1807-870986	Anchors/rope/clevis for buoys	42989	07/11/2018	07/24/2018	99.72
	GILL-ROY'S HARDWARE 673	1807-846624	RETURN RUBBER HOSE	42989	07/06/2018	07/24/2018	-39.99
	GILL-ROY'S HARDWARE 673	1807-842743	RUBBER HOSE	42989	07/05/2018	07/24/2018	39.99
	GILL-ROY'S HARDWARE 673	1807-846668	HOSE REPAIR	42989	07/06/2018	07/24/2018	13.98
	GILL-ROY'S HARDWARE 673	1808-968779	PARK/REC MISC	43050	08/03/2018	08/08/2018	29.37
	GILL-ROY'S HARDWARE 673	1807-956657	MISC PARK SUPPLIES	43050	07/31/2018	08/08/2018	33.84
	GILL-ROY'S HARDWARE 673	1807-899808	MISC	43050	07/18/2018	08/08/2018	42.97
	GILL-ROY'S HARDWARE 673	1807-937123	MISC	43050	07/27/2018	08/08/2018	232.85
	KOOVS PHOTOGRAPHY	191989	750 UPDATED BROCHURES	42994	07/13/2018	07/24/2018	471.00
	KSS ENTERPRISES	0232195-IN	SUPPLIES	42940	06/26/2018	07/10/2018	293.84
	KSS ENTERPRISES	0232571-IN	MISC SUPPLIES	42995	07/06/2018	07/24/2018	82.43
	KSS ENTERPRISES	0232641-IN	MISC SUPPLIES	42995	07/10/2018	07/24/2018	225.84
	KSS ENTERPRISES	0233291-IN	MISC SUPPLIES	43060	07/25/2018	08/08/2018	446.85
	VISA		REC/PARKFIRE/TWP BRD	43066	07/29/2018	08/08/2018	258.84
							2,498.92
208-756-741	Ice						
	HOME CITY ICE COMPANY	3953183269	80 BAGS	42937	06/28/2018	07/10/2018	72.00
	HOME CITY ICE COMPANY	3954182632	164 BAGS	42937	07/01/2018	07/10/2018	147.60
	HOME CITY ICE COMPANY	4326181790	122 BAGS OF ICE	42993	07/14/2018	07/24/2018	114.80
	HOME CITY ICE COMPANY	4441180668	60 BAGS OF ICE	42993	07/11/2018	07/24/2018	59.00
	HOME CITY ICE COMPANY	4326181744	36 BAGS OF ICE	42993	07/09/2018	07/24/2018	37.40
	HOME CITY ICE COMPANY	4441180635	100 BAGS OF ICE	42993	07/08/2018	07/24/2018	90.00
	HOME CITY ICE COMPANY	3953183343	110 BAGS OF ICE	42993	07/07/2018	07/24/2018	99.00
	HOME CITY ICE COMPANY	4326181711	120 BAGS OF ICE	42993	07/05/2018	07/24/2018	108.00
	HOME CITY ICE COMPANY	3954182657	112 BAGS OF ICE	42993	07/04/2018	07/24/2018	100.80
	HOME CITY ICE COMPANY	4441180589	105 BAGS OF ICE	42993	07/03/2018	07/24/2018	94.50
	HOME CITY ICE COMPANY	4441180732	108 BAGS	43055	07/18/2018	08/08/2018	102.20
	HOME CITY ICE COMPANY	3954182803	90 BAGS	43055	07/21/2018	08/08/2018	86.00
	HOME CITY ICE COMPANY	3954182878	160 BAGS	43055	07/28/2018	08/08/2018	149.00
	HOME CITY ICE COMPANY	4441180802	85 BAGS	43055	07/31/2018	08/08/2018	81.50
	HOME CITY ICE COMPANY	4441180834	128 BAGS	43055	08/03/2018	08/08/2018	120.20
	HOME CITY ICE COMPANY	4441180853	108 BAGS	43055	08/04/2018	08/08/2018	102.20
							1,564.20
208-756-743	Wood						
	MATTHEW MARCINIAK	4	5 FACECORDS OF WOOD	42997	07/23/2018	07/24/2018	175.00
							175.00
208-756-748	Sales Tax						
	KERRY KINERY		INK CARTRIDGES	43059	08/05/2018	08/08/2018	2.73
	STATE OF MICHIGAN - TREA	SMIBUS002161083	JUNE SALES TAX	43001	07/23/2018	07/24/2018	115.41
							118.14
208-756-803	Medical Professional						
	MUNSON OCCUPATIONAL H	00169349-00	ROBERT DANIELS PHYSICAL	43062	07/25/2018	08/08/2018	194.20
							194.20
208-756-809	Lawn Maintenance S&						
	LAWN-N-ORDER		MOWING FOR JULY 2018	42996	07/24/2018	07/24/2018	550.00
							550.00
208-756-811	Waste Removal Servi						
	AMERICAN WASTE	2560614	7/01-7/31/2018	42915	07/01/2018	07/10/2018	358.75
	AMERICAN WASTE	2617218	08/01-08/31/2018	43036	08/01/2018	08/08/2018	315.00
							673.75
208-756-812	Septic Services						
	GMOSER'S SEPTIC SERVICE	33105	RENT AND CLEAN TOILETS	42934	06/30/2018	07/10/2018	505.00
	GMOSER'S SEPTIC SERVICE	33403	JULY CLEANING & RENTAL TO	43051	07/31/2018	08/08/2018	864.65
	GOURDIE-FRASER & ASSOC	031177	START UP SEPTIC AT PARK	43052	06/15/2018	08/08/2018	160.00

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:02 pm

Page: 7

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							1,529.65
208-756-860	Mileage Reimburse						
	BRIAN COBB		4/26-6/27/2018	42921	06/30/2018	07/10/2018	127.44
	CHERYL GOSS		4/05-6/29/2018	42925	07/02/2018	07/10/2018	16.20
	CHUCK AND RAEJEAN LOPE		6/18-7/02/2018	42926	07/02/2018	07/10/2018	12.42
	KERRY KINERY		MILEAGE 7/24/2018	43059	07/24/2018	08/08/2018	3.27
	RILEY WEITSCHAT		6/21/2018	42944	06/21/2018	07/10/2018	5.40
							164.73
208-756-922	Electricity						
	CONSUMERS ENERGY	204920972929	06/15-07/16/2018	42984	07/16/2018	07/24/2018	223.28
	CONSUMERS ENERGY	204920972930	06/15-07/16/2018	42984	07/15/2018	07/24/2018	2,056.20
							2,279.48
208-756-924	Telephone						
	AT&T	231267509107	07/01-07/31/2018	42917	07/01/2018	07/10/2018	71.93
	TRANSWORLD NETWORK C	14388132-0264	06/07-07/06/2018	42947	07/07/2018	07/10/2018	25.48
							97.41
208-756-925	Cellular Phone						
	AT&T MOBILITY		06/23-07/22/2018	42918	06/22/2018	07/10/2018	46.90
	AT&T MOBILITY		06/23-07/22/2018	43037	07/23/2018	08/08/2018	46.85
							93.75
208-756-930	Facility Repairs/Maint						
	ALLEN SUPPLY	36009	HINGES AND CLOSERS FOR	43035	07/19/2018	08/08/2018	506.40
	AQUATIC TECHNOLOGY, NC	I72062	SWIM BUOYS(4)	42916	07/03/2018	07/10/2018	643.60
	CHEMICAL CONTROL CO INC	7239	BEEES NESTS AT WWTPARK	42923	06/29/2018	07/10/2018	25.00
	CHEMICAL CONTROL CO INC	7816	TREAT YELLOW JACKET NEST	42983	07/19/2018	07/24/2018	80.00
	FAST SIGNS TRAVERSE CIT	435-31078	MODIFY 36X48 SIGN	42931	07/05/2018	07/10/2018	50.00
	FAST SIGNS TRAVERSE CIT	435-31289	BOAT LAUNCH SIGNS	43049	08/02/2018	08/08/2018	759.60
	GILL-ROY'S HARDWARE 673	1806-818821	SUPPLIES FOR SIGN INSTALL	42933	06/30/2018	07/10/2018	23.11
	GREAT LAKES GOLF CARS	8600	PARTS AND LABOR TO REPAIR	42936	07/05/2018	07/10/2018	930.88
	GREAT LAKES WATER QUAL	2708	WATER QUALITY TESTING	42991	07/20/2018	07/24/2018	140.00
	NORTHSHORE DOCK LLC	956	MOVE DOCK FURTHER OUT	42942	07/03/2018	07/10/2018	150.00
	VISA		PARK/TWP BOARD/TELEPHON	42948	06/27/2018	07/10/2018	596.01
							3,904.60
Total Dept. Township Park:							14,069.38
Total Fund PARK FUND:							14,407.38
Fund: 209 RECREATION FUND							
Dept: 757 Recreation							
209-757-740	Operating Expense &						
	GILL-ROY'S HARDWARE 673	1806-805055	PARK/REC	42933	06/27/2018	07/10/2018	53.17
	GILL-ROY'S HARDWARE 673	1808-968779	PARK/REC MISC	43050	08/03/2018	08/08/2018	30.36
	VISA		REC/PARKFIRE/TWP BRD	43066	07/29/2018	08/08/2018	16.98
							100.51
209-757-809	Lawn Maintenance St						
	LAWN-N-ORDER		MOWING FOR JULY 2018	42996	07/24/2018	07/24/2018	600.00
							600.00
209-757-860	Mileage Reimburse						
	BRIAN COBB		4/26-6/27/2018	42921	06/30/2018	07/10/2018	11.34
	CHUCK AND RAEJEAN LOPE		6/18-7/02/2018	42926	07/02/2018	07/10/2018	1.62
							12.96
209-757-922	Electricity						
	CONSUMERS ENERGY	207144943565	05/29-6/26/2018	42927	06/26/2018	07/10/2018	81.02
	CONSUMERS ENERGY	203764044099	06/14-07/15/2018	42984	07/15/2018	07/24/2018	31.36
	CONSUMERS ENERGY	204476006728	06/27-07/26/2018	43045	07/26/2018	08/08/2018	88.75

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:02 pm

Page: 8

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
							201.13
209-757-930	Facility Repairs/Maint						
	ALLEN SUPPLY	36082	DOOR CLOSERS FOR RESTR(43035	08/06/2018	08/08/2018	137.56
	CHEMICAL CONTROL CO IN	7239	BEEES NESTS AT WWTPARK	42923	06/29/2018	07/10/2018	25.00
	GILL-ROY'S HARDWARE 673	1807-827634	CONCRETE TO REPAIR FLOOI	42989	07/02/2018	07/24/2018	35.94
	GINOP SALES INC	WP72046	SKID STEER RENTAL	42990	07/16/2018	07/24/2018	550.00
	GINOP SALES INC	WP72047	TRAILER DROPOFF	42990	07/16/2018	07/24/2018	50.00
	GREAT LAKES WATER QUAL	2708	WATER QUALITY TESTING	42991	07/20/2018	07/24/2018	85.00
	VISA		PARK/TWP BOARD/TELEPHON	42948	06/27/2018	07/10/2018	70.74
							954.24
209-757-970	Capital Expenditure						
	JUGS SPORTS, INC	0673427	2 DOZ BASEBALLS	43058	07/30/2018	08/08/2018	84.79
	LAWN-N-ORDER		MOWING FOR JULY 2018	42996	07/24/2018	07/24/2018	1,300.00
	VISA		REC/PARKFIRE/TWP BRD	43066	07/29/2018	08/08/2018	955.00
							2,339.79
Total Dept. Recreation:							4,208.63
Fund RECREATION FUND:							4,208.63
Fund: 210 AMBULANCE FUND							
Dept: 651 Ambulance							
210-651-810	Janitorial Services						
	JENNYCLEAN	7251-7254	06/05-06/12-06/19-06/26/2018	42938	07/07/2018	07/10/2018	200.00
	JENNYCLEAN	7255,56,57,58	7/04-7/11-7/18-7/25/2018	43056	08/01/2018	08/08/2018	200.00
							400.00
210-651-920	Natural Gas						
	DTE ENERGY		05/22-06/21/2018	42928	06/27/2018	07/10/2018	16.14
	DTE ENERGY		06/22-07/23/2018	43047	07/24/2018	08/08/2018	17.44
							33.58
210-651-922	Electricity						
	CONSUMERS ENERGY	207056307207	06/14-07/15/2018	42984	07/15/2018	07/24/2018	259.77
							259.77
210-651-924	Telephone						
	CHARTER COMMUNICATION		06/01-06/30/2018	42922	05/22/2018	07/10/2018	52.36
	CHARTER COMMUNICATION		07/01-07/31/2018	42922	06/22/2018	07/10/2018	52.36
	CHARTER COMMUNICATION		08/01-08/31/2018	43040	07/22/2018	08/08/2018	68.44
							173.16
210-651-928	Water						
	GT BAND OTTAWA & CHIPPE		03/30-07/05/2018	42992	07/05/2018	07/24/2018	35.77
							35.77
Total Dept. Ambulance:							902.28
Fund AMBULANCE FUND:							902.28
Fund: 590 MIAMI BEACH SEWER							
Dept: 000							
590-000-805	Contracted Services-I						
	GRAND TRAVERSE CO TRE/	95038	DPW EXP FOR JUNE 2018	1243	06/30/2018	07/24/2018	46.51
							46.51
Total Dept. 000:							46.51
MI BEACH SEWER FUND:							46.51

Fund: 750 PAYROLL CLEARING F

INVOICE APPROVAL LIST BY FUND REPORT

Bills for Approval 08/14/2018

Date: 08/10/2018

Time: 9:02 pm

Page: 9

Whitewater Township

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Dept: 000							
750-000-238	Pension Withheld VOYA INSTITUTIONAL TRUS		APR/MAY/JUN 2018	43067	07/01/2018	08/08/2018	150.00
							150.00
750-000-258	Accrued Payroll Taxes						
	EFTPS	270859262718387	PAYROLLS 6/08/2018 & 6/22/20	42985	07/11/2018	07/24/2018	5,644.08
	STATE OF MICHIGAN - TREA	SMIBUS002104993	PAYROLLS 6/08/18 & 6/22/18	43001	07/11/2018	07/24/2018	1,019.84
							6,663.92
Total Dept. 000:							6,813.92
ROLL CLEARING FUND:							6,813.92
Fund: 811 WMDLS Road Special							
Dept: 000							
811-000-964	Refunds						
	REFUND - WMDLS SAD		28-13-760-006-00	1314	07/23/2018	07/24/2018	755.76
							755.76
Total Dept. 000:							755.76
Road Special Assessment:							755.76
Grand Total:							66,128.88

The following text is a DRAFT under review by the WWTS Planning Commission.

Goal: Establish standard for the preservation, restoration, rebuilding, or recreation of historic agricultural structures as event venues on large tracks of land. Considered by resident request.

NEW

EXISTING

NOTES

PROPOSED

Article 3 – Definitions

Event Barn: A historic agricultural barn or similar structure offered for rent as an event venue.

Article 10 – Agricultural

10.11 Uses Permitted By Special Use Permits

- C. Event Barns or similar public venues subject to the standards in Article 37, Supplemental.

Article 11 – Recreational

11.11 Uses Permitted By Special Use Permits

- C. Event Barns or similar public venues subject to the standards in Article 37, Supplemental.

Article 37 - Supplemental

37.11 Event Barns or similar public venues shall be permitted by Special Use Permit, Article 25 and subject to the following:

1. Primary access to all facilities shall be via a county maintained paved road.
2. Primary structures shall be setback 100' from the front lot line and 500' from neighboring residences.
3. Facilities shall be situated on parcels greater than 20 acres of land.
4. Hours of operation for events shall be limited to 8am through 11pm unless otherwise pre-approved by the planning commission for a specific event.
5. The owner or owner's representative shall be on site for all events.
6. All speakers, performances, and musical entertainment shall be contained within the structure.
7. Adequate parking shall be provided
8. All facilities shall be approved and inspected by the appropriate agencies.
9. Additional consideration shall be given to facilities that incorporate the preservation or use of existing agricultural structures.

**WHITEWATER TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN
ZONING ORDINANCE AMENDMENT
ORDINANCE NO.**

At a regular meeting of the Township Board of Whitewater Township, Grand Traverse County, Michigan, held at the Whitewater Township Hall on _____, 2018, at _____ p.m., Township Board Member _____ moved to adopt the following ordinance, which motion was seconded by Township Board Member _____:

An Ordinance to amend the Whitewater Township Zoning Ordinance, as amended to provide for the zoning regulation of Event Barns as special uses in the Agricultural District (A-1) and the Recreational District (RC-1); impose requirements for the operation of such facilities and operations; and to repeal any ordinances or parts of ordinances or resolutions in conflict with this Ordinance; in order to maintain the public health, safety, and welfare of the residents of and visitors to Whitewater Township.

THE TOWNSHIP OF WHITEWATER ORDAINS:

Section 1. Amendment of Article III, Definitions: The Whitewater Township Zoning Ordinance, Article III shall be amended to add the following definition:

EVENT BARN: A use of accessory agricultural structures, including barns, as an organized meeting space for uses such as weddings, birthday parties, corporate picnics and other similar events.

Section 2. Amendment of Article X, Section 10.11, Uses Permitted by Special Use Permits: The Whitewater Township Zoning Ordinance, Article X, Section 10.11 shall be amended to include Event Barns as a special use within the Agricultural District:

10.11 USES PERMITTED BY SPECIAL USE PERMITS

- A. Planned Unit Developments.
- B. Commercial Campgrounds subject to Article XXV, Section 25.22 D.
- C. Event Barns subject to Article XXV, Section 25.22 E.

Section 3. Amendment of Article XI, Section 11.11, Uses Permitted by Special Use Permits: The Whitewater Township Zoning Ordinance, Article X, Section 11.11 shall be amended to identify Event Barns as a special use within the Recreational District:

11.11 USES PERMITTED BY SPECIAL USE PERMITS

- A. Planned Unit Developments.
- B. Commercial Campgrounds subject to Article XXV, Section 25.22 D.
- C. Event Barns subject to Article XXV, Section 25.22 E.

Section 4. Amendment of Article XXV, Section 25.22, Additional Conditions of Special

Uses: The Whitewater Township Zoning Ordinance, Article XXV, Section 25.22, Additional Conditions of Special Uses, is amended to add a new Subsection 25.22 E, and shall read as follows:

E. EVENT BARNS.

1. **Intent.** The intent of this section is to promote the preservation and viable use of existing structures of recognized agricultural heritage on a manner that is harmonious with neighboring properties while maintaining peace and quiet of the area.
2. **Special Land Use Permit Requirements.** Event Barns shall be permitted by special use permit, subject to the standards and procedures set forth in Article XXV, as well as the provisions of this Section. Anyone granted a special use permit for the operation of an Event Barn shall strictly adhere to, and shall require all persons using the property to strictly adhere to, the following provisions:
 - a. Access. Primary access to the property on which the Event Barn is located shall be via a county maintained paved road.
 - b. Setback. Event Barns shall be setback 100' from the front lot line and 500' from neighboring residences.
 - c. Attendance. No event shall involve the presence of more than 250 persons or more than allowed by applicable State Construction Codes or fire codes, whichever is less.
 - d. Use of Dwelling. No dwelling on the property shall be used for events. All such dwellings shall continue to be used for single family occupancy purposes.
 - e. Lot Size. Facilities shall be situated on parcels greater than 20 acres of land.
 - f. Hours of Operation. Hours of operation for events shall be limited to 8 a.m. through 11 p.m. unless otherwise pre-approved by the planning commission for a specific event.
 - g. Number of Events. During each calendar year, not more than 35 events shall be conducted. Every day in which any part of an event occurs at an Event Barn shall be considered a separate event, except for weddings where a single event may consist of (i) a pre-wedding rehearsal dinner the day before the wedding, (ii) a wedding and wedding reception, and (iii) wedding cleanup the day after the wedding.
 - h. Presence of Permit Holder Required. The Event Barn permit holder or his or her representative shall be on site for all events.
 - i. Use of Outdoor Areas. All events shall take place principally in barns and other outbuildings on the property. Events shall not include outdoor activities, except accessory activities in areas proposed and approved in the Site Plan for such

activities. All speakers, performances, and musical entertainment shall be contained within the structure.

j. Lighting. There shall be no outdoor perimeter lighting at an Event Barn, and no lines or light poles shall be installed or maintained for such purpose on the property. All lighting fixtures, including pathway lighting, shall be down-lit and directed in a manner as to not impact neighboring properties. Lighting in dormers must be extinguished at or before the same time for conclusion of the event. All lighting proposed at an Event Barn shall be addressed and approved as part of the Site Plan.

k. Trash. The Event Barn operator shall require that caterers and sponsors of every event remove all trash associated with the event immediately after the conclusion of the event. There shall be no dumpster maintained or used on the property.

l. Noise. No person at an Event Barn may unreasonably make, continue or cause to be made any noise that excessively annoys or disturbs the quiet, comfort or repose of a reasonable person of normal sensibilities outside the boundaries of the property, or that injures or endangers the health, welfare, or peace of any person outside the boundaries of the property. The permit holder shall install noise-elimination or improvements at the property such that the noises emitted from inside any barn or other building meets all the requirements of this subparagraph, and such noise-elimination improvements shall be addressed and approved as part of the Site Plan required under Article XXV, Section 25.11. The following acts are declared to be prima facie evidence of unlawful noises in violation of this Section, and are deemed to be public nuisances per se:

1. Singing or operating, playing or permitting the operation or playing of any music, radio, music player, television, stereo, public address system, megaphone, musical instrument, drum, loudspeaker or other sound-producing device, amplified or unamplified, in such a manner or with such volume at any time or place so as to excessively annoy or disturb the quiet, comfort or repose of a reasonable person of normal sensibilities outside the boundaries of the property; or
2. Singing or operating, playing or permitting the operation or playing of any music, radio, music player, television, stereo, public address system, megaphone, musical instrument, drum, loudspeaker or other sound-producing device, amplified or unamplified, inside either a barn or other building, after 9:30 p.m. on Sunday through Thursday evenings, and after 11:00 p.m. on Friday and Saturday evenings; or
3. Singing or operating, playing or permitting the operation or playing of any music, radio, music player, television, stereo, public address system, megaphone, musical instrument, drum, loudspeaker or other sound-producing device, amplified or unamplified outside any of the buildings, at any time, except for unamplified music, such as a string quartet, only as part of a wedding, which unamplified wedding music shall cease prior to 8:00 p.m.; or

4. Yelling, shouting, hooting, or whistling, or making any other noises so as to excessively annoy or disturb the quiet, comfort or repose of a reasonable person of normal sensitivities outside the boundaries of the property.
- m. Food. There shall be no food preparation inside an Event Barn. Any food served, provided or consumed at the venue must be legally prepared in accordance with the Grand Traverse County Health Department rules. Dishwashing associated with any event at the venue must be accomplished off site.
- n. Security. At all times when an event is taking place at an Event Barn, a sufficient number of security personnel and support staff shall be present to provide security, to direct traffic and parking, to prevent any intentional or inadvertent trespassing onto any properties outside the boundaries of the property, and to assure that all events begin and end at the times specified in this Ordinance.
- o. Alcohol. Where the caterer or sponsor of the event intends to sell or provide alcohol or alcoholic beverages, the caterer or event sponsor must provide an event insurance policy, naming the Township as an additional insured, and must comply with all applicable liquor licensing and regulatory requirements. Event Barn special use permit holders shall not sell or provide alcohol or alcoholic beverages.
- p. Parking. Adequate parking shall be provided. There shall be no parking on any properties outside the boundaries of the property on which the Event Barn is located, without the express written permission of the property owner. Parking shall be provided on the property on which the Event Barn is located where such is designated as the "parking lot" on the Site Plan. The parking lot shown on the approved Site Plan shall be gravel, or gravel-type material only, and not paved with blacktop or concrete or any other impervious substance, in keeping with the rural character of the area. The number of parking spaces shall be in accordance with Township Ordinances and the Americans with Disabilities Act.
- q. Insurance. Event Barn permit holders and operators shall maintain general liability for personal injury and property damage in the amounts of \$1,000,000 per occurrence and \$2,000,000 general aggregate limit. The Township shall be named as an additional insured on the policies and the venue shall provide evidence of insurance to the Township's Zoning Administrator annually or more frequently on request.
- r. Permits and Approval. It shall be the responsibility of the Event Barn permit holders and operators to obtain all building permits and other approvals from agencies that have jurisdiction applicable to the Event Barn or the holding of the events on the property. All facilities shall be approved and inspected by the appropriate agencies.
- s. Special Use Permit, Site Plan and Landscape Design. An applicant for an Event Barn special use permit shall attach a proposed Site Plan to the special use permit application. The Site Plan shall comply with and be reviewed in accordance with this Ordinance, and shall include all parking facilities, lighting, noise-elimination

improvements, outdoor activity areas, landscaping and plantings. Additional consideration shall be given to facilities that incorporate the preservation or use of existing agricultural structures.

Section 5. Severability: The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

Section 6. Effective Date: This Ordinance shall become effective seven (7) days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

Section 7: Repeal: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

Ron Popp, Whitewater Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Whitewater Township Board at a duly scheduled and noticed meeting of that Township Board held on _____, 2018, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the _____ newspaper, a newspaper that circulates within Whitewater Township, on _____, 2018.
3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of the above Ordinance with the Grand Traverse County Clerk on _____, 2018.

ATTESTED:

Cheryl Goss, Whitewater Township Clerk

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC:
Date: 07-18-2018
Re: Ordinance 49 Whitewater Township Abandoned Building Ordinance -

Board Members,

In accordance with Section 5A of the above ordinance Brad Link was appointed Hearing Officer and to my knowledge still serves in that capacity. I will verify this and advise the Board.

As for the Ordinance its self, I am concerned about its enforceability. Section 8 talks about a Municipal Civil Infraction which the Township is not prepared for at this time. I recommend before we get too far into a new review of the case as recommended by ZA Habedank (and I agree with) we modify and or eliminate Section 8 allowing the Township its current avenues of enforcement, the court system. Moreover, the Ordinance does not talk about underground storage tanks, some properties may be old enough to use oil as heat, final disposition of on-site septic tanks, drinking water wells all may be present but, invisible once the buildings are removed. This may pose unintended consequences in the future.

Motion to have Ordinance 49 reviewed by legal counsel.

Respectfully,



Ron Popp
Supervisor, Whitewater Township

Ron Popp

From: Cheryl A. Goss <clerk@whitewatertownship.org>
Sent: Monday, July 16, 2018 2:58 PM
To: Dennis Habedank; Della Benak; Paul Hubbell; Lloyd Lawson; Ron Popp
Subject: RE: Dangerous Building Ordinance Violation
Attachments: General Ordinance No. 49 - Abandoned Buildings.pdf

All –

We have the abandoned buildings ordinance (attached) and a wage for a hearing officer listed on the Salary/Wage Schedule but no one appointed to the position. We need to get someone appointed, if not for this complaint, for other dangerous buildings in the township. I have received complaints on at least one other building.

Ted Hooper is a qualified individual for this position and has confirmed that he would accept the appointment.

I would request that Appointment of Abandoned Buildings Hearing Officer be placed on the 7/24 meeting agenda.

Cheryl A. Goss, CMMC

Whitewater Township Clerk
5777 Vinton Road, P.O. Box 159
Williamsburg, Michigan 49690
Telephone: 231.267.5141 X 24
Fax: 231.267.9020

clerk@whitewatertownship.org

Office Hours: Mon/Tue/Wed/Thurs 8:30 am to 5:00 pm

From: Zoning Administrator [mailto:zoning@whitewatertownship.org]
Sent: Wednesday, July 11, 2018 1:17 PM
To: Della Benak; Cheryl A. Goss; Paul Hubbell; Lloyd Lawson; Ron Popp
Subject: Dangerous Building Ordinance Violation

July 11, 2018

Dear Board Members:

Attached is a complaint that I generated with respect to the Dangerous Building Ordinance Violation that began under a previous ZA - Ordinance 49.

This investigation began 8 or 9 years ago and I believe that it needs to be resolved before someone is seriously injured. The Dangerous Hearing Officer Brad Link and former Zoning Administrator Meyers opened a case and held a hearing on this property and I believe ruled that the buildings qualified as dangerous buildings... the current photos that I took speak for themselves.

With the passage of time, I would feel more comfortable having a new hearing – however I believe we need to appoint a new Hearing Officer and I would request that we consider Ted Hooper to fill that position, since he has been schooled and is experienced in good building practices and principals.

WRITTEN NOTICE OF VIOLATION SENT VIA US MAIL – F/C ON JULY 5, 2018...

Dennis L. Habedank, Zoning Administrator

Whitewater Township

P.O. Box 159 – 5777 Vinton Road

Williamsburg MI 49690

(231) 267-5141 Ext 21

(231) 267-9020 (Fax)

(231) 534-4000 (Cell)

zoning@whitewatertownship.org

Monday – Thursday from 8:00 AM – 4:00 PM

CONFIDENTIALITY NOTICE:

The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.

WHITEWATER TOWNSHIP ORDINANCE CERTIFICATE

State of Michigan)
Township of Whitewater) §
County of Grand Traverse)

I, the undersigned, being the duly elected and qualified clerk of the Township of Whitewater, do hereby certify that the attached Ordinance No. 49 of the Whitewater Township Ordinances is a true and complete copy as adopted by the Whitewater Township Board at a special meeting of the said Township Board held on June 12, 2012.

I do further certify that a summary of Ordinance No. 49 was published on July 20, 2012 in the Traverse City Record Eagle, a newspaper of general circulation in Whitewater Township, and that Ordinance No. 49 becomes effective thirty (30) days after the date of publication.

I do further certify that the members of the Township Board voted upon Ordinance No 49 by the following vote:

For the Ordinance: Benak, Boyd, Hockin, Hubbell, Lake
Against the Ordinance: None
Absent: None

I further certify that Ordinance No 49 was duly filed in the Whitewater Township Book of Ordinances within one week after publication thereof.

In witness whereof, I have hereunto set my hand this 23rd day of July, 2012.



Carol Hockin
Whitewater Township Clerk

2055 Whitewater Twp
AFFIDAVIT OF PUBLICATION

**LEGAL NOTICE
WHITEWATER TOWNSHIP
ORDINANCE NO. 49
NOTICE OF ADOPTION**

Please take notice that on June 12, 2012, the Township Board of Whitewater Township adopted Ordinance No. 49, Whitewater Township Abandoned Buildings Ordinance.

The Ordinance is summarized as.

Section 1: Title
Section 2: Definition of Terms
Section 3: Prohibition of Abandoned Buildings
Section 4: Notice of Abandoned Building Hearing
Section 5: Abandoned Building Hearing Officer; Duties; Hearing Order
Section 6: Enforcement Hearing Before the Whitewater Township Board
Section 7: Implementation and Enforcement of Remedies
Section 8: Civil Infraction and Remedies for Nonconformance with Order
Section 9: Appeal of Township Board Decision
Section 10: Severability
Section 11: Repeal
Section 12: Effective Date shall take effect 30 days after publication as required by law.

Copies of the Ordinance may be obtained from the Township Clerk at 5777 Vinton Road, Williamsburg, MI 49690.

Carol Hockin
Whitewater Township Clerk
(231) 267-5141 Ext 24

20, 2012-1T

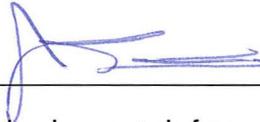
304497

STATE OF MICHIGAN
County of Grand Traverse

John Totoraitis being duly sworn deposes and says the annexed printed copy of notice was taken from the Traverse City RECORD EAGLE, a newspaper printed and circulated in said State and County, and that said notice was published in said newspaper on the following dates:

07/20/2012

that he or she is the agent of the printers of said newspaper, and knows well the facts stated herein



Subscribed and sworn to before
this 20th of July, 2012 .



Vicki Hornacek
Notary Public, State of MI
County of Grand Traverse
08/29/2017
Acting in County of Grand Traverse

**WHITEWATER TOWNSHIP
ORDINANCE NUMBER 49
ABANDONED BUILDINGS ORDINANCE**

Adopted: June 12, 2012
Effective: August 19, 2012

An ordinance to promote the health, safety, and welfare of the people of Whitewater Township, Grand Traverse County, Michigan, by regulating the maintenance and safety of certain buildings and structures; defining the classes of buildings and structures regulated by this Ordinance; describing and establishing procedures for the maintenance or demolition of certain buildings and structures; establishing remedies, providing for enforcement, and fixing penalties for the violation of this Ordinance; and repealing all ordinances or parts of ordinances in conflict with this Ordinance.

THE TOWNSHIP OF WHITEWATER ORDAINS:

SECTION 1: TITLE. This Ordinance shall be known and cited as the Whitewater Township Abandoned Buildings Ordinance.

SECTION 2: DEFINITION OF TERMS. As used in this Ordinance, including in this section, the following words and terms shall have the meanings stated herein:

- A. “*Abandoned Building*” means any building or structure, residential or otherwise, that has not been occupied for a period of more than one hundred and eighty (180) days and has one or more of the following defects or is in one or more of the following conditions:
1. A portion of the building or structure is damaged by fire, wind, flood, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the fire, wind, flood, or other cause and does not meet the minimum requirements of the Housing Law of Michigan, Public Act 167 of 1917, as amended, MCL 125.401 *et. seq.* or the applicable Building Code for a new building or structure, purpose, or location.
 2. A part of the building or structure is likely to fall, become detached or dislodged, or collapse, and injure persons or damage property.
 3. A portion of the building or structure has settled to such an extent that a wall, walls, or other structural portion or portions of the building or structure has or have materially less resistance to wind than is required in the case of new construction by the Housing Law of Michigan, Public Act 167 of 1917, as amended, MCL 125.401, *et. seq.*, or the applicable Building Code.
 4. The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other

reason is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.

5. The building or structure, or a part of the building or structure, is manifestly unsafe for the purpose for which it is used or intended to be used.
 6. The building or structure is damaged by fire, wind, or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or unlawful or immoral act.
 7. A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that the Enforcing Agency or County Public Health Officer determines is likely to cause sickness or disease, or is likely to injure the health, safety, or general welfare of the people living in the dwelling.
 8. A building or structure is vacant, dilapidated, and open at a door or window, leaving the interior of the building exposed to the elements or accessible to entrance to trespassers.
 9. In making an initial determination whether a building or structure is an Abandoned Building as defined herein, the Enforcing Agency may consult with and seek the assistance of the Grand Traverse County Construction Codes Office.
 10. The Owner of an Abandoned Building may apply to the Enforcing Agency for an exemption from the terms of this Ordinance by submitting a sufficient plan to rebuild or secure the Abandoned Building and by promptly implementing that plan in a manner that is approved by the Enforcing Agency.
- B. “*Enforcing agency*” means the Whitewater Township Zoning Administrator and/or such other official(s) or agency as may be designated by the Whitewater Township Board to enforce this Ordinance.
- C. “*Applicable Building Code*” means the building code administered and enforced in Whitewater Township pursuant to the Stille-DeRossett-Hale Single State Construction Code Act, Public Act 230 of 1972, as amended, MCL 125.1501, *et. seq.*, or adopted pursuant to any other state law.
- D. “*Secured Building*” shall mean a building or structure that is secured in a manner acceptable to the Township to prevent ingress to and further deterioration of the building or structure.

SECTION 3: PROHIBITION OF ABANDONED BUILDINGS. It is unlawful for any owner or agent of a building or structure to keep, possess, own, or maintain any building or structure or part thereof that is an Abandoned Building as defined this Ordinance.

SECTION 4: NOTICE OF ABANDONED BUILDING; HEARING.

- A. Notice Requirements. Notwithstanding any other provision of this Ordinance, if a building or structure is found to be an Abandoned Building, the Enforcing Agency shall issue a notice that the building or structure is an Abandoned Building.
- B. Parties Entitled to Notice. The notice shall be served on each owner of, or party in interest to, the building or structure as determined by the name(s) listed for the property on the last local tax assessment records of Whitewater Township.
- C. Contents of Notice. The notice shall specify the time and place of a hearing on whether the building or structure is an Abandoned Building and state that the person to whom the notice is directed shall have the opportunity at the hearing to show cause why the Hearing Officer should not order the building or structure to be demolished, or otherwise made safe, or properly maintained.
- D. Service of Notice. The notice shall be in writing and shall be served upon the person to whom the notice is directed either personally or by certified mail, return receipt requested, addressed to the owner or party in interest at the address shown on the tax records. If a notice is served upon a person by certified mail, a copy of the notice shall also be posted upon a conspicuous part of the building or structure. The notice shall be served upon the owner or party in interest at least 10 days before the date of the hearing as indicated in the notice.

SECTION 5: ABANDONED BUILDING HEARING OFFICER; DUTIES; HEARING; ORDER.

- A. Appointment of Hearing Officer. The Hearing Officer shall be appointed by the Whitewater Township Supervisor to serve at his or her pleasure. The Hearing Officer shall be a person who has expertise in housing matters, including, but not limited to, an engineer, architect, attorney, building contractor, building inspector, or member of a community housing organization. An employee of the Enforcing Agency shall not be appointed as a Hearing Officer.
- B. Filing Abandoned Building Notice with Hearing Officer. The Enforcing Agency shall file a copy of the notice of the condition of any Abandoned Building with the Hearing Officer.
- C. Hearing Testimony and Decision. At a hearing prescribed by this Ordinance, the Hearing Officer shall take testimony of the Enforcing Agency, the owner of the property, and any interested party. Not more than 5 days after completion of the hearing, the Hearing

Officer shall render a decision either closing the proceedings or ordering the building or structure demolished, otherwise made safe, or properly maintained.

- D. Compliance with Hearing Officer Order. If the Hearing Officer determines that the building or structure should be demolished, otherwise made safe, or properly maintained, the Hearing Officer shall so order, fixing a time in the order for the owner, agent, or lessee to comply with the order. If the building or structure is an Abandoned Building under this Ordinance, the order may require the owner or agent to maintain the building or structure as a Secured Building.
- E. Noncompliance with Hearing Officer Order; Request to Enforce Order. If the owner, agent, or lessee fails to appear at the hearing or refuses to comply with the order issued by the Hearing Officer under this Ordinance, the Hearing Officer shall file a report of the findings and a copy of the order with the Whitewater Township Board not more than 5 days after noncompliance by the owner and request that necessary action be taken to enforce the order. A copy of the findings and order of the Hearing Officer shall be served on the owner, agent, or lessee in the manner prescribed in Section 4(D) of this Ordinance.

SECTION 6: ENFORCEMENT HEARING BEFORE THE WHITEWATER TOWNSHIP BOARD. The Whitewater Township Board shall fix a date not less than 30 days after the hearing prescribed in Section 5(C) of this Ordinance for a hearing on the findings and order of the Hearing Officer and shall give notice to the owner, agent, or lessee in the manner prescribed in Section 4(D) of this Ordinance of the time and place of the hearing. At the hearing, the owner, agent, or lessee shall be given the opportunity to show cause why the order should not be enforced. The Whitewater Township Board shall approve, disapprove, or modify the order. If the Whitewater Township Board approves or modifies the order, the Board shall take all necessary action to enforce the order. If the order is approved or modified, the owner, agent, or lessee shall comply with the order within 60 days after the date of the hearing under this section. Provided, however, that in the case of an order of demolition, if the Whitewater Township Board determines that the building or structure has been substantially destroyed by fire, wind, flood, or other natural disaster and the cost of repair of the building or structure will be greater than the state equalized value of the building or structure, the owner, agent, or lessee shall comply with the order of demolition within 21 days after the date of the hearing under in this section.

SECTION 7: IMPLEMENTATION AND ENFORCEMENT OF REMEDIES.

- A. Implementation of Order by Township. In the event of the failure or refusal of the owner or party in interest to comply with the decision of the Whitewater Township Board, the Board may, in its discretion, contract for the demolition of the building or structure, making safe the building or structure, or maintaining the exterior of the building or structure or grounds adjoining the building or structure.
- B. Reimbursement of Costs. The costs of the demolition, of making the building or structure safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure, incurred by Whitewater Township to bring the property into conformance with this Ordinance shall be reimbursed to Whitewater Township by the

owner or party in interest in whose name the property appears on the last local tax assessment records.

- C. Notice of Costs. The owner or party in interest in whose name the property appears on the last local tax assessment records shall be notified by the Enforcing Agency of the amount of the costs of the demolition, of making the building or structure safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure, by first class mail at the address shown on Whitewater Township's records.
- D. Lien for Unpaid Costs. If the owner or party in interest fails to pay the costs within 30 days after mailing by the Enforcing Agency of the notice of the amount of the cost, in the case of a single-family dwelling or a two-family dwelling, Whitewater Township shall have a lien for the costs incurred by Whitewater Township to bring the property into conformance with this Ordinance. The lien shall not take effect until notice of the lien has been filed or recorded as provided by law. A lien provided for in this subsection does not have priority over previously filed or recorded liens and encumbrances. The lien for the costs shall be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, Public Act 206 of 1893, as amended, MCL 211.1, *et. seq.*
- E. Court Judgment for Unpaid Costs. In addition to other remedies under this Ordinance, Whitewater Township may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building or structure safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure.
- F. Enforcement of Judgment. A judgment in an action brought pursuant to Section 7(E) of this Ordinance may be enforced against any assets of the owner including, but not limited to, the building or structure and the land on which it is located or other real or personal property of the owner.
- G. Lien for Judgment Amount. In the case of a single-family dwelling or a two-family dwelling, Whitewater Township shall have a lien for the amount of a judgment obtained pursuant to Section 7(E) of this Ordinance against the owner's interest in all real property located in the State of Michigan that is owned in whole or in part by the owner of the building or structure against which the judgment is obtained. A lien provided for in this subsection does not take effect until notice of the lien is filed or recorded as provided by law, and the lien does not have priority over prior filed or recorded liens and encumbrances.

SECTION 8: CIVIL INFRACTION AND REMEDIES FOR NONCONFORMANCE WITH ORDER. Any person or other entity who fails or refuses to comply with an order approved or modified by the Whitewater Township Board under Section 6 within the time prescribed by that section is responsible for a municipal civil infraction as defined by Michigan law and is subject to a civil fine of not more than \$500.00, plus costs, that may include all direct or indirect expenses to which Whitewater Township has incurred in connection with the

violation. A violator of this Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

SECTION 9: APPEAL OF TOWNSHIP BOARD DECISION. An owner aggrieved by any final decision or order of the Whitewater Township Board under Section 6 of this Ordinance may appeal the decision or order to the circuit court within 20 days from the date of the decision or order of the Whitewater Township Board.

SECTION 10: SEVERABILITY. The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section, or provision is hereafter declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION 11: REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided that this Ordinance shall not be construed to repeal expressly or by implication any provision of the applicable Building Code (or maintenance, electric, plumbing, or similar code) or Zoning Ordinance.

SECTION 12: EFFECTIVE DATE. This Ordinance shall take effect 30 days after publication as required by law.

PROCEEDINGS OF THE WHITEWATER TOWNSHIP BOARD:

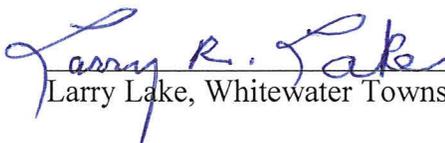
The above ordinance was offered for enactment by Boyd and was supported by Hockin at a regular meeting of the Whitewater Township Board, held at the Whitewater Township Hall, on the 12th day of June, 2012, at 7:02 p.m., the vote being as follows:

YEAS: Benak, Boyd, Hockin, Hubbell Lake

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.



Larry Lake, Whitewater Township Supervisor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Whitewater Township Board at a meeting held on June 12, 2012, pursuant to the procedures required by law.

Carol Hockin

Carol Hockin
Whitewater Township Clerk

Ron Popp

From: Zoning Administrator <zoning@whitewatertownship.org>
Sent: Wednesday, July 11, 2018 1:17 PM
To: Della Benak; Cheryl A. Goss; Paul Hubbell; Lloyd Lawson; Ron Popp
Subject: Dangerous Building Ordinance Violation
Attachments: 9018 Elk Lake Rd - Fender - Bosner Ord. 49 Viol 07032018.pdf

July 11, 2018

Dear Board Members:

Attached is a complaint that I generated with respect to the Dangerous Building Ordinance Violation that began under a previous ZA - Ordinance 49.

This investigation began 8 or 9 years ago and I believe that it needs to be resolved before someone is seriously injured. The Dangerous Hearing Officer Brad Link and former Zoning Administrator Meyers opened a case and held a hearing on this property and I believe ruled that the buildings qualified as dangerous buildings... the current photos that I took speak for themselves.

With the passage of time, I would feel more comfortable having a new hearing – however I believe we need to appoint a new Hearing Officer and I would request that we consider Ted Hooper to fill that position, since he has been schooled and is experienced in good building practices and principals.

WRITTEN NOTICE OF VIOLATION SENT VIA US MAIL – F/C ON JULY 5, 2018...

Dennis L. Habedank, Zoning Administrator
Whitewater Township
P.O. Box 159 – 5777 Vinton Road
Williamsburg MI 49690
(231) 267-5141 Ext 21
(231) 267-9020 (Fax)
(231) 534-4000 (Cell)

zoning@whitewatertownship.org

Monday – Thursday from 8:00 AM – 4:00 PM

CONFIDENTIALITY NOTICE:

The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.

DATE: 07/03/2018

WHITEWATER TOWNSHIP

COMPLAINT NO. 2018-003

CODE ENFORCEMENT
INVESTIGATIVE REPORT

Complainant: Dennis L Habedank Address: 5777 Vinton Road

City: Williamsburg State: MI -49690 Phone: (231) 267-5141 E-21

Type of Violation: Zoning Ordinance Junk Ordinance Noise Ordinance Other

Synopsis of Complaint: This property is in violation of Abandoned Building Ordinance.

Location of Alleged Violation: 9018 Elk Lake Road - Williamsburg MI 49690

Property I. D. #: 28 - 13 - 116 - 017 - 00 Property Owner: Fender, Ida/Bosner, Robert

Site Visit: Yes No Date: 07 / 03 / 18 Time of Visit: 01 : 15 AM - PM

Alleged Violation Confirmed: Yes No Comments: Photograph(s)

PRIORITY FOR CODE ENFORCEMENT

- 1. Violations that present an imminent threat to public health and safety or welfare;
- 2. Violations affecting storm drainage, wetlands, and/or adjacent areas;
- 3. Construction of non-permitted structures;
- 4. Multiple complaints received on the same property;
- 5. Zoning Ordinance and/or Junk - Noise violations; and
- 6. All other violations

CRITERIA FOR ESTABLISHING PRIORITY

Violations listed lower in the priority list may be moved to a higher ranking if they have one or more of the following aggravating circumstances:

- 1. The actions leading to the violation(s) are deliberate;
- 2. The violation causes economic harm to individuals or the Township as a whole;
- 3. The alleged violator is receiving significant economic benefit from the continued violation(s);
- 4. The physical size or the extent of the violation is significant;

Complaint # 2018-003

- 5. The violation(s) has/have existed uncorrected for a significant period of time;
- 6. There is a previous history of complaints and code enforcement on the subject property and/or with the alleged violator;
- 7. There is community interest in the violation expressed by the receipt of multiple complaints from separate individuals or by a complaint by a citizens group.
- 8. After reasonable efforts have been made, there is little likelihood of obtaining voluntary compliance; and
- 9. The violation(s) is/are flagrant and visible to the public.

APPLICABILITY

- 1. GENERAL APPLICABILITY – applies to all code enforcement carried out by Township employees and/or officials.
- 2. NON-APPLICABILITY – to Deeds, Covenants and Restrictions, these conditions are enforceable through private legal actions and not the Township.

INITIATION OF CODE ENFORCEMENT

- Citizen Complaint Anonymous Complaint Report by Township Staff or Official

VENUE OF COMPLAINT:

9018 Elk Lake Road - Williamsburg MI 49690 - T28N-R09W - Section 16,
Whitewater Township, Grand Traverse County, State of Michigan

NAME OF INVESTIGATOR: Dennis L Habedank

DATE: 07 / 03 / 18 **TIME:** 01 : 15 AM / PM

Location of Site Visit: 9018 Elk Lake Road - Williamsburg MI 49690

Site Access: Granted by Owner Permission Denied by Search Warrant w/GT Sheriff

Violations Observed: The buildings on this property were declared abandoned dangerous buildings by Hearing Officer Brad Link who investigated this violation with former Zoing Adm. Meyers- No follow-up after hearing in 2011-worse now!

Conditions Observed: Buildings open to the public - roof structures have rotted away and they are collapsing internally.

Witnesses Interviewed: None

Complaint # 2018-003

Evidence Obtained: Aerial photographs and ground shots from the road right-of-way

DISCUSSIONS

Owner: Noticed by First Class Mail 07/03/18

Occupants: None Known

Responsible Persons: Owners

Actions Necessary to Correct Violations:

The buildings need to be demolished, It's likely they cannot be preserved or adequately secured.

Recommended Enforcement Action and Timeline: _____

Referrals to other Agencies: Grand Traverse Building Code Official

ENFORCEMENT LEVELS

Voluntary Compliance Date: ___/___/___

Written Notice to Correct Date: ___/___/___

Second Notice to Correct Date: ___/___/___

Township Board Action/Refer to Grand Traverse County Sheriff Date: ___/___/___

Supplemental Information

Legal Description

SW 1/4 OF SE 1/4 EXC RD R/W. SEC 16 T28N R9W EXCLUDING: COMM S 1/4 CRN TH E'RLY 233' TO POB. TH N'RLY 233' TH E 200' TH S 233' TH W 200' TO POB.

Photographs Taken 07/03/2018 @ approximately 1:15 PM

The following are a sampling of the conditions of the buildings:

#1 taken from Park Drive right-of-way just east of the intersection of Park Drive and Elk Lake Road depicting an old garage with collapsed roof.

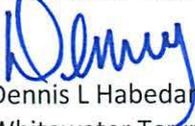
#2 taken from Park Drive right-of-way just east of the intersection of Park Drive and Elk Lake Road depicting the remnants of an old home with a collapsing roof.

There are at least four (4) other buildings in similar disrepair – these building for the most part are open and unsecured.

Recommendation:

Immediate action should be taken to secure the buildings, if possible. I've noticed what appear to be homeless individuals wandering in the area and they likely could be occupying this property.

Respectfully Submitted,



Dennis L Habedank, Zoning Administrator
Whitewater Township 07/03/2018

WHITEWATER 2017



2809-1600

Whitewater

Grand Traverse County, Michigan

T28N-R09W

Section 16

28-13-116 - ### - ##

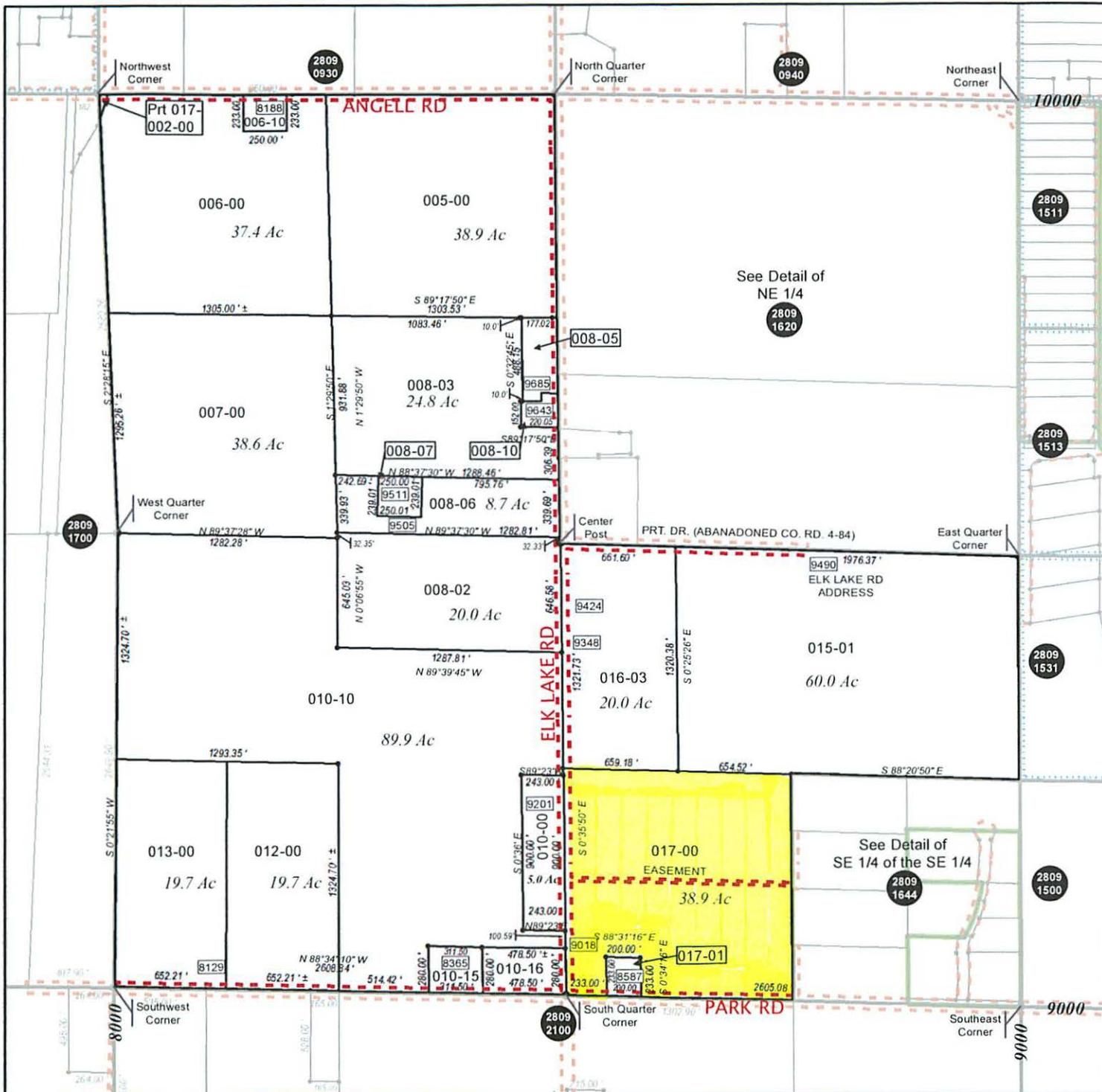


1 inch = 800 feet

LEGEND

Parcel Lines	
Parcel Identification Number	016-10
Lot Number	13
Address	4265
Platted Lines	
Parcel Ownership Hook	
Dimensions	
Direction	N 1° 23' 30" E
Acres	29.6 Ac
Subdivisions and Condominiums	
Subdivision and Condominium ID	Lone Pine Estates
Drain Easement	
Government Lots	
Electical Easement	
Section Posts	
Road Easement	
Road Name	Hill Rd.
Railroad	
Rivers & Streams	
Lakes and Ponds	
Page Reference	2809
Miscellaneous Lines	
Address Range	6000 - 7000

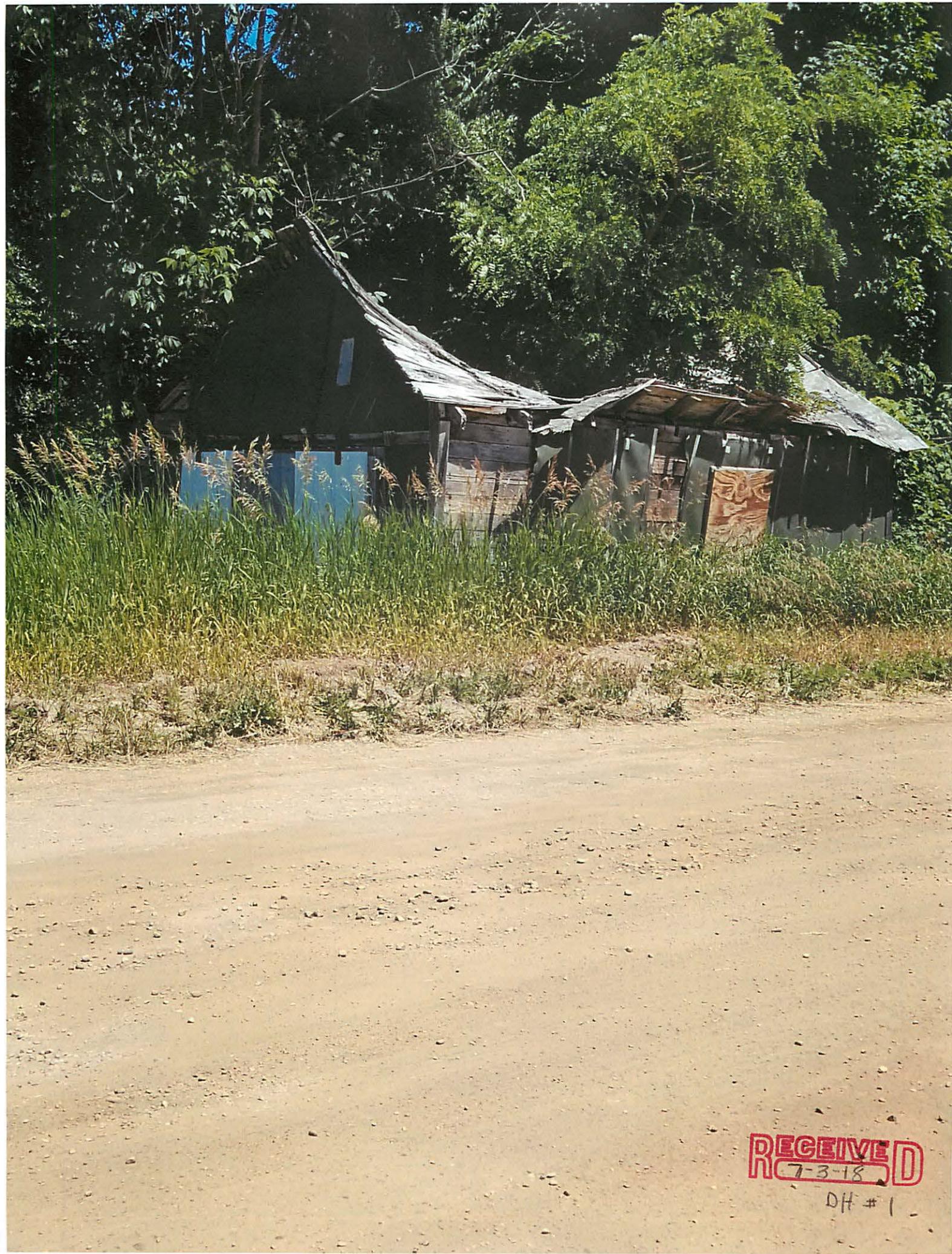
This map is based on digital databases prepared by Grand Traverse County. Grand Traverse County does not warrant, expressly or impliedly, or accept any responsibility for any errors, omissions, or that the information contained in the map or the digital databases is currently or positionally accurate.





RECEIVED
7-3-18

BH # 2



RECEIVED
7-3-18

DH # 1

Ron Popp

From: Christopher Patterson <cpatterson@fsbirlaw.com>
Sent: Wednesday, August 8, 2018 1:29 PM
To: Cheryl A. Goss; Ron Popp
Cc: Kendall O'Connor
Subject: RE: NFIP Ordinance/Resolution
Attachments: 2018.08.07 Floodplain Ordinance and Notice of Publication.docx

Cheryl and Ron:

Based on our discussions, attached is the ordinance and notice of adoption so that publication of a hearing can occur on Sunday, allowing for consideration by the Board on August 28th.

I am finalizing the resolution and intergovernmental agreement as well, but I have conference calls from 1:30 to 5:00 today. I did want to get you this part for purposes of the public hearing. I will send you the resolution/intergovernmental agreement shortly.

We also have transmitted draft copies to the DEQ for verification that it will satisfy FEMA. We had to make some changes because the templates did not suit the Township very well. That said, we did not completely draft new documents, although that would have been my preference. To maintain efficiency and keep fees in proportion to the project, we maintained the framework provided by the DEQ forms, and modified those areas we felt were absolutely necessary.

If you have any questions regarding the ordinance, please let me know. Otherwise, you will be seeing the resolution/intergovernmental agreement shortly.

Sincerely,

Chris



Christopher S. Patterson

Member • Fahey Schultz Burzych Rhodes

Direct: 517.381.3205 • Cell: 269.744.4807

Office: 517.381.0100 • Fax: 517.381.3185

fsbirlaw.com • cpatterson@fsbirlaw.com

4151 Okemos Road, Okemos, MI 48864 USA

▼ U.S. News & World Report Ranked Best Law Firm

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Neither this information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is included in this message. Thank you.

Ron Popp

From: Christopher Patterson <cpatterson@fsbirlaw.com>
Sent: Wednesday, August 8, 2018 3:13 PM
To: Cheryl A. Goss; Ron Popp
Cc: Kendall O'Connor
Subject: RE: RE: NFIP Ordinance/Resolution
Attachments: 2018.08.07 NFIP Resolution and Agreement.docx

Cheryl and Ron:

Attached is also the resolution approving the intergovernmental agreement that will need to be executed between the Township and the County. The intergovernmental agreement is also included.

Please review and let us know if you have any questions or comments. If you would also find it preferable to have redlines of the original DEQ forms, we can prepare those and provide them as guidance documents on what we modified.

Sincerely,

Chris



Christopher S. Patterson

Member • Fahey Schultz Burzych Rhodes

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fsbirlaw.com • cpatterson@fsbirlaw.com

4151 Okemos Road, Okemos, MI 48864 USA

▼ U.S. News & World Report Ranked Best Law Firm

From: Christopher Patterson
Sent: Wednesday, August 08, 2018 1:29 PM
To: Cheryl A. Goss <clerk@whitewatertownship.org>; Ron Popp <supervisor@whitewatertownship.org>
Cc: Kendall O'Connor <koconnor@fsbirlaw.com>
Subject: RE: NFIP Ordinance/Resolution

Cheryl and Ron:

Based on our discussions, attached is the ordinance and notice of adoption so that publication of a hearing can occur on Sunday, allowing for consideration by the Board on August 28th.

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new documents, although that would have been my preference. To maintain efficiency and keep fees in proportion to the project, we maintained the framework provided by the DEQ forms, and modified those areas we felt were absolutely necessary.

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Sincerely,

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Neither this information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is included in this message. Thank you.

**WHITEWATER TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN
ORDINANCE ADDRESSING FLOODPLAIN MANAGEMENT PROVISIONS
OF THE STATE CONSTRUCTION CODE**

ORDINANCE NO. _____

At a meeting of the Township Board of Whitewater Township, Grand Traverse County, Michigan, held at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan on _____, 2018, at __:___ p.m., Township Board Member _____ moved the following Ordinance for adoption, which motion was seconded by Township Board Member _____:

An ordinance to protect the health, safety, and general welfare of the persons and property within Whitewater Township, Grand Traverse County, Michigan, by designating the Construction Code Office of Grand Traverse County with the responsibility for administration and enforcement of the floodplain management provisions of the Stille-Derossett-Hale Single State Construction Code Act, Act 230 of 1972, as amended, within the Township.

THE TOWNSHIP OF WHITEWATER, GRAND TRAVERSE COUNTY, MICHIGAN, ORDAINS:

Section 1. ORDINANCE TITLE

This Ordinance shall be known and cited as the Whitewater Township Floodplain Management Ordinance.

Section 2. AGENCY DESIGNATED

In accordance with Section 8b(6) of Act 230 of the Public Acts of 1972, as amended (hereinafter referred to as the "State Construction Code"), the Township of Whitewater hereby designates Grand Traverse County, acting through the Grand Traverse County Construction Code Office (the "County Construction Office"), as the enforcing agency for the administration and enforcement of the floodplain management provisions of the State Construction Code throughout the corporate limits of Whitewater Township. Such designation shall discharge Whitewater Township's responsibility to administer and enforce the floodplain management provisions of the State Construction Code.

Section 3. FLOODPLAIN MANAGEMENT PROVISIONS ENFORCED

Pursuant to Section 4 of the State Construction Code, and in accordance with Section 2 of this Ordinance, the County Construction Office, acting as the enforcing agency within the jurisdiction of Whitewater Township, shall administer, apply, and enforce the State Construction Code, supplemented with the Michigan Residential Code and the Michigan Building Code and its Appendices (specifically Appendix G – Flood Resistant Construction of the Michigan Building Code) regarding floodplain management criteria for flood prone areas complying with the regulations set forth in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3.

Section 4. DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled 26055CV00A and dated August 28, 2018 and the Flood Insurance Rate Map(s) (FIRMS) panel numbers of 26055CINDOA, 26055CO150C, 26055CO175C, 26055CO275C, 26055CO300C, all dated August 28, 2018 are adopted by reference for the purposes of administration of the State Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Section 5. REPEALS

All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section 6. SEVERABILITY

This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected thereby.

Section 7. EFFECTIVE DATE

This ordinance shall be effective the day after publication.

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

Ron Popp, Whitewater Township Supervisor

AFFIDAVIT OF POSTING AND PUBLICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Whitewater Township Board at a duly scheduled and noticed meeting of that Township Board held on _____, 2018, pursuant to the required statutory procedures.
2. The complete text of the Ordinance was posted at the Township Clerk's office on _____, 2018.
3. The attached Notice of Adoption was duly published in the _____ newspaper, a newspaper that circulates within Whitewater Township, on _____, 2018, within not more than seven (7) days after the adoption of the Ordinance.
4. Within seven (7) days after publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the Ordinance, the names of the members of the township board voting, and how each member voted.
5. I filed an attested copy of the above Ordinance with the Grand Traverse County Clerk on _____, 2018.

ATTESTED:

Cheryl A. Goss, Township Clerk
Whitewater Township

NOTICE OF ADOPTION
WHITEWATER TOWNSHIP ORDINANCE ADDRESSING FLOODPLAIN
MANAGEMENT PROVISIONS OF THE STATE CONSTRUCTION CODE
Whitewater Township
Grand Traverse County, Michigan
ORDINANCE NO. ____

Please take notice that on _____, 2018, the Township Board of Whitewater Township adopted Ordinance No. ____, which designates the Construction Code Office of Grand Traverse County with the responsibility for administration and enforcement of the floodplain management provisions of the Stille-Derossett-Hale Single State Construction Code Act, Act 230 of 1972, as amended, within the Township. Copies of the Ordinance may be obtained from Cheryl A. Goss, Whitewater Township Clerk, at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

The Ordinance provides, in summary, for the designation of the Grand Traverse Construction Code Office with the responsibility for administration and enforcement of the floodplain management provisions of Act 230 of 1972. The Ordinance has the following sections and catch lines: Section 1. Ordinance Title: established the title of the Ordinance as the Whitewater Township Flood Management Ordinance; Section 2. Agency Designated: designates the Grand Traverse County Construction Code Office as the enforcing agency; Section 3. Floodplain Management Provisions Enforced: identifies the floodplain management provisions to be enforced; Section 4. Designation of Regulated Flood Prone Hazard Areas: adopts by reference FEMA created study and maps; Section 5. Repeal: repeals all conflicting ordinances; Section 6. Severability: provides for the severability of the Ordinance; Section 7: Effective Date: establishes that the Ordinance is effective the day after publication.

Published by Order of the Township Board
Whitewater Township, Grand Traverse County, Michigan
Cheryl A. Goss, Township Clerk
(231) 267-5141

Publication Date: _____, 2018

**WHITEWATER TOWNSHIP RESOLUTION TO ADOPT INTERGOVERNMENTAL
AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT
FOR THE NATIONAL FLOOD INSURANCE PROGRAM**

RESOLUTION NO. _____

At a regular of the Township Board of the Township of Whitewater, Grand Traverse County, held at _____, Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, 49690 on the ___ day of ____, 2018, at ___ p.m., Eastern Standard Time.

PRESENT:

ABSENT:

The following resolution was offered by _____
and supported by _____:

WHEREAS, the Township currently participates in the Federal Emergency Management Agency's ("FEMA") National Flood Insurance Program ("NFIP") by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community, and

WHEREAS, the Township desires to satisfy its requirements to comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3 to assure the Township's compliant participation in NFIP, and

WHEREAS, the Township Board must designate an enforcing agency that shall discharge the responsibilities of the Township to satisfy the minimum floodplain management criteria for flood prone areas, and

NOW THEREFORE, BE IT RESOLVED by the Township Board of Whitewater Township, Grand Traverse County, Michigan as follows:

1. To maintain the Township's eligibility and continued participation in the NFIP, the Township Board hereby declares their understanding that Grand Traverse County, acting through the Grand Traverse County Construction Code Office, shall discharge the responsibility of the Township under the NFIP by administering and enforcing the minimum flood management criteria for flood prone areas in accordance with the terms and conditions contained within the attached Agreement, Appendix A titled "Whitewater Township and Grand Traverse County Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program."
2. All prior resolutions and parts of prior resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

**WHITEWATER TOWNSHIP AND GRAND TRAVERSE COUNTY
INTERGOVERNMENTAL AGREEMENT TO MANAGE FLOODPLAIN
DEVELOPMENT FOR THE NATIONAL FLOOD INSURANCE PROGRAM**

This Agreement is entered into on the dates set forth below between the Township of Whitewater (the "Township"), a Michigan municipality whose address is 5777 Vinton Road, Williamsburg, Michigan, 49690, and Grand Traverse County (the "County", a Michigan municipality whose address is 2650 LaFranier Road, Traverse City, Michigan 49686 (collectively, "the Parties").

WHEREAS, the Township currently participates in the Federal Emergency Management Agency's ("FEMA") National Flood Insurance Program ("NFIP") by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community, and

WHEREAS, the Township desires to satisfy its requirements to comply with the minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations ("44 CFR"), Section 60.3 to assure the Township's compliance participation in NFIP, and

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended, ("State Construction Code"), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code and its Appendices (specifically Appendix G) contains floodplain development and management regulations that comply with 44 CFR 60.3, and

WHEREAS, Grand Traverse County, acting through the Grand Traverse County Construction Code Office, is designated as the enforcing agency to discharge the responsibilities under the State Construction Code within the County, including the Township's jurisdiction, and

THEREFORE, to maintain the Township's eligibility and continued participation in the NFIP, the Parties agree to be bound by the following mutual promises and expressions of cooperation:

Section 1. Definitions

The NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this Agreement:

1. Enforcing Agency means the County of Grand Traverse, Michigan, through the Grand Traverse County Construction Code Office, designated with the authority by the Township to enforce the flood management regulations for areas within the Township's jurisdiction.
2. Flood or Flooding means:
 - a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2)

the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudslide(s) (i.e., mudflows) which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current; and

- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (1)(a) of this clause.
3. Flood Hazard Boundary Map (FHBM) means an official map of the Township, issued by the Federal Insurance Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E.
4. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding as defined in paragraph (1)(a) of this clause).
5. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
6. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
7. Structure means a walled and roofed building that is principally above ground, including a gas or liquid storage facility, as well as a mobile home or manufactured unit.

Section 2. Designated Enforcing Agency

The Parties agree that the County of Grand Traverse, Michigan will officially be designated as the enforcing agency to discharge the Township's responsibility of administering, applying, and enforcing the floodplain regulations of the Stille-Derossett-Hale Single State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended, ("State Construction Code") within the Township's boundaries.

Section 3. Services to be Performed

The Parties agree that the County's officially designated enforcing agency for the State Construction Code, the Grand Traverse County Construction Code Office, be directed to administer, apply, and enforce on the Township's behalf the floodplain management regulations as contained in the State Construction Code and to be consistent with those regulations, by:

1. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from FEMA to identify the flood hazard area, and areas with potential flooding, and
2. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and
3. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the Grand Traverse County Construction Code Office shall implement the following applicable codes according to their terms:
 - a. All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Residential Code.
 - b. All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Building Code.
 - c. Appendix G of the current Michigan Building Code.
 - d. All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Rehabilitation Code for Existing Buildings.
4. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
5. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.
6. Advising FEMA of any changes in the Township's boundaries, including appropriate maps, and
7. Maintaining records of new structures and substantially improved structures concerning any certificates of flood proofing, lowest floor elevation, basements, flood proofing, and elevation to which structures have been flood proofed.

Section 4. Compliance with 44 CFR 60.3

The Township and the County assure the Federal Insurance Administrator ("Administrator") that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps ("FIRMs") and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure the Township's compliant participation in the program.

Section 5. Adoption of FIS, FHBMs, and/or FIRMs

The Township further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (“FIS”), FHBMs, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

Section 6. Term of Agreement

This Agreement shall commence on August 1, 2018 and shall expire on July 31, 2028. The term of this Agreement may be extended by written amendment, if mutually agreed to by the parties.

Section 7. Non-employee Status

The County staff implementing the terms of this Agreement shall at all times remain employees of the County, except that the Township will be considered to have designated an enforcing agency by this Agreement for purposes of complying with the Township’s obligation to implement floodplain development and management regulations that comply with 44 CFR 60. Neither party shall be an employee, agent or partner of the other. The County shall remain responsible for all workers’ compensation and other insurance, income tax, social security and other withholding, and all other compensation or benefits for County employees involved in providing the agreed services. At no time shall any County employee involved in providing services be considered or claimed to be an employee or agent of the Township, and the Township shall not in any manner attempt to control, supervise or direct County employees involved in providing the agreed services.

Section 8. Termination of Agreement

Either party may terminate this Agreement without cause upon sixty (60) days written notice to the other party at any time prior to the stated date of termination. Thirty days after the receipt of such notice, this Agreement shall automatically terminate without further obligation of either party. After the expiration or termination of this Agreement, neither party shall have any further obligations under this Agreement except as set forth in paragraph 10.

Section 9. Cooperation Covenant

The County agrees that after termination of this agreement, it will cooperate with the Township’s reasonable request for information and assistance relating to any civil litigation or investigative matter related in whole or in part to the County’s services provided under the terms of this Agreement.

Section 10. Insurance and Indemnification

To the extent permitted by law, each party agrees to defend, indemnify and hold the other harmless from any and all liability arising out of or directly related to the services performed during the term of the Agreement.

Section 11. Assignment of Rights and Duties

Neither of the Parties shall assign nor transfer this Agreement or any portion thereof without receiving written approval from the other party.

Section 12. Governing Law

This Agreement has been executed and delivered in and shall be interpreted, construed and enforced pursuant to and in accordance with the laws of the State of Michigan. All duties and obligations of the parties created hereunder are performable in Grand Traverse County, Michigan, and Grand Traverse County, Michigan shall be the venue for any mediation or arbitration between the parties that may be brought in connection with or arise out of or by reason of this Agreement.

Section 13. Notice

Service of any notices given hereunder will be complete upon personal delivery or if sent by certified mail to the Township, or to the County, at the addresses set forth above, addressed respectively to the Township Supervisor and County Administrator; further, service of any notice served by mail shall be effective upon the date on which such notice is deposited in a receptacle of the United States Postal Service properly addressed and with adequate postage fully prepaid.

Section 14. Severability

If any provision of this Agreement is invalid or unenforceable, it shall be ineffective only to the extent of such invalidity without invalidating the remainder of such provision or the remaining provisions of this Agreement, and the other provisions hereof shall be liberally construed to effectuate the purpose and intent of this Agreement.

Section 15. Waiver of Breach

The waiver by either party of a breach or violation of any provision of this Agreement shall not operate as, or be construed to be, a waiver of any subsequent breach of the same or other provision hereof.

Section 16. Counterparts

This Agreement may be executed in any number of counterparts and each such counterpart shall be considered a valid original.

Section 17. Captions and Headings

The captions, headings, and titles in this Agreement are a convenience and not intended to have any substantive meaning or be interpreted as part of this Agreement.

Section 18. Compliance with Law

The County's performance of services set forth in this Agreement shall comply with all applicable federal and State laws, rules, and regulations.

Section 19. Complete Agreement

The Agreement contains the entire agreement between the Township and the County with respect to the services provided by the County to the Township and it supersedes any prior oral or written understandings or agreements. It is further understood and agreed that the terms and conditions of this Agreement are not mere recital and that there are no other agreements, understandings, contracts, or representations between the Parties in any way

related to the subject matter of this Agreement, except as expressly stated in this Agreement.

Section 20. Prior Agreements between the Parties

After this Agreement becomes effective, all prior agreements between the Parties that relate to the County providing to the Township the services of the Grand Traverse County Construction Code Office to administer, apply, or enforce the floodplain regulations of the State Construction Code within the Township's boundaries are declared null and void.

WHEREFORE, the Parties have executed this agreement on the dates set forth below.

TOWNSHIP OF WHITEWATER

GRAND TRAVERSE COUNTY

By: _____

Ron Popp, Township Supervisor

Date: August ____, 2018

By: _____

Nate Alger, County Administrator

Date: August ____, 2018

By: _____

Cheryl A. Goss, Township Clerk

Date: August ____, 2018

By: _____

Bonnie Scheele, County Clerk

Date: August ____, 2018

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC:
Date: 08-6-2018
Re: Fire Department Indoor Tank Fill -

Board Members,

During remodel of the Township Fire Station it was brought to my attention with the addition of a fire sprinkler system and new larger underground water main, it would be advantageous to connect the indoor tanker fill pipe to the new water main thus expediting the tanker fill process.

In recent conversation with Chief Flynn, he feels this is a good idea and has provided us with permissions from Tribal Water Department and an estimate from the fire sprinkler company that did the work in the building to install. For future consideration, Chief Flynn has also provided an estimate for annual fire sprinkler system service estimate from the same company. Additional vendors of this nature will be contacted for their pricing schedule.

An appropriate motion might look like: **Motion authorizing the installation of an Interior Tanker Fill Pipe for \$1375.00 in the Henry Matteson Fire Station as describe on AFP Specialties July 25, 2018 Proposal attached.**

Respectfully,



Ron Popp
Supervisor, Whitewater Township

Ron Popp

From: Brandon Flynn <firechief@whitewatertownship.org>
Sent: Friday, July 27, 2018 6:58 AM
To: Ron Popp
Cc: Cheryl A. Goss
Subject: Fire Station water & fire suppression
Attachments: Whitewater FD Work quote.docx; Whitewater FD Inspection quote.docx; RE_ Whitewater Twp. Fire Station..pdf

Hi Ron,

Per our discussion, I have attached a quote from AFP to tap into the fire suppression feed for the purpose of filling the trucks. Included in the attachment is an email from Mike Skrzypczak (GTB East Bay Water Utilities) giving us permission to proceed with the work.

Also, AFP included a separate quote for the annual inspection of the fire suppression system. Looks like he made it a 3 year guarantee rate if you would like to look at that.

Thanks,



Brandon Flynn | Fire Chief

Whitewater Township Fire Department

8380 Old M 72 | PO Box 9

Williamsburg, Michigan 49690

p. 231.267.5969 | c. 810.217.2718 | e. firechief@whitewatertownship.org

From: Skrzypczak, Mike
To: [Brandon Flynn](#)
Cc: [Huhn, Joe](#)
Subject: RE: Whitewater Twp. Fire Station.
Date: Tuesday, July 24, 2018 11:15:42 AM
Attachments: [image001.png](#)

Brandon,

It is not a problem to tap into your fire suppression line for the purpose of filling the fire trucks. The water line needs a back flow device. Please record any water usage and e-mail me the amount, thanks.

Michael Skrzypczak | East Bay Water Utilities Director | P: 231.534.7496 | C: 231.357.8738 | F: 231.534.7498 | The Grand Traverse Band of Ottawa and Chippewa Indians | www.gtbindians.org
Notice to Recipient - This e-mail is confidential and meant for only the intended recipient of the transmission. If you received this e-mail in error, any review, use, dissemination, distribution, or copying of this e-mail is strictly prohibited. Please notify us immediately of the error by return e-mail and please delete this message from your system. Thank you in advance for your cooperation.

From: Brandon Flynn <firechief@whitewatertownship.org>
Sent: Tuesday, July 24, 2018 10:08 AM
To: Skrzypczak, Mike <Mike.Skrzypczak@gtbindians.com>
Subject: Whitewater Twp. Fire Station.

Hi Mike,

Not sure who I need to talk to , but I would like to get permission from East Bay Water Works to tap into the new sprinkler feed to the Whitewater Township Fire Station for the purpose of filling our fire apparatus. Currently we use a hydrant



Brandon Flynn | Fire Chief
Whitewater Township Fire Department
8380 Old M 72 | PO Box 9
Williamsburg, Michigan 49690
p. 231.267.5969 | c. 810.217.2718 | e. firechief@whitewatertownship.org



6186 S. Railway Commons
Williamsburg, MI 49690
Ph: 231-267-5947 ~ Fax: 231-267-5971
Email: gdayafp@aol.com

Quote

7-25-18

Whitewater Township Fire Dept
8380 Old M-72
Williamsburg, MI 49690
Attn: Chief Brandon Flynn

RE: Per our conversation

Chief Flynn,

The following is for work we discussed,.

- 1: Demo existing fill line and yalves.
- 2: Install new fill location at NE corner of the station.

. We are able to perform these alterations for **\$1375.00**. This price includes all labor and materials required. Please contact our office if you have any questions or to schedule repairs at (231) 267-5947.

Thank you,
Tim Lake
AFP Specialties
231-267-5947

Ron Popp

From: Zoning Administrator <zoning@whitewatertownship.org>
Sent: Tuesday, July 24, 2018 3:31 PM
To: Della Benak; Cheryl A. Goss; Paul Hubbell; Lloyd Lawson; Ron Popp
Cc: Mangus, Kim; Bowen, Kenneth
Subject: Direction from the Board

July 24, 2018

Board Members:

I have a conflict that needs to be addressed by the Board and it involves my schedule.

This is my fourth and final year as a District Deputy for the Knights of Columbus, I oversee for parishes in the area that have Knights of Columbus Councils. My district includes St. Mary – Council 7419 in Kalkaska, Christ the King – Council 9979 in Acme, Sacred Heart – Council 12294 in Elk Rapids and St. Joseph – Council 15186 on the Old Mission Peninsula. I meet with each of these Councils each month at their regular meetings which occur in the evenings and unfortunately one of my Councils has their meeting on the first Wednesday of each month, the same time that the Planning Commission meets.

I apologize for forgetting to mention this meeting, but honestly, it totally slipped my mind; I am hoping that we can work this out and make everyone happy. It would be extremely difficult and unlikely that I can find anyone to assume my duties in my final year of obligation – July 2018 to June 2019.

I will do the best I can to attend the PC meetings, but that may not always be possible...I have eleven (11) months left of my term and hope to continue working for Whitewater Township if possible. I recognize that the Board needs to act keeping in mind what's best for the Township.....Denny

Dennis L. Habedank, Zoning Administrator
Whitewater Township
P.O. Box 159 – 5777 Vinton Road
Williamsburg MI 49690
(231) 267-5141 Ext 21
(231) 267-9020 (Fax)
(231) 534-4000 (Cell)
zoning@whitewatertownship.org
Monday – Thursday from 8:00 AM – 4:00 PM

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Ron Popp

From: S and K <skmangus@ymail.com>
Sent: Friday, July 27, 2018 6:14 PM
To: Ron Popp; Lloyd Lawson; Cheryl A. Goss; Ted Hooper; Eric Render; Dennis Habedank; Della Benak; Lois Maclean; Glenn Savage
Subject: Re: ZA absences

Supervisor Popp,

The PC is aware that our ZA is unable to attend our regularly scheduled meetings due to a previous commitment on that evening. Due to this circumstance, I have requested that Denny provide a short written statement for each item that we are evaluating prior to PC approval and TB evaluation. In this way we should be able to benefit from his insight and observations on our progress while also preventing any miscommunication that can unintentionally occur when information is transmitted person to person to PC. It is my hope that this process will further aid in a smoother amendment adoption process going forward.

Sincerely,
Kim Mangus

On Thursday, July 26, 2018 06:28:07 PM EDT, Ron Popp <supervisor@whitewatertownship.org> wrote:

Hi Kim,

Recently Denny has asked for Board input as to his attendance at PC meetings, and possibly a few ZBA meetings.

Do you have written thoughts you would like to share? You can voice your opinion too at 231-409-5059.

Thank you,

Ron Popp

Whitewater Township Supervisor

5777 Vinton Road, P.O. Box 159

Williamsburg, Michigan 49690

231.267.5141 X 23

supervisor@whitewatertownship.org

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC:
Date: 08-7-2018
Re: Rescheduling PC Regular Meetings -

Board Members,

As an update to the Planning Commission Meeting attendance issue with Zoning Administrator Habedank, Planning Commission Chairwoman Kim Mangus asked me to look into the possibility of moving the regularly scheduled meetings from the first Wednesday to the first Thursday of each month.

A move like this may effect some Township Policy, require additional meeting notices, and for some by-laws to be updated.

In the interim, Chairwoman Mangus has restated her request to have an opine from ZA Habedank on each of the PC agenda items.

I am interested in the Board thoughts.

Respectfully,



Ron Popp

Supervisor, Whitewater Township

Memo

To: Whitewater Township Board
From: Ron Popp
CC:
Date: 8-6-2018
Re: Abandoned Building Hearing Officer Appointment

Colleagues,

I am recommending:

Ryan Stibbs, 9675 Old M-72, Williamsburg, Michigan 49690 to the position of Abandon Building Hearing Officer for the Township of Whitewater, Grand Traverse County, Michigan. This recommendation is in accordance with Whitewater Township Abandoned Building Ordinance, General Ordinance #49 Section 5A. The term will end on December 31, 2019.

An appropriate motion might be:

A motion to confirm the recommendation of the Supervisor appointing Ryan Stibbs to a 2 year position as the Whitewater Township Abandoned Building Hearing Officer. The term will end on December 31, 2019.

(Voice Vote)

Ron Popp.



WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

APPLICATION FOR APPOINTMENT

Date of Application: 8/7/2018

Name: Stibbs Ryan W
Last First Middle Initial

Address: 9675 OLD M-72 City: Williamsburg Zip: 49690

Telephone: (Home) _____ (Cell) (231) 944-5679

E-Mail Address: stibbsacres@me.com

What Committees and/or Boards are you interested in?

Dangerous Building Officer (Select as many as you like)

Board of Review: _____ Park & Recreation Advisory Committee: _____

Planning Commission: _____ Zoning Board of Appeals: _____

Are you a Whitewater Township Resident? Yes No

Are you a Land Owner in Whitewater Township? Yes No

Are you a Qualified Elector of the Township? Yes No

As defined by the 1963 Michigan Constitution, as amended by the 26th Amendment of the U.S. Constitution

Please describe your interest in the selected committee/board and how you feel your expertise and contribution would benefit the group:

I Ryan Stibbs Feel by bringing my 15 plus years of building experience and 10 years as a michigan license builder and four years as an owner and operator of an electrical business, a well-rounded sense of building trades and the dangers they might create for the public.



WHITEWATER TOWNSHIP

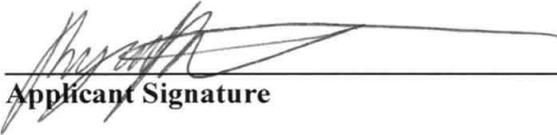
5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

Please provide any other information you wish to share.

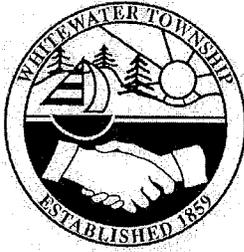
*I hope in possibly taking on this position
I may grow to know my community better and
its residence along with ~~using~~ finding ways
to help using my skill sets.*

Complete, sign, and return this application to:

Whitewater Township Supervisor
P.O. Box 159, 5777 Vinton Road,
Williamsburg MI 49690,
Fax 231-267-9020
Email: supervisor@whitewatertownship.org


Applicant Signature

8/7/2018
Date



WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

APPLICATION FOR APPOINTMENT

Date of Application: 8/8/18

Name: Hooper TEd M
Last First Middle Initial

Address: 6575 Cook Rd. City: Williamsburg Zip: 49690

Telephone: (Home) 313-267-5690 (Cell) 231-499-9896

E-Mail Address: ted.hooper@charter.net

What Committees and/or Boards are you interested in?

Abandoned Bldg Inspector (Select as many as you like)

Board of Review: _____ Park & Recreation Advisory Committee: _____

Planning Commission: _____ Zoning Board of Appeals: _____

Are you a Whitewater Township Resident? Yes No

Are you a Land Owner in Whitewater Township? Yes No

Are you a Qualified Elector of the Township? Yes No

As defined by the 1963 Michigan Constitution, as amended by the 26th Amendment of the U.S. Constitution

Please describe your interest in the selected committee/board and how you feel your expertise and contribution would benefit the group:

I started in construction in the roofing field in 1969
worked in construction field 69-83. Ran a successful
business 1983-1996 - (Hoops). Was a Logistics Mgr. & Supervisor
at the Vehicle Shop, Missdigs & Dielectric Testing for 7 years
at Whitford Assoc. I was a supervisor for Residential &
Commercial projects for 15 years. I carried a builders
license for 35 years.

I am retired & would be available to the Township
most any time except while on vacation.



WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

Please provide any other information you wish to share.

*Resident of Township for 43 Years. My Ancestors
go back to ^{my} grandparents on the Peninsula.
So I believe with my work history, Community
Consciousness & Family history in Grand Traverse Co.
I can bring Knowledge to this position.*

Complete, sign, and return this application to:

Whitewater Township Supervisor
P.O. Box 159, 5777 Vinton Road,
Williamsburg MI 49690,
Fax 231-267-9020

Email: supervisor@whitewatertownship.org

[Handwritten Signature]

Applicant Signature

8-8-18

Date

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC:
Date: 08-7-2018
Re: Final Disposition of Event Barn Discussion -

Board Members,

The following documents highlight a significant discussion about where and how the need to amend one of our zoning districts to allow Event Barns as a Special Use got started. Some accounts indicate recent inquiry while some indicate general discussion lead us to the proposed amendment before the Board. Reading the attached segments of our Zoning Ordinance Article 19, one might call into question if our own Planning Commission has the authority to recommend changes without a “petitioner”.

In correspondence we see a petition to amend, then a retraction of the petition. So what does the Board want to do with the proposed amendment allowing Event Barns in the Agricultural District?

Respectfully,



Ron Popp
Supervisor, Whitewater Township

Ron Popp

From: S and K <skmangus@ymail.com>
Sent: Tuesday, August 7, 2018 5:01 PM
To: Ron Popp; Zoning Administrator; Lloyd Lawson
Subject: PC

Ron,
I wanted to provide you with a short update on the August 1st PC meeting. The planning commission had a good bit of input from the public on the topic of event barns. The planning commission has not had an opportunity to review the attorneys comments. Given the Williams withdrawal of their request it would be helpful to have direction from the board on how they would like us to proceed on this matter.

There was also a discussion and 3 to 3 vote on approaching the board to propose a joint meeting to discuss planning commission policy, goals, and progress. It is still our intent to review articles in preparation for recodification while also addressing legal or reoccurring issues identified during our review.

We will be discussing the possibility of a PC survey at our next meeting to generate some additional input on a couple of potential tricky issues coming up in our review. Our immediate goal is completion and passing of Articles 6, 7, and 14 which have not yet returned from attorneys review.

Thanks,
Kim Mangus

Ron Popp

From: Zoning Administrator <zoning@whitewatertownship.org>
Sent: Wednesday, July 25, 2018 1:19 PM
To: Ron Popp
Subject: FW: Article 19 - Request for Amendment

Please review.....Denny

From: S and K [mailto:skmangus@ymail.com]
Sent: Wednesday, July 25, 2018 12:47 PM
To: Dennis Habedank
Subject: Re: Article 19 - Request for Amendment

Denny,

The topic Event Barns was proposed a while Chis was still the ZA. The owner's of the Cook/M72 property asked the PC if it might be a possibility in the future. Following some discussion the PC determined that the family could request a change under Article 19 or that we would be considering the topic when we reached our review of Article 10, the Ag district as it was on our list of topics to consider. It is my understanding that they chose the latter. It has never been the policy of our PC to "require" payment to consider a request from the public. Perhaps the "shall" in Article 19 needs to be converted to "may". This article has only been used when the member of the public would like prompt consideration of the matter.

As for the current consideration of Event Barns, I do not think that it is appropriate to change course at this time. The matter is under consideration currently. Going forward, you are current the ZA, you may guide the public through this process as you and the TB see fit. That said, I believe you may be on very thin ice if you try to make the case that the public "must" pay to request consideration of an issue by the PC.

Kim

On Tuesday, July 24, 2018 02:34:29 PM EDT, Zoning Administrator <zoning@whitewatertownship.org> wrote:

July 24, 2018

Kim:

With respect to our discussion last week regarding Article 19 and the issue of EVENT BARNS – I don't believe that the Planning Commission has the option of not using the amendment process as detailed in Article 19 of the Township Zoning Ordinance once they determine that a new use may be appropriate. Article 19 was created to provide a means for formally requesting changes or alterations to the Whitewater Township Zoning Ordinance.

19.11 PETITION

Any person proposing or recommending a change in the district regulations or district boundaries shall petition the Township Planning Commission for a consideration of said change per the following procedure: (A. through D.)

I don't want to quibble over the term formally, but at some time and place after all of the hard work goes into deliberations of the pros and cons of the amendment, the expenditures of township funds for public hearings and reviews by the township attorney it becomes formal. If your thoughts are that there has not been a formal request of the Township to amend the Zoning Ordinance and Article 19 doesn't apply in this case, then I would suggest that we stop all work on this amendment and close the books on EVENT BARNS; there is no sense of adopting an Ordinance and spending any further funds on a proposal that doesn't have a petitioner.

In my opinion, there is absolutely nothing wrong with the Planning Commission exploring requests for various uses, but when it becomes apparent that the PC is willing to take action with respect to amending the Ordinance, then the proposer should be directed to follow the steps outlined in Article 19 with a formal request and if at that point if the proposer is reluctant to file the petition, pay the fee and acknowledge responsibility for the costs of amending the Ordinance no further work should be done on the proposed amendment.

Discussions with Chris began in March 2017 and I wrongly assumed Article 19 had been discussed.....Denny

Dennis L. Habedank, Zoning Administrator

Whitewater Township

P.O. Box 159 – 5777 Vinton Road

Williamsburg MI 49690

(231) 267-5141 Ext 21

(231) 267-9020 (Fax)

(231) 534-4000 (Cell)

zoning@whitewatertownship.org

Monday – Thursday from 8:00 AM – 4:00 PM

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To: Whitewater Township Board

From: Cheryl A. Goss, Clerk

Date: 08/10/2018

Re: **Approval of Wages for New Park Ranger – Robert Daniels**

Robert Daniels is a 2018 graduate of Kalkaska High School who graduated at the top of his class of 107 students. We came to know about Robert because Park Ranger Peggy Quast knows his mother, and he recently applied for employment. Robert is very knowledgeable when it comes to the safe operation of power tools and he loves to work outside. It sounds like he has spent a lot of time working with his father, who has trained him well. At his young age, he is also a member of the Kalkaska Public Transit Authority Board of Directors. Robert definitely has leadership skills! His employment with the park will be short this summer as he is headed to the University of Michigan in late August to pursue a pre-medical education, but he hopes to return next year for the whole summer.

I have found Robert to be a very polite, respectful, and punctual individual who will be a great employee for the park.

Accordingly, I would ask the board to approve starting park ranger wages of \$11 per hour for Robert Daniels.

An appropriate motion would be: **Motion to approve \$11 per hour starting park ranger wage for Robert Daniels.**

This should be a roll call vote.

###