Approved 08/09/2022 - CG

Whitewater Township Board
Minutes of Regular Meeting held July 12, 2022

Call to Order/Pledge of Allegiance
Supervisor Popp called the meeting to order at 9:01 a.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance.

Roll Call of Board Members
Board Members present in person: Popp, Goss, Glenn, Vollmuth
Board Members absent: Benak
Others present in person: 10
Others present via Zoom: 9

Set/Adjust Meeting Agenda
Goss: Remove unfinished business #3 and new business #3, #4 and #5.

Popp: Move PC appointment to the report section.

There was consensus to agenda revisions.

Declaration of Conflict of Interest
None

Public Comment
Public comment began at 9:05 a.m.

Linda Slopsema, 9693 Miami Beach, commented on the boat launch project.
Vicky Beam, 6847 Baggs Road, commented on the moratorium and PC appointment.
No name given commented on a moratorium, expand industrial area.
Karin Boyd reminded the board to work with the people.

Public comment ended at 9:16 a.m.

Public Hearing
None

Reports/Presentations/Announcements/Comments (9:16 a.m.)
County Commissioner Report
- Not available

Fire Department Report
Brandon Flynn gave the following report:
- Many calls, wild fires, very dry season. 70 calls right now; last year around 35 or 38
- Air truck ready to go in for compressor work.
- Working with two new applicants, one resident, one non-resident, one trained, one not.

Planning Commission Appointment
Question and answer with board members and Steelman regarding experience and interest.

Motion by Popp to confirm the recommendation of the supervisor appointing Rachel Steelman to a vacant partial 3-year term position on the Whitewater Township Planning Commission. The term shall end December 31, 2022; second by Goss.

Discussion: Goss recommends the appointment be extended past December 2022.

Roll call vote: Vollmuth-no; Benak-n/a; Popp-yes; Glenn-yes; Goss-yes. Motion carried.

Planning Commission Report
The township board representative to the planning commission position is currently vacant.

Mangus via Zoom: Public hearings were completed; the PC did not get through discussion and changes. Zoning ordinance adoption process presented to the PC and available for the board.

Parks & Recreation Advisory Committee Report
Cheryl Goss gave the following report:

- Committee met last night; 3 members present.
- HPP dugouts: sealed drawing and commercial plan review application received yesterday, will be submitted to Construction Code this week.
- WTP playground inspection was discussed.
- Regarding BCNA/Lossie Road tree removal, committee asked Goss to inquire about status of the project.
- Regarding Lossie Trail wetlands/bridge improvements, Melton is seeking a recommendation from Grand Traverse Conservation District about potential fixes.
- Hi Pray Park playground inspection requested.
- Re: BCNA/LRNT signage, Melton will ask Largent how their tree removal work might affect signage and trails if anything gets moved.
- Lot of discussion about grant opportunities, as well as a motion asking board to review Capital Improvement Schedule in relation to Parks & Recreation Survey 2020, with a request for the board to give the committee their top five priorities for the PRAC to work on.

Vollmuth questioned the lack of a packet for the PRAC meeting.

Goss indicated that the topic was discussed at the meeting and they will be including a packet that will be posted on the website.

Popp will bring the item up as an agenda item on a future board meeting.

ESLA – Boat Wash Information – Presentation
Bob Campbell, President of Elk/Skegemog Lake Association, introduced Samantha Ogle.
Ogle did a boat wash slideshow presentation.
Staffing the boat wash is a good idea. Most launches do not staff and still find most people do it.

Hot water is the most effective way to decontaminate.
Invasive species are cyclical. "Not MI Species" is a webinar available online.

Consent Calendar (10:10 a.m.)

Receive and File

1. Supervisor's Report for June 2022
2. Clerk/Parks & Recreation Administrator's Report for June 2022 *(not available)*
3. Treasurer Report *(not available)*
4. Trustee Vollmuth's June 2022 Report
5. Trustee Glenn's June 2022 Report
6. Zoning Administrator's Report for June 2022
7. Mobile Medical Response May 2022 Activity Report *(not available)*
8. Fire Department June 2022 Monthly Report
9. Planning Commission Report *(not available)*
10. Historical Society Report *(not available)*
11. Approved 05/09/2022 Parks & Recreation Advisory Committee Minutes

Correspondence

1. Supervisor Popp – Park & Recreation interviews
2. Beam – Town Hall Meeting
3. Recycle Smart – Household Hazardous Waste Sign Up
4. Supervisor Popp – Bills for Approval
5. Public Notice – Church Street
6. McElwee – Moratorium
7. Mangus – ZO Records
8. Supervisor Popp – Park & Recreation
9. Slopsema – ZO Amendment Error
10. Mangus – ZO Request to legal
11. Clerk Goss – Board Packets

Minutes

1. Review/Approve 06/14/2022 regular meeting minutes
2. Review/Approve 06/15/2022 special meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 47887 through 47995

Budget Amendments (none)

Revenue & Expenditure Report (none)

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

Discussion: Payroll information is available in the clerk's office. Vollmuth requesting an end of year report. Glenn looking for an operating expense, revenue expenditure report and cash balances as of the March 2022 and quarterly April, May, June.

Clerk will get the reports out as soon as possible.
Discussion ensued regarding PC requested zoning ordinance documents.
Clerk will provide the requested documents as soon as possible.
Goss noted the MMR report was not in packet.
Popp questioned May 9 PRAC minutes.
Popp questioned June 14 and June 15 minutes regarding PRAC.
Vollmuth presented Ordinance 48 and recommended rewriting the ordinance and reviewing by-laws in the future.

Roll call vote: Goss-yes; Vollmuth-yes; Glenn-yes; Popp-no; Benak-n/a. Motion carried.

Unfinished Business

ANNUAL FINANCIAL AUDIT PROPOSALS – BAIRD / TOBIN

Motion by Popp to approve the expenditure of up to $10,500.00 for the fiscal year ending March 31, 2022 audit and creation of the F-65 (MI 2) Report Form and to authorize the supervisor to sign Baird, Cotter, & Bishop, P.C. proposal dated June 22, 2022; second by Vollmuth.

Discussion ensued regarding selecting auditors. Goss notes that the auditor selection should be done through an RFP/open bidding process and not during the auditing season. Transparency and unbudgeted cost are issues.

Glenn is in favor of changing auditors.

Vollmuth is in favor of changing.

Roll call vote: Benak-n/a; Glenn-yes; Goss-no; Vollmuth-yes; Popp-yes. Motion carried.

Goss will contact the auditor to schedule the audit.

HI PRAY PARK – PROPOSED CLOSURE OF PLAYGROUND DUE TO SAFETY CONCERNS

Motion by Glenn instructing the Park and Recreation Administrator to immediately close the playground area to public use at the Hi Pray Park due to ongoing equipment safety deficiencies and install signage as to that effect; second by Vollmuth.

Discussion ensued regarding signage and method of closing.

Roll call vote: Popp-yes; Goss-no; Vollmuth-yes; Benak n/a; Glenn-yes. Motion carried.

BOAT LAUNCH / ENTRYWAY IMPROVEMENT PROJECT – FINAL PLANS & PROJECT MANUAL

Removed under Set/Adjust Agenda.

New Business (11:10 a.m.)
ELECTION INSPECTOR WAGES
Motion by Goss to approve election inspector wages of $16/hour for new election inspectors as listed; second by Glenn.

Goss added an additional inspector name.

Glenn seconded the updated list.

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

PLANNING COMMISSION APPOINTMENT
Moved to Reports/Presentations.

PLANNING COMMISSION PROPOSED ZONING ORDINANCE AMENDMENT #83
Removed under Set/Adjust Agenda.

PLANNING COMMISSION PROPOSED ZONING ORDINANCE AMENDMENT #84
Removed under Set/Adjust Agenda.

PLANNING COMMISSION PROPOSED ZONING ORDINANCE AMENDMENT #85
Removed under Set/Adjust Agenda.

PARK AND RECREATION SUCCESSION PLAN – JOB DESCRIPTION, ADVERTISE, REQUEST TO PRAC
Motion by Popp to place the Deputy Park and Recreation Administrator Job Description as amended on the website; second by Vollmuth.

Discussion and consensus regarding job description.

Roll call vote: Benak-n/a; Vollmuth-yes; Popp-yes; Glenn-yes; Goss-yes. Motion carried.

Motion by Popp to place advertisement for Deputy Park and Recreation Administrator job description in two local newspapers, over two consecutive weekends beginning June 17, 2022; second by Vollmuth.

The ad will be placed by July 22, 2022.

Roll call vote: Popp-yes; Benak-n/a; Vollmuth-yes; Goss-yes; Glenn-yes. Motion carried.

Motion by Popp to authorize supervisor to create a Whitewater Township account on the Pure Michigan Talent Connect Website and post this job opening to that site; second by Vollmuth.

Discussion ensued regarding needed information.

Roll call vote: Vollmuth-yes; Goss-yes; Glenn-yes; Benak-n/a; Popp-yes. Motion carried.

Motion by Popp to approve supervisor memo dated 6.2.2022 to the Park and Recreation Advisory Committee asking the group to take an active advisory role in the Whitewater Township Camping Park; second by Vollmuth.

Discussion ensued regarding PRAC.

Popp will deliver the memo personally.

Roll call vote: Goss-no; Glenn-yes; Benak-n/a; Popp-yes; Vollmuth-yes. Motion carried.

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

At 12:32 p.m., the meeting reconvened.

REVIEW / DISCUSSS MARCH 11, 2022 PLANNING COMMISSION REPORT
Motion by Glenn to approve that recommendations as detailed in Supervisor Ron Popp's June 3, 2022, report and corrective action plan concluding the investigation of the March 11, 2022, Planning Commission meeting can be used to develop a corrective action plan implemented at the board's pleasure; second by Vollmuth.

Discussion ensued regarding timetable and access to records.

Popp will put the recommendations together and bring it back for prioritization.

Roll call: Glenn-yes; Popp-yes; Goss-yes; Vollmuth-yes; Benak-n/a. Motion carried.

WHITEWATER TOWNSHIP PARK PLAYGROUND INSPECTION
Motion by Popp to request that the Parks Administrator in collaboration with the Parks & Recreation Advisory Committee implement the solutions listed above in #1 through #5 no later than September 15, 2022, at a cost not to exceed $2,000; second by Vollmuth.

Discussion followed.

Roll call vote: Vollmuth-yes; Benak-n/a; Popp-yes; Glenn-yes; Goss-yes. Motion carried.

BRINE APPLICATION
Discussion ensued regarding traffic counts and populations. Use this information for reference. Consensus is that it is not an affordable option.

ROLAND OOSTERHOUSE REQUEST – TREE REMOVAL LOSSIE ROAD TRAIL
Discussion regarding the easement. Board would like more information to make a decision.

REVIEW / MODIFY / APPROVE TOWNSHIP ROAD MAP
Discussion regarding the PASER rating map and the road commission funding allotments to the township.

There was consensus to request a 24x36 color copy of the PASER map from the road commission.

Popp will send an e-mail to request the purchase of a frame.

LEGAL REVIEW PROCESS – DOCUMENTS
Discussion ensued. Point person at the attorney's office and at the township; timeline; file format. MSU checklist #4 is the process of amending and adoption of ordinances adopted by the board September 8, 2020. Need revision dates, redline documents, page numbers, document titles/file naming.

Board consensus to contact legal and get their input to incorporate.

PARK ROAD
Discussion ensued regarding road emulsion. Glenn will further investigate and connect with Eric Sanborn.

WEBSITE UPDATE MEETING CANCELLATIONS
Motion by Popp to have the clerk's office regularly update the website calendar for any posted meeting cancellation that occurs providing at least 18 hours of such cancellation to the public; second by Vollmuth.

Discussion ensued regarding posting notice on the door. ZBA meeting postings can be changed so they are posted only when there are meetings scheduled.

Popp amended the motion to replace "clerk's office" with "township board" and to replace "18 hours" with "24 hours"; second by Vollmuth.

Roll call vote: Goss-yes; Vollmuth-yes; Glenn-yes; Popp-yes; Benak n/a. Motion carried.

TOWN HALL MEETING
Discussion ensued regarding various town hall meeting style options. ARPA is a topic that can be addressed or any specific topic. Could be a variety of topics, let the public decide. Free flow just to get people to share, let the dialog ebb and flow with a moderator. A meeting for public involvement / input on the master plan review including the PC. Schedule something before mid-October, before the end of October.

Popp will check on the availability in September at the school, possibly at the Hi Pray pavilion or rent a tent; Thursday, September 22, tentative date.

CAPITAL EXPENDITURE – COMPUTER EQUIPMENT
Motion by Glenn authorizing the clerk to purchase one Epson WF7820 all in one printer scanner for the supervisor's office not to exceed $350.00 from account 101-901-970 capital expense; second by Vollmuth.

Per Glenn, "clerk" will be changed to "supervisor"; agreement by Vollmuth.

Roll call vote: Benak-n/a; Glenn-yes; Goss-yes; Vollmuth-yes; Popp-yes. Motion carried.

Motion by Glenn authorizing the supervisor to purchase one replacement ink cartridge set for above printer scanner not to exceed $100.00 from account 101-171-727; second by Vollmuth.

Roll call vote: Popp-yes; Goss-yes; Vollmuth-yes; Benak-n/a; Glenn-yes. Motion carried.

Motion by Popp authorizing the supervisor to purchase three (3) new laptops, related software and device setup for the planning commission seat vacated by Dean, Trustee Don Glenn, and Trustee Heidi Vollmuth not to exceed $6,000.00 from account 101-901-970 capital expense; second by Vollmuth

Discussion ensued regarding who wants computers.

Roll call vote: Glenn-yes; Popp-yes; Benak-n/a; Goss-yes; Vollmuth-yes. Motion carried.

JOB DESCRIPTION / DISCUSSION MATRIX – PLANNING CONSULTANT
Discussion regarding the job description for a planning consultant/independent contractor. Could be a checklist, put out an ad for the job.

Vollmuth and Glenn spoke with Randy Mielnik who appears to have an excellent process. Mielnik would first address the master plan. Conflict of interest and ethics. Glenn and Vollmuth feel Mielnik would handle any conflict of interest appropriately. Glenn and Vollmuth would like to move forward in hiring Mielnik, solicit an agreement to address the master plan. What is the scope of work he is being asked to do? At this point it would be the master plan review and possibly a future second proposal for ongoing assistance as requested.

Popp will give up on the job description/decision matrix and give up on creating an ad and reach out to Mielnik regarding a bid.

There was board consensus for Popp to proceed as stated.

MORATORIUM – SITE PLAN REVIEW ETC.
Motion by Popp to place a moratorium on all Site Plan Reviews, Site Condominium, Planned Unit Development, Special Use Permits, Plat Approvals, and Condominium Conversions in Whitewater Township until January 1, 2023; second by Vollmuth.

Discussion ensued indicating this is a motion to shut down this township for six months. Goss noted that a moratorium takes away people's property rights. Where does the board get the authority to place a moratorium?

Popp notes that the zoning administrator and the legal team had previously requested the moratorium.

Goss asks what problems need to be addressed? SPR and SUP would need to be the number one priority of the PC.

Glenn notes that this has been being discussed at least since December 2021. The process is necessary and it should be lifted sooner than six months.

Vollmuth asks how long does it take to schedule a special meeting (18 hours?). A moratorium can be lifted at any time.

Popp noted we have not been applying pressure on the PC and now we are. We have a deadline.

Popp restated the motion to place an immediate moratorium; Vollmuth agreed to the change.

Popp again amended the motion to say ". . . Whitewater Township, effective immediately, until . . ."; Vollmuth agreed to the change.

Roll call vote: Benak-n/a; Vollmuth-yes; Popp-yes; Glenn-yes; Goss-no. Motion carried.

Tabled Items (3:37 p.m.)
None

Board Comments/Discussion
July 19, 2022 at 6:00 p.m. is the date for the closed session with the planning commission and the township board with the attorneys regarding the status conference on litigation.

Announcements
Next regular meeting August 9, 2022 at 9:00 a.m.
Closed session special meeting July 19, 2022 at 6:00 p.m.

Public Comment
Public comment began at 3:40 p.m.

Kim Mangus, 5101 Brown Bear, commented that the PC has begun work to get a Word document of the zoning ordinance. Looking to get something from the clerk so it can be edited.

Brian commented on meeting cancellations, Acme Township zoning changes, audit costs and web posting.

Terese Hooper commented that she is tired of the hypocrisy of a board member.

Heidi Vollmuth commented on private citizen rights, farming products, farming benefits, stealing the vote.

Vicki Beam commented on the moratorium, development, playground closure, insurance

agent, auditor, professional guidance, getting the house in order.

Connie Hymore commented on the disconnects in the boards and commissions, town hall meeting, ordinances being quoted, conflict of interest, public perception, PC chair conflict of interest.

Tom McElwee commented on the traffic of Lakeside Trail and Baggs Road, Lossie Road Trail, moratorium, town hall meeting before October 1.

Karin Boyd commented on misinformation, town hall meeting, moratorium, zoom recording, auditor, cost of pot, set and follow rules, lawsuits.

Lois MacLean commented on the moratorium, Grand Traverse Road Commission road assessment millage.

Public comment ended at 4:07 p.m.

Adjournment

Motion by Vollmuth to adjourn; second by Glenn. Roll call vote: Popp-yes; Benak-n/a; Vollmuth-yes; Goss-yes; Glenn-yes. Meeting adjourned at 4:08 p.m.

Respectfully submitted,
Lois MacLean
Recording Secretary