

**Whitewater Township Board
Minutes of Regular Meeting held November 15, 2022**

Call to Order/Pledge of Allegiance

Supervisor Popp called the meeting to order at 9:00 a.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance.

Roll Call of Board Members

Board Members present in person: Clerk Goss, Treasurer Benak, Popp, Trustee Glenn

Board Members absent: Trustee Vollmuth

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

Others present via Zoom: 5

Set/Adjust Meeting Agenda

Goss requested that update on moratorium be added.

Added as Unfinished Business #7.

Benak reported she will be leaving at 1:30 p.m. due to a treasurer's meeting at 2:00.

Bills for Approval 11/09/2022 was added as New Business #5.

Declaration of Conflict of Interest

None

Public Comment

Public comment began at 9:04 a.m.

Connie Hymore

Vicki Beam

Public comment ended at 9:09 a.m.

Public Hearing – Proposed Ordinance No. 63 – Parking Ordinance

The public hearing was opened at 9:10 a.m. A sign-in sheet was provided.

Legal notice was published in the Traverse City Record-Eagle on 10/30/2022 and posted at the township hall at least 15 days in advance of the public hearing.

No written comments were received.

Public comment:

Tom McElwee spoke in support of the proposed ordinance.

The public hearing was closed at 9:15 a.m.

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

Darryl Nelson gave the following report:

- Thanked all the clerks and people who worked on the 11/8 election.
- Reported the township's L-4029 was approved yesterday.
- Got 105 ARPA applications totaling approximately \$77 million; they have \$18 million to distribute. Whitewater Township has \$650,000 in requests. Other requests are more region-wide.
- Regarding mental health services in the jail, a local contractor put in a bid. They went with that company. Mental health and healthcare services in the jail have improved significantly. They have now decided to go with a separate organization. A \$400,000 mistake is not the county's mistake.
- He will probably be following up with ARPA requests from Whitewater. Consultant is categorizing them now. Board of Commissioners will see all of them.

Questions were directed to Nelson.

Fire Department Report

Brandon Flynn gave the following report:

- 11 calls in October, large call volume.
- Had the Halloween Party, which was a great success. Thanked WESA. Noted it was probably one of the most attended Halloween parties he has been to.
- MIOSHA Part 74 was rewritten; they have to fill out for each individual employee. Local medical control has done the same thing. He is busy putting all of that information together.
- Finished an inspection at Turtle Creek Hotel.
- Looking forward to wrapping up this year and getting started on another new year.
- Snowmobile bids are due 11/18, public bid opening at 12:15 that day.

Planning Commission Report

Heidi Vollmuth is not present.

Parks & Recreation Advisory Committee Report

Cheryl Goss gave the following report:

- Committee met last night; all five members were present.
- Minutes of their 10/10 meeting were approved.
- Michigan Township Participating Plan risk reduction grant information was provided to the committee.
- Regarding the Hi Pray Park dugouts, the dugouts passed inspection on 10/3. Leftover diamond dust will be spread on the field in the spring when annual field maintenance is completed. The committee would like to request that the cost of adding diamond dust to both fields be placed in the next fiscal year budget.
- Regarding the Whitewater Township Park playground, the committee was updated that all repair items have been completed.

- Regarding BCNA/Lossie Trail Cleanup, the committee asked Goss to inquire of Popp whether an estimate has been sought from Steve Largent for the unfinished trail cleanup. If this work is not to be completed in this fiscal year, a cost figure will be needed for the next fiscal year budget purposes.
- Regarding Lossie Trail Wetland Improvements, Melton's walk-through with the EGLE representative remains unscheduled.
- Regarding Hi Pray Park playground, Melton reported the 3-foot extension and border have been completed. Decals and clevises have been received. The post-mounted signs are ready to be picked up. One or more PRAC members will get these items installed. Melton will call the playground inspector to schedule re-inspections of both playgrounds.
- Regarding BCNA/Lossie Trail signage, temporary trail maps will be laminated and installed at the kiosks. Permanent signage will await completion of the BCNA trail cleanup.
- Regarding PRAC meeting dates, that item is on the board's 11/15 agenda.
- Regarding GT County ARPA grants, two grant applications were submitted on 10/28, one for a loop trail at BCNA, one for wetlands improvements on Lossie Trail.
- Spark grants and various suggested projects were discussed.

Benak asked that the issue of the remaining cleanup at BCNA be brought back at a later date.

Consent Calendar

Receive and File

1. Supervisor's Report for October 2022
2. Clerk's Report for October 2022 (none this month)
3. Treasurer's Report October 2022
4. Trustee Vollmuth's October 2022 Report
5. Trustee Glenn's October 2022 Report
6. Zoning Administrator's Report for October 2022
7. Mobile Medical Response September 2022 Activity Report
8. Fire Department October 2022 Report
9. Planning Commission October 2022 Report (part of trustee report)
10. Historical Society September/October 2022 Report
11. Approved 06/01/2022 Planning Commission Minutes
12. Approved 07/06/2022 Planning Commission Minutes
13. Approved 07/19/2022 Planning Commission Minutes
14. Approved 08/03/2022 Planning Commission Minutes
15. Approved 09/07/2022 Planning Commission Minutes

Correspondence

1. DNR Roads
2. Sheriff September Report
3. ARPA Support Letter Down by the Creek
4. ARPA Support Letter ACTS

Minutes

1. Draft 10/11/2022 Whitewater Township Board Minutes

2. Draft 10/17/2022 Whitewater Township Board Minutes
3. Draft 10/24/2022 Whitewater Township Board Minutes

Bills for Approval

1. ~~No documents provided by the Clerk's office in time for publishing.~~ Alden State Bank voucher #s 48384 through 48528.

Budget Amendments - No documents provided by the clerk's office in time for publishing.

Revenue & Expenditure Report – No documents provided by the clerk's office in time for publishing.

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

Proposed correction by Glenn to 10/17 minutes (page 4008): Strike “bring it back in November” and insert “send the revised language to the clerk's office for review and approval.”

Proposed correction by Popp to 10/11 meeting minutes (page 4001): Remove the strikeouts and remove the added language that is not a knockout.

Goss replied with statutory requirement for minutes and policy requirement for bills.

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

Unfinished Business

FINAL APPROVAL OOSTERHOUSE LETTER

Motion by Popp to approve Fahey Schultz Burzych Rhodes letter to send by certified return receipt requested dated October 21, 2022 to Roland Oosterhouse; second by Glenn.

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

PROPOSED ZONING ORDINANCE 83

Motion by Goss to send proposed Zoning Ordinance Amendment 83 back to the planning commission for additional work; second by Popp.

There was board consensus that each board member will submit their questions for the December packet and this agenda item will be brought back in December.

The motion and second were rescinded.

PROPOSED WWT POLICY & PROCEDURE MANUAL SECTION 4.5 AMENDMENT

This item will be on the December agenda.

WHITEWATER TOWNSHIP PARK BOAT LAUNCH-ENTRYWAY IMPROVEMENT PROJECT

New documents from Fleis & VandenBrink were received after the board packet was put out.

Motion by Popp to send the professional services agreement signed 12/16/2019 to legal for termination.

The motion was not seconded or voted on.

There was board consensus that this agenda item, including the termination letter, will be moved to the December agenda.

BROADBAND FOLLOWUP DISCUSSION

Motion by Popp to discuss the proposed findings of fact; second by Glenn.

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

Benak will use the assessing program to map out the roads highlighted in pink (on exhibit A) not served by other funds and will ask Dawn (assessor) to assist.

Needs from vendors include a map showing each vendor's commitment in the township, global commitment for Whitewater Township by 186, timeline for our monies' phase, and reporting. What they supply needs to align with the reporting that the township has to do.

Benak will go online and see what they are asking for specifically.

There was consensus Popp will send the requested information out to each vendor.

This agenda item will be brought back in January. Popp noted whatever he sends out to the vendor will be sent to all board members.

Popp will update the findings of fact to remove the prevailing wage section.

APPROVAL OF PROPOSED GENERAL ORDINANCE NO. 63 PARKING

Motion by Popp to approve proposed General Ordinance No. 63 Parking Ordinance as written; second by Goss.

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

Motion by Popp requesting the supervisor to make and distribute hard copies of General Ordinance No. 63 to board, PC, and ZBA members, and to provide Word document of the same to the clerk's office for filing; second by Glenn.

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

Motion by Popp appointing Don Glenn to verify General Ordinance 63, Parking Ordinance, has been fully processed according to motion two; second by Glenn.

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

Motion by Popp adopting Resolution 22-18 as presented in this packet; second by Glenn.

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

UPDATE ON MORATORIUM (added)

In response to Goss's question asking what has to happen for the moratorium to be lifted, Popp and Glenn said they have not directed the PC in any way with respect to the moratorium.

Goss noted the PC chair's statement on 09/13/2022 asking what the PC should be working on for the moratorium.

At about 12:20 p.m., the meeting recessed.

At about 12:30 p.m., the meeting reconvened.

New Business

PC REQUEST FOR ORDINANCE UPDATE

Motion by Popp requesting planning commission to submit a redline/clean copy of entire Article 25 as amended for board approval and filing in the clerk's office; second by Glenn.

Popp amended the motion to requesting planning commission to submit a redline/clean copy of entire Article 25 as amended for board approval; second by Glen.

Popp reported all articles in Word format that were on the zoning computer have been forwarded to the planning commission and the amendment exists in Word.

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

Motion by Popp requesting the supervisor to make and distribute hard copies of Article 25 of the Whitewater Township Zoning Ordinance to board, PC, and ZBA members and to update the website version of the zoning ordinance; second by Glenn.

Glenn suggested to amend the motion: "to board, PC chair, and ZBA chair for their distribution to their respective members."

Popp agreed to the amendment; re-second by Glenn.

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

Motion by Popp appointing Don Glenn to verify Amendment No. 84 has been fully processed according to motion two; second by Glenn.

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

PRAC REQUEST FOR DATE CHANGE

Motion by Popp requesting PRAC to submit a redline/clean copy of the documents detailed above for board approval and filing in the clerk's office; second by Glenn.

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

Motion by Glenn requesting the supervisor to make and distribute hard copies of documents detailed above for distribution to the board, PC chair, PRAC chair, and ZBA chair for their distribution to their respective members and to update the website home page and calendar; second by Popp.

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

Motion by Popp appointing Heidi Vollmuth to verify PRAC's request for meeting date change has been fully processed according to the above; second by Glenn.

Popp will send a letter of completion of what he sent when and where.

Motion amended to delete Heidi Vollmuth and insert Don Glenn.

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

SHORT TERM RENTAL STATEMENT

Motion by Popp to have the clerk place the following statement on the Whitewater Township website home page. "Short-term rental of a residential dwelling for a period of less than 30 days is not currently allowed in Whitewater Township. Although not allowed within a residential dwelling, short-term rentals may be permitted in certain zoning districts as bed and breakfasts, hotels and motels, campgrounds and other similar uses." and to have the supervisor create a written document to the board verifying the completion date of this task; second by Glenn.

Glenn amended the motion to have the clerk place the following statement on home page, zoning administrator page.

The motion and second were withdrawn.

Motion by Glenn to have the clerk place the following statement on the Whitewater Township

website home page and zoning administrator page, "Short-term rental of a residential dwelling for a period of less than 30 days is not currently allowed in Whitewater Township. Although not allowed within a residential dwelling, short-term rentals may be permitted in certain zoning districts as bed and breakfasts, hotels and motels, campgrounds and other similar uses." and to have the supervisor create a written document to the board verifying the completion date of this task; second by Popp.

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

PACKET DEADLINE RECOMMENDATION TO PLANNING COMMISSION

Motion by Popp requesting planning commission to consider/adopt a packet distribution deadline of 10 days before the next meeting consistent with the redline/clean copy bylaws attached; second by Glenn.

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

BILLS FOR APPROVAL 11/09/2022 (added)

Motion by Popp to accept Bills for Approval dated 11/09/2022 as presented; second by Benak.

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

Tabled Items

None

Board Comments/Discussion

Goss brought to the board's attention budgeted transfers (9/6 memo) and budget amendments (10/6 memo) which have not been addressed, as well as the Baird invoice. Goss will re-send both memos.

Benak noted the newsletter deadline is 11/21.

Announcements

1. 11/17/2022 special meeting at 9:00 a.m.
2. 11/30/2022 special meeting at 9:00 a.m.
3. 12/13/2022 regular meeting at 9:00 a.m.

Public Comment

Public comment began at 1:33 p.m.

Connie Hymore

Benak left the meeting at 1:35 p.m.

Vicki Beam
Lois MacLean

Public comment ended at 1:41 p.m.

Adjournment

Motion by Popp to adjourn; second by Glenn. Roll call vote: Popp, yes; Benak, absent; Vollmuth, absent; Goss, yes; Glenn, yes. Meeting adjourned at 1:42 p.m.

Cheryl A. Goss
Whitewater Township Clerk