

**FRUITLAND TOWNSHIP
REGULAR MEETING
JULY 19, 2021 MINUTES**

PRESENT – Trustee Jeske, Treasurer Pachman, Supervisor Marcinkowski, Clerk Fagan, Trustee Holman, Trustee Graham, Trustee Lundell

ALSO PRESENT – (7) Seven interested parties

CALL TO ORDER - Supervisor Marcinkowski called the July 19, 2021 Regular Meeting to order at 6:00 PM and led the pledge of allegiance.

AGENDA - Motion by Trustee Jeske, second by Trustee Holman, **ADOPTED**, to accept the amended July 19, 2021 Regular Township Board Meeting Agenda.
Upon Voice Vote: 7 AYES – motion carried

PUBLIC COMMENT –

1. Carlet Mitenbuler, 4623 Nestrom Rd – Questioned the need to add a budget amendment for the Parks & Recreation Commission regarding the purchase of a new flag and solar light for the flag pole.
2. Terrie Hampel, 6271 Duck Lake Rd – Shared information about the Friends of Fruitland Trails. Offered to help the Parks and Recreation Commission with their Master Plan and expressed the importance of getting the Master Plan done on time so that grants can be applied for. Also announced a trail walkabout for the Duck Creek Natural Area on August 11, 2021 at 6pm. Then provided information about the Friends of District 8 and a town-hall style meeting that will be held at the Township Hall on July 26th at 6pm.

ANNOUNCEMENTS/COMMUNICATIONS –

- a. **Gypsy Moth Caterpillar Information Campaign** – Supervisor Marcinkowski shared that he attended a county wide meeting at Dalton Twp July 14th and that Muskegon County is planning to coordinate with municipalities for 2022. There will be ongoing communication.
- b. **White Lake Dr. road end** – Supervisor Marcinkowski shared that there is a meeting on August 5, 2021 at 10AM at the Township Hall with Ken Hulka, Mike Donahue, Tim DeMumbrum, Sue Bowen, Joyce and LD Walker, Gary Kittridge to discuss ownership of the White Lake Drive road end and whether improvements by the township are an option we want to pursue.
- c. **Reeths-Puffer STATS** – Supervisor Marcinkowski met with two women from Reeths-Puffer’s STATS (Straight Talk About Tough Stuff) group. They would like to explore a partnership with the township.

- d. **Senior Millage Grant** – Clerk Fagan reported that we did receive our allocation for the Senior Millage Grant for 2021 and the voucher program will be rolled out in the next 2 weeks.

CONSENT AGENDA

- a. **June 2021 Treasurer reports; Revenues (101) General Fund 174,057.23; Expenditures: (101) General Fund 189,546.89; (130) Public Works 350.49**
- b. **June 2021 Clerk reports – Check disbursements; budget amendments**
- c. **Minutes - June 14, 2021 Work Session and June 21, 2021 Regular Board Meeting**
- d. **June PINS Report**
- e. **Planning Commission – Public Hearings**
 - i. **Special Land Use Permit – Scott and Tara DeMarr – portion of stables to kennels**
 - ii. **Amend Article II, Definitions, Section 2.04, Definitions – C**
 - iii. **Add Article II, Definitions, Section 2.18, Definitions – R**
 - iv. **Amend Article III, General Provisions, Section 3.29, Outdoor Storage in Residential Districts**
 - v. **Amend Article Via, Lake Michigan Shoreline District, Section 6.04a, Site Development Standards, 1.a)**
 - vi. **Amend Article VIIIa, Inland Lakes District, Section 8.02, Site Development Standards 11.**
 - vii. **Amend Article XIV, Special Land Uses, Section 14.04 Special Land Use Specific Requirements, LL. Historic Resorts, 2.**
- f. **Ordinance Enforcement update – report from Toby Frederickson**
- g. **Zoning report – from Val Jensen**
- h. **Installation of Library lockers on the exterior front of the hall.**

Motion by Clerk Fagan, second by Trustee Holman, **ADOPTED**, to approve the Consent Agenda as presented.

Roll Call Vote: Trustee Holman **AYE**, Trustee Lundell **AYE**, Trustee Graham, **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE** – **motion carried**

UNFINISHED BUSINESS –

- a. **Road Signage for Duck Creek Natural Area – review 2 sign options**

Motion by Trustee Jeske, second by Clerk Fagan, **ADOPTED**, to approve sign option number one with the changes discussed by the board.

Upon Voice Vote: **7 AYES – motion carried**

- b. **Technology – phone system and website** – Clerk Fagan reported that she has not received any communication from Google Voice or Fuze after contacting them for

information about their systems. She asked that the Board vote on the phone system and move the process along.

Motion by Trustee Jeske, second by Treasurer Pachman, **ADOPTED**, to approve the quote from Zoom as the new Township Hall phone system in the amount of \$545.92 per month and authorize the Clerk to move forward with the process.

Roll Call Vote: Trustee Holman **AYE**, Trustee Lundell **AYE**, Trustee Graham, **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE** – **motion carried**

Motion by Trustee Jeske, second by Trustee Graham, **ADOPTED**, to approve the website proposal from Schumaker Group Technology and authorize the Clerk to move forward with the process for a new website design.

Roll Call Vote: Trustee Holman **AYE**, Trustee Lundell **NAY**, Trustee Graham, **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE** – **motion carried**

Motion by Trustee Lundell, second by Trustee Jeske, **ADOPTED**, to move forward with the Platinum Option offered in the Schumaker Group Technology proposal.

Roll Call Vote: Trustee Holman **AYE**, Trustee Lundell **AYE**, Trustee Graham, **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE** – **motion carried**

c. Scenic Drive Boat Ramp – camera specifications – Short presentation by Jim Konieczny (resident)

Motion by Trustee Graham, second by Trustee Jeske, **ADOPTED** to suspend from Robert's Rules for a presentation from resident Jim Konieczny regarding security camera option for Scenic Drive Boat Ramp.
Upon Voice Vote: 7 AYES – **motion carried**

Mr. Konieczny provided 2 options he believes would work best for the Scenic Drive Boat Ramp to both deter damage and identify any individuals that do cause damage. The Board was able to ask for clarification on some items. Supervisor Marcinkowski will continue to gather information for the next meeting.

Motion by Trustee Graham, second by Clerk Fagan, **ADOPTED** to unsuspend from Robert's Rules for a presentation from resident Jim Konieczny regarding security camera option for Scenic Drive Boat Ramp.

Upon Voice Vote: 7 AYES – motion carried

- d. **3905 Scenic Dr – Court date** – Supervisor Marcinkowski shared that a court dates has been scheduled for July 29 at 1:30pm and he will attend.
- e. **Ordinance 50** – Trustee Graham shared her recent updates to the Anti-Noise and Public Nuisance Ordinance. The Board asked her to check into “quiet hours” in neighboring municipalities and match those hours. She will continue to work on the ordinance.
- f. **Berends Hendricks Insurance Renewal** –
Motion by Trustee Graham, second by Trustee Holman, **ADOPTED**, to approve the Berends Hendricks renewal for the 2021-2022 year.
Roll Call Vote: Trustee Holman **AYE**, Trustee Lundell **AYE**, Trustee Graham, **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE** – **motion carried**

NEW BUSINESS –

- a. **Park and Rec – Budget Amendment – Maintenance & Repair - \$4,000 move from Asphalt ring road repairs to purchase of New Baseball Scoreboard** – Per Clerk Fagan, there does not need to be a budget amendment for an additional portable restroom to be placed at Nestrom Park as there should be enough planned into the current budget.

Motion by Trustee Holman, second by Trustee Lundell, **ADOPTED**, to approve a budget amendment to move \$4,000 from the asphalt ring road repairs to purchase a new scoreboard.

Upon Voice Vote: 7 AYES – motion carried

- b. **Part time seasonal maintenance left township employment for a job with more hours. Requesting Ted Jeske to be hired for 2 days per week.**

Motion by Trustee Graham, second by Treasurer Pachman, **ADOPTED**, to approve the hiring of Ted Jeske at \$18/hour for approximately 2 days per week through the end of the season.

Roll Call Vote: Trustee Holman **AYE**, Trustee Lundell **AYE**, Trustee Graham, **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **ABSTAIN**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE** – **motion carried**

- c. **Resolution 2021-13 Property Exchange for Ecology Station Master Plan** – The Board asked Supervisor Marcinkowski to provide documentation from the Assessor showing the value of the requested properties for the August meetings.
- d. **Resolution 2021-14 Agreement for the parking of vehicles and trailers on the property owned by John Otterbacher and Barbara Craft.**

Motion by Trustee Jeske, second by Trustee Holman, **ADOPTED**, to approve Resolution 2021-14 and the Parking Lot Lease.

Roll Call Vote: Trustee Holman **AYE**, Trustee Lundell **AYE**, Trustee Graham, **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE** – **motion carried**

e. Resolution 2021-14 Depositories for American Recovery Plan Act (ARPA) Funds

Motion by Clerk Fagan, second by Trustee Jeske, **ADOPTED**, to approve two additional depositories and allow the Treasurer to open the accounts.

Roll Call Vote: Trustee Holman **AYE**, Trustee Lundell **AYE**, Trustee Graham, **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE** – **motion carried**

f. McMillan Rd end stair/platform removal – The board discussed the need for the stair removal for liability reasons. The board agrees that replacement should be a priority but that erosion and other studies may need to be performed before replacement can occur.

Motion by Clerk Fagan, second by Trustee Graham, **ADOPTED**, to approve the quote from Aggregates Excavating Logistics in the amount of \$15,000, and that the Board will commit to taking steps toward replacing the steps this year.

Roll Call Vote: Trustee Holman **AYE**, Trustee Lundell **AYE**, Trustee Graham, **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE** – **motion carried**

g. American Rescue Plan –

Motion by Clerk Fagan, second by Trustee Graham, **ADOPTED**, to approve the Clerk and Supervisor to complete the necessary paperwork and steps to apply for the American Rescue Plan money.

Upon Voice Vote: **7 AYES** – **motion carried**

h. Consideration to use a “mediator” – Supervisor Marcinkowski shared that a resident has questioned whether the township could use a mediator to settle disputes between residents. The board chose to take no action on this.

i. Ina Ray resignation from Planning Commission. Chad Kuipers recommended replacement.

Motion by Trustee Jeske, second by Trustee Holman, **ADOPTED**, to accept the resignation of Ina Ray and approve Chad Kuipers appointment on the Planning Commission Board.

Upon Voice Vote: **7 AYES** – **motion carried**

j. Zoning Board of Appeals

i. Appointment of Brian Lernowich as Alternate on Zoning Board of Appeals.

Motion by Trustee Holman, second by Trustee Graham, **ADOPTED**, to approve the appointment of Brian Lernowich as an alternate on the Zoning Board of Appeals.

Upon Voice Vote: 7 AYES – motion carried

ii. ZBA application for 5742 Murray Rd – Accessory Building -

Supervisor Marcinkowski shared that a request for an accessory building was denied due to being bigger than allowed.

k. Murray Road End – Trustee Graham expressed that she would like to see more access for kayakers and better maintenance at the Murray Road End. The board discussed that this is not under township ownership and is privately owned.

BOARD COMMENTS/DISCUSSION – Trustee Holman inquired whether or not the ordinance enforcer had been made aware of issues at 5150 Whitehall road. Supervisor Marcinkowski made a note to make sure this was addressed as soon as possible. The Board discussed ongoing issues at other properties within the township. The board would like to be more diligent in keeping public comment limited to 3 minutes per person and would like a visual timer for speakers.

PUBLIC COMMENT – There was none.

ADJOURNMENT

Motion by Trustee Holman, second by Supervisor Marcinkowski, **ADOPTED**, to adjourn the July 19, 2021 Regular Meeting of the Township of Fruitland at 8:07 PM.

Upon Voice Vote: 7 AYES – motion carried

Respectfully Submitted,

Breann Fagan, Clerk
Township of Fruitland