

**FRUITLAND TOWNSHIP
REGULAR MEETING
SEPTEMBER 20, 2021 MINUTES**

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

ALSO PRESENT – (3) Three interested parties

CALL TO ORDER – Supervisor Marcinkowski called the September 20, 2021 Regular Meeting to order at 6:01 PM and led the pledge of allegiance.

AGENDA - Motion by Clerk Fagan, second by Trustee Jeske, **ADOPTED**, to amend the September 20, 2021 Regular Township Board Meeting Agenda by adding “Friends of Fruitland Township Trails” to New Business.
Upon Voice Vote: 7 AYES – motion carried

PUBLIC COMMENT – There were none.

ANNOUNCEMENTS/COMMUNICATIONS –

- a. **Supervisor attended the Dalton Twp Board meeting on new ORV and Golf Cart Ordinances.** Supervisor Marcinkowski reported that the ORV/Golf Cart ordinances passed.
- b. **Supervisor attended the WLFA Budget Public hearing on 9/14. WLFA regular Board meeting is on 9/21 at 5:15PM at Station #1.** Supervisor Marcinkowski stated that their budget looks good.
- c. **ReLeaf Michigan conducted a presentation in the Township Hall on 9/14 – “What’s Up With My Tree?”** 5 residents attended
- d. **Drew Rayner (DNR) conducted a presentation in the Township Hall on 9/15 – Hemlock Woolly Adelgid (HWA)** - 3 residents attended.
- e. ~~**Friends of Fruitland Township Trails conducted their meeting in the Township Hall on 9/15 – 3pm.**~~
- f. **Gypsy Moth Caterpillars** – Supervisor Marcinkowski has received over 130 comments from residents on affected areas. He sent a highlighted township map to Rob Ribbens (County DPW) who will conduct an “egg mass” survey of the areas in the fall. Information campaign will be included with the Winter Tax notification in December.
- g. **Article 50 – Noise and Nuisance Ordinance** – Supervisor Marcinkowski sent to Attorney Even for review. Attorney Even thinks there should be a separate nuisance ordinance and gave suggestions.

CONSENT AGENDA

- a. **August 2021 Treasurer reports; Revenues (101) General Fund \$386,439.82: Expenditures: (101) General Fund \$386,210.05; (130) Public Works \$764.71**
- b. **August 2021 Clerk reports – Check disbursements**
- h. **Minutes – August 9, 2021 Work Session; August 16, 2021 Regular Board Meeting; Special Board Meeting August 20, 2021**
- i. **August PINS Report**
- j. **Ordinance Enforcement update – report from Toby Frederickson**
- k. **Zoning report – from Val Jensen**

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

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

UNFINISHED BUSINESS –

- a. **McMillan Road End stair removal** - Supervisor Marcinkowski reported that the removal started on 9/15 and should have been completed on 9/17 with all the wood taken to the maintenance building for re-use. He will confirm this was completed.
- b. **Approval of Resolution 2021-17 CONSUMERS ENERGY AUTHORIZATION FOR CHANGE TO STANDARD LIGHTING CONTRACT**

Motion by Trustee Jeske, second by Trustee Holman, **ADOPTED**, to approve Resolution 2021-17 and approve the Consumers Energy invoices to have the light, poll, and power pedestal installed.

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

- c. **Approval of Consumers Energy invoices for light, poll and power pedestal for the Scenic Drive Road End.**

NEW BUSINESS –

- a. **Request an Open Public Meeting** – Supervisor Marcinkowski is requesting a Panel Discussion format Special Meeting regarding ambulance service for the Township on 10/5 at 7pm at the Township Hall. Clerk Fagan will make sure to post and publish this meeting as well as ensure E-News gets sent.
- b. **Request to established a 5-member Citizen’s Advisory Committee** – Supervisor Marcinkowski would like to establish the committee to evaluate and establish a use/disposition for all of the Townships vacant property. Trustee Jeske has volunteered as the Township Board representative. Further discussion was had

about who else should be on the committee. The Board considered that invitations should be extended to those with professional backgrounds that would be helpful, such as a Realtor, a Contractor, someone familiar with planning and zoning regulations, etc. Supervisor Marcinkowski will begin finding members.

Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to approve the establishing of a Citizen's Advisory Committee for Fruitland Township vacant properties and authorize Supervisor Marcinkowski to find interested residents and report back to the board.

Upon Voice Vote: 7 AYES – motion carried

c. Resolution 2021-18 RESOLUTION TO PROTECT FRUITLAND TOWNSHIP RESIDENTS FROM VACCINE MANDATES AND PASSPORTS.

Motion by Clerk Fagan, second by Trustee Holman, **ADOPTED**, to approve Resolution 2021-18 Resolution to Protect Fruitland Township Residents from Vaccine Mandates and Passports.

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

d. Surveyor quotes (Westshore and Nousain) for the truck and trailer parking area on the Scenic Drive Road End.

Motion by Trustee Jeske, second by Trustee Holman, **ADOPTED**, to accept the quote from Westshore Engineering and Surveying in the amount of \$935.

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

e. Approval of Viridis Design Group to produce a 5-Year Parks and Rec Master Plan – This firm was approved by the Park and Rec Commission

Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to accept the quote from Viridis Design Group in the amount of \$9,250 for the Parks and Recreation Master Plan and allow up to \$10,000 be spent from budget account 160, the Parks and Recreation Specialty Fund.

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

f. Park and Rec Budget amendment request of \$10,000.... \$9,250 for Viridis Design Group with \$750 in contingency. To be taken from the Park and Recreation Specialty Fund.

- g. **Fire Station #2 Purchase Agreement and Quitclaim Deed language** – Supervisor Marcinkowski provided copies of the purchase agreement for review. The Board discussed asking Chief McCarthy for exactly how Station #2 is being used.
- h. **Special Board Meeting** – Supervisor Marcinkowski is requesting a Special Meeting to take place on September 30, 2021 at 6:30 PM (immediately following the Planning Commission Meeting) at the Township Hall to approve the FEMA Flood Plain Management Ordinance.

Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to approve a Special Meeting on September 30, 2021 at 6:30 PM to approve the FEMA Flood Plain Management Ordinance.

Upon Voice Vote: 7 AYES – motion carried

- i. **ZOOM meetings** – The Board discussed the Open Meetings Act and requirements to allow Board Members to meet virtually, which include medical issues or active duty deployment. The Board also discussed changing the format of current Zoom streaming to allow those that are watching virtually to participate during public comment.

Motion by Trustee Lundell, second by Trustee Holman, **ADOPTED**, to approve allowing Zoom participants to speak during public comment.

Upon Voice Vote: 7 AYES – motion carried

- j. **Friends of Fruitland Trails** – Trustee Holman reported on the Friends of Fruitland Township Trails that took place at the Township Hall on September 15, 2021. He stated that the meeting was organized and they were unable to get through the full agenda. He also shared a copy of their Bylaws and shared that the organization voted on board members at that meeting.

PUBLIC COMMENT –

Carlet Mitenbuler, 4623 Nestrom Rd. – Commented on statements from the White Lake Fire Authority and questioned why Whitehall Township has not been involved in the conversations about WLFA starting an ambulance service.

Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to suspend from Robert's Rules to discuss the WLFA and Carlet's concerns.

Upon Voice Vote: 7 AYES – motion carried

The Board clarified that Whitehall Township still belongs to the White Lake Ambulance Authority and recently signed a 6 year contract. They also clarified mutual aid agreements and why WLFA would not be required to calls when only one ambulance would be in service at a time.

Motion by Trustee Lundell, second by Trustee Holman, **ADOPTED**, to return to Robert's Rules.

Upon Voice Vote: 7 AYES – motion carried

BOARD COMMENTS/DISCUSSION – The Board continued short discussion about the White Lake Fire Authority and questions about how they report on response times. Trustee Holman questioned again why the WLFA is using the Aerial truck for all calls. The Board is wondering how often trucks at Station #2 are going out on calls.

ADJOURNMENT

Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to adjourn the September 20, 2021 Regular Meeting of the Township of Fruitland at 7:35 PM.

Upon Voice Vote: 7 AYES – motion carried

Respectfully Submitted,

Breann Fagan, Clerk
Township of Fruitland