

**FRUITLAND TOWNSHIP  
REGULAR MEETING  
JANUARY 18, 2022 MINUTES**

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

**ABSENT** – Clerk Fagan

**ALSO PRESENT** – (13) Thirteen interested parties

**CALL TO ORDER** – Supervisor Marcinkowski called the January 18, 2022 Regular Meeting to order at 6:00 PM and led the pledge of allegiance.

**AGENDA** - Motion by Trustee Lundell, second by Treasurer Pachman, **ADOPTED**, to accept the January 18, 2022 Regular Township Board Meeting Agenda amended by adding “waste water management committee update,” “Muskegon County Solid Waste Free Dump Day Program for 2022,” and “Email from Michigan Township Association,” “Email from Ace Covey regarding drones” under Announcements/Communications and “Devin Barbier – Eagle Scout presentation” under unfinished business, and “Traffic Safety LIDAR” under new business.  
*Upon Voice Vote: 6 AYES – motion carried*

**PUBLIC COMMENT** –

Lynn Knopf, 4328 Mystic Lane – From the Parks and Recreation Commission. They had a split vote on the Parks and Recreation Master Plan but assured the board they would get the differences figured out and get it done. They will not meet the February 1<sup>st</sup> deadline for grants, but isn’t sure anyone planned on applying for any grants this year anyway. She encourages reaching out to a professional group for the work being done at the Duck Creek Natural Area and thinks maybe there should be a steering committee for the DCNA especially with the confusion with the Friends of Fruitland Township Trails. She asked the Board to be patient while they work through their differences to make a solid master plan.

Herb Huch, 4272 Gibson Rd – Parks and Recreation Chairman – voted “no” on the Parks and Recreation Master Plan because in the past they have had work sessions to go over everything and felt this plan came to them already worked over. Bob Murray did some work on it that he says they weren’t aware of and didn’t know who else was making edits. He has received an original copy from John McCann and they will work together to finish this master plan.

Terrie Hampel, 6171 Duck Lake Rd – Former Trustee. Spoke against adding an invocation to the agenda because the constitution requires a separation of church and state and the board could

be cited for violation of the constitution and there will be protests. Also, regarding the Parks and Recreation Master Plan she is disappointed that the plan will not be ready in time for the deadline and is disappointed the Chairman Huch said he did not have an opportunity to look at the Master Plan because she was able to look at the plan 6 weeks ago and make suggestions and corrections so there was plenty of time to adjust a final copy. The Friends of Fruitland Township Trails did have plans to write grants, state and private grants that would require that Master Plan. She invited everyone to the Friends of Fruitland Township Trails “walkabout” on January 22<sup>nd</sup>.

Dave Rice, 4047 Nestrom Rd – Also a member of the Friends of Fruitland Trails and very disappointed that the Parks and Recreation Commission did not approve the Master Plan especially since the motion was to accept the plan with changes including ongoing changes since the plan is a working document. He believes that the Duck Creek Natural Area is the reason why the plan was not accepted because of what he has heard. The trails within the Duck Creek Natural Area are beautiful and he encouraged everyone to join them on the walkabout to see the beauty of the trails and also to check out the Friends of Fruitland Township Trails Facebook page.

Norman Knopf, 5622 Duck Lake Rd – Has lived in the area since 1927 in the summers. Feels like the parks should be for the people and encouraged our boards to look at that versus their own individual feelings and keep the parks open for the people. The previous board that turned down the conservation group – that conservancy groups was one of the best groups in terms of setting up the Duck Creek Natural Area and that trails and motorized trails have demolished walking trails in other areas. These groups need to work together.

#### **ANNOUNCEMENTS/COMMUNICATIONS –**

- a. Contractor on the window project at the WRLS was Ludington Paint and Glass –** they donated a portion of their labor back (approximately \$2000 worth) after repairing the windows.
- b. Email –** Supervisor Marcinkowski let Korthase Electric know there was a preliminary approval on their bid and asked for the project to be put on the schedule. They will meet on Thursday to discuss the project and timeline.
- c. Email – John McCann – Viridis Group –** Supervisor Marcinkowski requested a final copy of the Master Plan which has been sent to the Board.
- d. Email – Mike Olsen – CE Energy Efficiency –** The Community Center and and Light Station were in good shape in terms of energy efficiency. Supervisor Marcinkowski will work with DTE to look at the insulation at the township hall.
- e. Water Safety Policy Board update –** Supervisor Marcinkowski provided notes and minutes from the most recent meeting.
- f. WestPlan Tech Committee update –** Supervisor Marcinkowski also shared the most recent agenda and minutes for this committee.

- g. White Lake Fire Authority meeting** – Supervisor Marcinkowski shared the entire meeting packet from January 18<sup>th</sup>, he was recently voted as Chair for that committee.
- h. MTA Muskegon County Chapter** – Upcoming meeting on 1/31 at 6pm at the Muskegon Twp Hall.
- i. Email to MCRC - Michillinda Rd** – Supervisor Marcinkowski sent an email negotiating the cost since the Muskegon County Road Commission decided to place the millings without permission.
- j. Rosene update – Amanda Zdarsky** – Supervisor Marcinkowski shared a short update from Amanda Zdarsky. All documents have been submitted and we are now waiting for the court’s opinion.
- k. Tanis update** – There was a ZOOM hearing scheduled on 1/18 at 11am. There was a settlement agreement worked out with a list of things to be completed sent to attorney and the agreement will be signed by all parties. Hopefully the work will be completed and a formal hearing can be avoided.
- l. Wade Syers – MSU Extension – Food Safety Program** – Due to Covid restrictions the program was moved to May, June and July.
- m. Senior Millage allocations** – ARPA funds can be used toward the Senior Millage money.
- n. Wastewater Management Committee update** – Supervisor Marcinkowski shared the recent agenda from the Wastewater Management Committee meeting coming up on January 20, 2022.
- o. Muskegon County solid waste free dump day program 2022** – Will discuss more at the February work session so the Board can decide if we want to participate.
- p. Email from Michigan Township Association** – Investment and Jobs Act webinar 1/19/22 – Supervisor Marcinkowski will attend.
- q. Email from Ace Covey regarding drones** – Local resident provided some information and videos done by drones.

## CONSENT AGENDA

- a. December 2021 Treasurer reports; Revenues (101) General Fund \$239,275.35: Expenditures: (101) General Fund \$53,233.06; (130) Public Works \$191.18**
- b. December 2021 Clerk reports – Check disbursements and Budget Amendments**
- a. Minutes – December 13, 2021 Work Session and December 27, 2021 Regular Board Meeting**
- b. December PINS Report**
- c. Ordinance Enforcement update – report and email from Toby Frederickson**
- d. 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**, Supervisor Marcinkowski **AYE**, Clerk Fagan **ABSENT**, – **motion carried**

**UNFINISHED BUSINESS –**

**a. ARPA Funds Administration - GMED proposal – Cathy Brubaker-Clarke – Q&A –**

Cathy explained that updated rules add some flexibility to how the funding can be spent. The proposal is a flexible document and can be changed and updated as projects are decided on. GMED’s role would be to handle the reporting, ensure that our chosen projects meet the requirements/guidelines, develop and send out proposals, work with the Board to get approval for received bids, deal with contractors, etc. GMED did work with Muskegon County to help facilitate some of the funding that came in with the first round of Coronavirus relief funding. The updated guidelines state that the township can use the ARPA funding for any projects that would be part of our usual “standard governmental unit” costs. Cathy clarified that the \$13,500 would be the total charge from GMED if we did all the projects currently listed. We would not be charged for projects we chose not to do, and there would be similar costs for added projects. Those charges would come from the ARPA funding, as well as anything that would be charged by auditors or lawyers. Cathy also let the Board know that GMED is working on their own projects and grants that go along with projects we are considering, which could be beneficial and lower the costs of some projects we were considering such as broadband.

Motion by Trustee Lundell, second by Trustee Jeske, **ADOPTED**, to continue to work with the Greater Muskegon Economic Development moving forward using the current proposal as a live document with room for changes.

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

**b. Invocation –** Supervisor Marcinkowski reminded the Board that the Federal and State government does do invocations and it is allowed regardless of the separation of church and state, and that an invocation does not have to be specific to one faith. Trustee Lundell stated that she wanted Fruitland Township to be seen as a community that is welcoming to all religions and doesn’t want to make anyone feel uncomfortable at meetings.

Motion by Trustee Holman, second by Trustee Lundell, **ADOPTED**, to not add an invocation to the agenda.

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

**c. Citizen’s Advisory Committee Ambulance Service –** Supervisor Marcinkowski is looking for language regarding this CAC. This will be posted on ENews, Website and Fruitland Informed Facebook once correct content is determined.

- d. **Technical language change to Article III General Provisions Section 3.18 Filling of Land C.11 – addition of the word “cubic” as a volume descriptor between “(300)” and “yards” –**

Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to approve the technical change to Article III, Section 3.18, C.11.

*Upon Voice Vote:* **6 AYES – motion carried**

- e. **Road projects for 2022 – 2024** – The MCRC responded to Supervisor Marcinkowski’s request to negotiation stating that there is no room for negotiation as there is no “profit” built in to the quote. If the Board chooses not to proceed with the Michillinda project the millings will be moved. Supervisor Marcinkowski mentioned some projects he was still hoping to get quotes on. The Board discussed different options and wanted to get the projects solidified to plan for the upcoming budget year and also to lock in prices with MCRC.

Motion by Trustee Holman, second by Trustee Lundell, **ADOPTED**, to accept Jones Rd., Lorenson Rd., Michillinda Rd., as suggested by MCRC and set aside \$50,000 for Simonelli Rd.

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

- f. **Devin Barbier – Eagle Scout Presentation** – Devin Barbier presented a proposal for a project to replace the flagpole and concrete at the Fruitland Township Cemetery as well add a few concrete benches. He chose this project because this is the cemetery his family is in and he will be buried in. He believes benches will be helpful for people that visit the cemetery that may need spots to rest. He has also noticed dents in the flagpole and would like to add a light so that the flag is always lit. He plans to use recycled benches (made of recycled materials) as well as DIY wooden benches. He would ask the Board for our preference of type of benches as well as placement of the benches. The overall price for the flagpole and solar light as well as to include one recycled bench would be approximately \$4,025 or \$3,545 for the DIY bench. Additional benches would be \$460 for the recycled benches or \$220 for the DIY benches. He would prefer to see 5-7 benches (located on the 4 corners and a couple in the center area). He is willing do to fundraising for the project but would appreciate a donation from the township. Labor would be primarily donated but the estimate does include gas and food/drinks for the volunteers. The project would hopefully be started as soon as the snow melts and would hopefully be finished by June or July.

Supervisor Marcinkowski asked that locations should be considered with the Maintenance Supervisor. He also clarified with Attorney Even that the Board can consider a donation of this type.

Motion by Trustee Holman, second by Trustee Graham, **ADOPTED**, to approve the proposal with five recycled benches with a donation from Fruitland Township in the amount of \$3,000.

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

**NEW BUSINESS –**

**a. RESOLUTION 2022-01 FRUITLAND TOWNSHIP COMMUNITY RECREATION AND NATURAL CONSERVATION PLAN – Known as the 5 Year Master Plan**

Motion by Trustee Lundell, second by Trustee Jeske, **ADOPTED**, to accept this resolution and the Parks and Recreation Five Year Master Plan.

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

**b. Request to hold Muskegon County Community Development meeting March 10, 8:30-10am and to provide beverages and snacks for 30**

Motion by Trustee Jeske, second by Treasurer Pachman, **ADOPTED**, to allow the March 10<sup>th</sup> meeting of the Muskegon County Community Development committee to be held at the Fruitland Township Hall and to provide beverages and snacks for up to 30 attendees.

*Upon Voice Vote:* **6 AYES – motion carried**

**c. Approval of Korthase Electric quote for power pedestal - \$1,850.00**

Motion by Trustee Lundell, second by Trustee Holman, **ADOPTED**, to accept the quote from Korthase Electric for the steel power pedestal located at Scenic road end.

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

**d. Traffic Safety LIDAR –** Supervisor Marcinkowski received a request from the Sheriff's department for a hand-held radar unit to be used in the PINS vehicle for the township. This would allow the PINS officer to pinpoint specific cars. The cost is \$2,195. The Board discussed checking with the sheriff's department about adding this cost to our yearly contract and possibly negotiating to pay half the cost as we currently cover half the cost of the vehicle per the contract.

**PUBLIC COMMENT –**

Bob Murray, 5582 Duck Lake Rd. – Thanked Devin Barbier for coming in and thanked the Board for backing his project. Disappointed that the Parks and Recreation Commission could not come to a consensus regarding the Master Plan. Contacted the DNR regarding moving forward and

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the DNR stated they did not need approval from the Parks and Recreation Commission, just the resolution from the Township Board so what happened at tonight's meeting was proper even if the Parks and Recreation Commission feels slighted.

Lynn Knopf, 4328 Mystic Ln – Very disappointed at the actions of the Board because the Master Plan could've been approved at any point during the year. It was only necessary to pass the plan by February 1<sup>st</sup> if grants were being applied for and the Parks and Recreation Commission had no knowledge of any grants being applied for. She believes this was pushed through so that a small group could push for grants for the Duck Creek Natural Area. She believes this could hurt the relationship between the Commission and the Township Board and will let her feelings be known to that State that there was an end run get around and that any submissions for grants in this cycle should not be considered. She also believes the State may not approve it.

Ron Morse, 16919 Landing Ln – His son is Phill Morse who is running for State Rep in this district. His website is [www.philmorseforstaterep.com](http://www.philmorseforstaterep.com) and his website has information about him, his background, experience and platform.

Bobbi Allred, 4511 Lakewood Rd - Very disappointed with the Board's decision to not add an invocation to the agenda.

Mary Ann Bard, 1428 W River Rd - Comments attached.

Carlet Mitenbuler, 4623 Nestrom Rd – If the reason the Board usurped the Parks and Recreation Commission tonight was because of the trails she is concerned that the idea of the advancement of the trails is not known by the neighbors around the trails and she will make sure that the neighbors are aware. She does not know who has jurisdiction over the Duck Creek Natural Area whether it is the Parks and Recreation Commission or Township Board but she will continue to work on all of it.

**BOARD COMMENTS/DISCUSSION** – Trustee Lundell spoke about the Parks and Recreation Master Plan and is also disappointed with how it went down and that the Commission could not come up with a plan they could agree on even with the months and money spent on the plan. She feels that in order to benefit the Township the decision had to be made by the Board.

**ADJOURNMENT**

Motion by Trustee Jeske, second by Trustee Graham, **ADOPTED**, to adjourn the January 18, 2022 Regular Meeting of the Township of Fruitland at 7:54 PM.

*Upon Voice Vote:* **6 AYES – motion carried**

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Respectfully Submitted,

Breann Fagan, Clerk  
Township of Fruitland