

**FRUITLAND TOWNSHIP  
REGULAR MEETING  
FEBRUARY 22, 2022 MINUTES**

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

**ALSO PRESENT** – (11) Eleven interested parties

**CALL TO ORDER** – Supervisor Marcinkowski called the February 22, 2022 Regular Meeting to order at 6:00 PM and led the pledge of allegiance and a moment of silence.

**AGENDA** - Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to amend and accept the February 22, 2022 Regular Township Board Meeting Agenda by adding “GMED Newsletter,” under announcements/Communications and “WRLS Annual Fundraiser” and “Rosene Update” under unfinished business, and “Friends of Fruitland Township Trails Presentation” and “IT Quote – notebooks and software” under new business.

*Upon Voice Vote: 7 AYES – motion carried*

**PUBLIC COMMENT** –

Dave Rice, 4047 Nestrom Rd – Asked for an update regarding the website, the Duck Creek Natural Area ordinance, and the corrected version of the Recreation plan. Questioned why the Parks and Recreation Commission was asking to have the DCNA dedicated to them when there seems to be so much animosity about that area within the Commission. Spoke about grants available for trails on the state and federal levels, and he has found that Fruitland Township hasn't received any grants since about 1974.

Karolyn Rillema, 5549 Scenic Dr – Encouraged the Board to vote not to incorporate as a charter township. Reminded the Board that they can raise ecology station fees in Republic fees are increasing. Stated that previous Boards used a combination of Muskegon County Road Commission funds, Township funds, and special assessments for road maintenance and encouraged the current board to do the same, especially on the small subdivision roads. Asked that ordinance enforcement and zoning reports be read so they can be included in minutes. Stated the intention of the Duck Creek Natural Area was always leave it as natural as possible and gave some history regarding the White Lake Ambulance Authority and the reasoning behind Fruitland Township withdrawing from the Board previously, citing financial irresponsibility by board members that are still on their board. Opposes any engagement with White Lake Ambulance Authority.

Terrie Hampel, 6171 Duck Lake Rd – Questioned the motivation of the Parks and Recreation Commission for wanting to have the Duck Creek Natural Area dedicated to them. Stated that this Commission and the last commission have not done anything for trails in the township.

Carlet Mitenbuler, 4623 Nestrom Rd – Read a letter from the Parks and Recreation Commission asking for the parcel known as the Duck Creek Natural Area to be formally dedicated to the Parks and Recreation Commission

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

- a. **GMED Newsletter** – Supervisor Marcinkowski shared a copy of the GMED Economic Newsletter that mentions that Fruitland Township has partnered with GMED to manage ARPA funds.

#### **CONSENT AGENDA**

- a. **January 2022 Treasurer reports; Revenues (101) General Fund \$64,712.36: Expenditures: (101) General Fund \$21,107.70**
- b. **January 2022 Clerk reports – Check disbursements and budget amendments**
- a. **Minutes – January 10, 2022 Work Session and January 18, 2022 Regular Board Meeting**
- b. **January PINS Report**
- ~~c. **Ordinance Enforcement update – from Toby Frederickson Not Available**~~
- d. **Zoning report – from Val Jensen**

Motion by Trustee Jeske, second by Trustee Lundell, **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 **AYE**, – **motion carried**

#### **UNFINISHED BUSINESS –**

- a. **Senior Millage Allocations – information from Tom Moore (VAC); Living Word Senior Services; White Lake Senior Center; Agewell –**

Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to suspend from Robert’s Rules to talk to Chris Cross from Living Well Senior Services.

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

Chris Cross explained how Living Well Senior Services operates and how the Senior Millage funding is kept separate from any church expenses.

Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to return to Robert’s Rules.

*Upon Voice Vote: 7 Ayes*

The Board spent time discussing each program, it's benefits, and how best to serve the greatest number of seniors this year. Further discussions will take place regarding supplementation with ARPA funds, but the Board would like to see \$15,000 of ARPA funds set aside for the VAC, potentially sending \$5,000 now and the remaining \$10,000 this Summer when their fiscal year resets, after seeing how well the program is used. They would also potentially like to see between \$12,000 and \$25,000 used for Living Well Senior Services.

Motion by Trustee Lundell, second by Trustee Holman, **ADOPTED**, to approve the following allocations for the 2022 Senior Millage Grant: \$10,000 to be used for \$20 Ecology Station Vouchers and \$5,000 to be used for Farmers Market Vouchers, with the voucher limits to be lowered to one of each voucher per household. The remaining funds to be allocated as \$5,000 for AgeWell and \$5,000 for the White Lake Senior Center.

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

**b. ARPA Funds Administration – GMED agreement –**

Motion by Trustee Lundell, second by Trustee Holman, **ADOPTED**, to approve the agreement with the Greater Muskegon Economic Development and allow Supervisor Marcinkowski to sign.

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

**c. Network upgrades – IT Right quote – \$3,055.36 –**

Motion by Trustee Jeske, second by Treasurer Pachman, **ADOPTED**, to approve the quote from IT Right.

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

**d. Republic Services – agreement upgrade –**

Motion by Trustee Jeske, second by Trustee Holman, **ADOPTED**, to approve the updated agreement with the Republic Services and allow Supervisor Marcinkowski to sign.

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

**e. WRLS Annual Fundraiser**

Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to approve the annual WRLS fundraiser and the liquor control application.

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

**f. Rosene Update** – Supervisor Marcinkowski shared the updated Opinion and Order Regarding Privileged Documents. The Judge has ruled that Fruitland Township does not have to disclose the questioned documents and that they are privileged information.

**NEW BUSINESS –**

**a. Leasing Township Property – a resident inquiry** – Supervisor Marcinkowski has received an updated request to potentially lease some township property. He has passed this letter on to the Citizen’s Advisory Committee.

**b. RESOLUTION 2022-02 – Resolution of Intent – Opposing Incorporation as a Charter Township.**

Motion by Clerk Fagan, second by Trustee Holman, **ADOPTED**, to approve Resolution 2022-02 Opposing Incorporation as a Charter Township.

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

**c. RESOLUTION 2022-03 Establish Supervisor Salary for Fiscal Year 2022/2023**

Motion by Clerk Fagan, second by Trustee Lundell, **ADOPTED**, to approve Resolution 2022-03 Supervisor Salary.

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

**d. RESOLUTION 2022-04 Establish Clerk Salary for Fiscal Year 2022/2023**

Motion by Trustee Lundell, second by Trustee Jeske, **ADOPTED**, to approve Resolution 2022-04 Clerk Salary.

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

- e. RESOLUTION 2022-05 Establish Treasurer Salary for Fiscal Year 2022/2023**  
Motion by Trustee Holman, second by Trustee Lundell, **ADOPTED**, to approve Resolution 2022-05 Treasurer Salary.  
*Roll Call Vote:* Trustee Holman **AYE**, Trustee Graham **AYE**, Trustee Lundell **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Supervisor Marcinkowski **AYE**, Clerk Fagan **AYE**, – **motion carried**
- f. RESOLUTION 2022-06 Establish Trustee Salary for Fiscal Year 2022/2023**  
Motion by Supervisor Marcinkowski, second by Clerk Fagan, **ADOPTED**, to approve Resolution 2022-06 Trustee Salary.  
*Roll Call Vote:* Trustee Holman **AYE**, Trustee Graham **AYE**, Trustee Lundell **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Supervisor Marcinkowski **AYE**, Clerk Fagan **AYE**, – **motion carried**
- g. RESOLUTION 2022-08 Establish Work Session and Regular Meeting Dates and Times for Board of Trustees, Meeting Dates for the Planning Commission, Parks & Recreation Commission and Zoning Board of Appeals for Fiscal Year 2022/2023**  
Motion by Trustee Lundell, second by Trustee Holman, **ADOPTED**, to approve Resolution 2022-08 Meeting Dates.  
*Roll Call Vote:* Trustee Holman **AYE**, Trustee Graham **AYE**, Trustee Lundell **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Supervisor Marcinkowski **AYE**, Clerk Fagan **AYE**, – **motion carried**
- h. RESOLUTION 2022-09 Holiday Observance Days for Fiscal Year 2022/2023**  
Motion by Trustee Holman, second by Trustee Graham, **ADOPTED**, to approve Resolution 2022-09 Holiday Observance Days.  
*Roll Call Vote:* Trustee Holman **AYE**, Trustee Graham **AYE**, Trustee Lundell **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Supervisor Marcinkowski **AYE**, Clerk Fagan **AYE**, – **motion carried**
- i. Intergovernmental Contract for Property Code Enforcement Services**  
Motion by Trustee Jeske, second by Clerk Fagan, **ADOPTED**, to approve the Intergovernmental Contract for Property Code Enforcement Services.  
*Roll Call Vote:* Trustee Holman **AYE**, Trustee Graham **AYE**, Trustee Lundell **AYE**, Treasurer Pachman **AYE**, Trustee Jeske **AYE**, Supervisor Marcinkowski **AYE**, Clerk Fagan **AYE**, – **motion carried**
- j. Additional road projects** – Supervisor Marcinkowski shared quotes received from the Muskegon County Road Commission regarding the smaller subdivision roads in the township. The total for 14 subdivision roads within the township would be approximately \$160,000. He stated that the quote is still being worked

on for Simonelli road and when Trustee Graham asked about Todd road he explained that because it is such a big project and involves the MCRC and the Muskegon County Drain Commission that we are still waiting to see what can be done.

- k. **2022/2023 Budget** – Supervisor Marcinkowski shared the current proposed budget for 101 and asked for any suggestions or questions from the Board.
- l. **Request by Parks Commission – Duck Creek Natural Area – dedication to Park Commission**

Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to suspend from Robert’s Rules to talk to the Parks and Recreation Commission Chairman.

*Upon Voice Vote: 7 AYES – motion carried*

Chairman Huch spoke about the confusion over who has control over the Duck Creek Natural Area now and how the focus on the Parks and Recreation Commission would be preservation. He said that he worried about Purple Loosestrife being spread throughout Duck Creek and how the Friends of Fruitland Township Trails plan’s could upset the balance of things and hurt the natural area. He stated that the Parks and Recreation Commission intends to “preserve the area and leave it alone.” Bob Murray added that the Parks and Recreation Commission should have control of any recreation areas in the township. Supervisor Marcinkowski added that the current Duck Creek Natural Area has issues with motorized vehicles driving through and around, and that nothing is being done about the preservation of the area or Duck Creek now.

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

*Upon Voice Vote: 7 AYES – motion carried*

Supervisor Marcinkowski will place this request on the agenda for the March Work Session.

- m. **Friends of Fruitland Township Trails – Presentation** - Terrie Hampel and Dave Rice from the Friends of Fruitland Township Trails gave a very detailed 6 phase plan regarding the DCNA. Terrie provided background information regarding previous township supervisor Dick Hain and his view for the acreage when Fruitland Township acquired the area while he was serving. Each phase included estimates of cost with a total cost of approximately \$349,510. Some areas will be ADA compliant and some will be more expensive because they will involve bridges and walkways. Their intention is to keep all trails and fixtures as natural as possible to preserve the area. Supervisor Marcinkowski asked whether the bridges and later phases would be necessary and Dave replied that it would all

depend on what the area could support and if bridges could even be safely supported in the areas. They plan to involve scientists, engineers, EGLE and many others to make this project possible. They are working on fundraising and grant opportunities and expect to raise much of the money themselves. They are hoping for a partnership with Fruitland Township to build a natural trail area for residents to enjoy.

- n. **IT Right Quote – Notebooks and Software** – Supervisor Marcinkowski shared a quote from IT Right for laptop/notebooks and necessary software for the Board members. This has been an ongoing discussion and would cut down on paper usage/waste as well as being more accessible to work virtually. The Board asked Supervisor Marcinkowski to see if there are other options available.

**PUBLIC COMMENT –**

Hoyt Fonger, 5538 Duck Lake Rd. – He is the resident who has requested to buy or lease a small part of township property that adjoins his property. He wanted to clarify that he asked about a lease option after being told that the township may not be able to sell him the property fairly.

Mary Ann Bard, 1428 W River Rd - Asked for an update on 1832 W River Rd and why the resident's on Michillinda road are not being assessed for the road being paved. Also told Supervisor Marcinkowski he should remove his hat, sit down and stop pacing.

Terrie Hampel, 6171 Duck Lake Rd – There is a grant deadline of April 1, 2022 and she would like approval from the Board to get started on that and potentially hire a grant writer.

**BOARD COMMENTS/DISCUSSION** – Clerk Fagan reminded everyone that the March Regular Meeting will also be the Public Hearing for the 2022-2023 Budget and the Board set a date of Monday, March 28, 2022 at 10:00 AM for the Budget Adoption Meeting. She will send/post/publish the necessary notices. Trustee Graham asked that the other boards be encouraged to use Zoom for their meetings as well.

**ADJOURNMENT**

Motion by Trustee Holman, second by Clerk Fagan, **ADOPTED**, to adjourn the February 22, 2022 Regular Meeting of the Township of Fruitland at 8:29 PM.

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

Respectfully Submitted,

Breann Fagan, Clerk  
Township of Fruitland