

**FRUITLAND TOWNSHIP
WORK SESSION MEETING
JULY 11, 2022 MINUTES**

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

ALSO PRESENT – (5) Five interested parties

CALL TO ORDER - Supervisor Marcinkowski called the July 11, 2022 Work Session Meeting to order at 10:00 AM and led the pledge of allegiance.

AGENDA - Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to accept the July 11, 2022 Work Session Township Board Meeting Agenda.
Upon Voice Vote: 7 AYES – motion carried

PUBLIC COMMENT –

Dave Rice, 4047 Nestrom Rd – Has cleaned up some of the trails and has been speaking with a local Boy Scout who is looking at doing some benches as his project. He will reach out to the Board for approval.

Bard Aardema, 6561 Blank Rd – Thank you to the Township for environmental efforts. Works with the White Lake Environmental Council and spoke about some of the ongoing efforts in Whitehall/Montague.

Carlet Mitenbuler, 4623 Nestrom Rd – Questions to Chief McCarthy about whether all the firefighter staff is vaccinated against Covid-19 and if anything is done to protect the environment during controlled burns.

ANNOUNCEMENTS/COMMUNICATIONS –

- a. **Park Commission – 7/5 meeting update** – Commissioner Huch shared that the scoreboard is working and being used. Tennis courts and irrigation projects are the next focus.

Motion by Supervisor Marcinkowski, second by Trustee Jeske, **ADOPTED**, to suspend from Robert’s Rules to discuss with Commissioner Huch.
Upon Voice Vote: 7 AYES – motion carried

The Parks Commission did accept the Lakewood lots and ARPA that were offered to them by the Township Board. Sports N Shorts should be starting today. Dugout roof and pump house projects are being planned with safety being considered first.

- b. WLFA update** – Chief Pete McCarthy addressed an anonymous letter presented to the Board at a previous meeting and Carlet’s questions. He does not know the status of each employee’s vaccination status as it is not required. He would guess that approximately 85% of his staff is vaccinated. As far as the controlled burn, they do work with EGLE and follow State regulations but there are likely some environmental pollutants, but these controlled burns are very important training exercises for the firefighters. Supervisor Marcinkowski asked if Chief McCarthy could be available to give in-person updates to the Board quarterly and Chief McCarthy responded that he would. He also spoke about recent updates happening at Station 2 to bring it up to current standards and update safety mechanisms as well as some aesthetic improvements. The White Lake Fire Authority does have a large expense in the near future to replace all of their air packs and have been looking at grants and ARPA funding to help with the estimated \$232,000 cost. Whitehall Township is considering using some of their ARPA funds to help. Trustee Holman questioned the cost of the new cars, which Chief McCarthy estimated to be around \$110,000. Trustee Holman also asked for the more detailed copy of the budget.

Motion by Supervisor Marcinkowski, second by Trustee Lundell,
ADOPTED, to return to Robert’s Rules.

Upon Voice Vote: 7 AYES – motion carried

- c. ZBA meeting – 7/11** – There is a ZBA meeting tonight at 6pm regarding a variance request.
- d. Planning Commission Meeting** – Next Planning Commission meeting is 7/12 at 6pm.
- e. Duck Lake Road project**– The project is scheduled for completion by the 22nd. Recent delays were due to the concrete company being pulled off the project.
- f. MSU Extension – Food Safety Programing** – There were again no sign ups for the July class but they will try again for August.
- g. White Lake Water Quality Forum Dates** – The virtual kick off happened via Zoom on July 7 with approximately 15 people in attendance. Upcoming dates include 7/14 at White River Twp from 6-8PM and 8/18 at Fruitland Twp from 6-8PM.
- h. Scenic Drive Road end – update** – Supervisor Marcinkowski said the light pole installation should happen within the next 10 days or so. He is also asking for approval to send a letter to MCRC to determine how best to arrange parking spots, permits to do the work, as well as a survey/rating of the condition of that area. The Board needs to determine what kinds of improvements (paving/gravel/chip & seal) should be done. The Board also discussed that parking ordinances may need to be updated with the demolition of Lakeside Inn and the new owners. Trustee Lundell requested quotes for each type of improvement before a decision is made.

Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to approve the letter Supervisor Marcinkowski has written.

Upon Voice Vote: 7 AYES – motion carried

- i. **WRLS – 9&10 News** – An email was received from Matt Varnum at the White River Light Station to inform us that a news station is planning a piece on the SPLKA volunteer program with a date to be determined.
- j. **Audit Representation Letter** – Clerk Fagan and Treasurer Pachman will be meeting with Brickley Delong this week to get the final updates and set up a date for the audit presentation during a board meeting.
- k. **Email – Mike Eslick – PHMC** – An email was received regarding Water Quality monitoring at Duck Lake State Park beach and the process in which we will be informed if anything is found that would require shutting the beach down.

UNFINISHED BUSINESS –

- a. **Hall chair quote** – Supervisor Marcinkowski has provided quotes from 3 companies for 8 high back chairs. He will investigate warranties from each company in time for next week’s meeting.
- b. **Duck Lake Dune Cemetery** – The surveyor has begun to investigate the Duck Lake Dune Cemetery and has been able to find evidence to begin marking the corners.
- c. **Road Projects – chip and seal/sub division roads – Special Assessment and Public Hearing meeting set for July 25 at 4pm, need action from Board to send out notification letters to property owners in each district.**

SANDCASTLE ESTATES SPECIAL ASSESSMENT DISTRICT

The supervisor next reported that petitions had been filed with the Township for road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of Merrie Lynn Court and West Merrie Lynn Court, located within the real property described in the attached EXHIBIT 1, hereinafter referred to as the Sandcastle Estates Special Assessment District, under authority of Michigan Public Act 188 of 1954, as amended

The supervisor and clerk next reported that they had checked the signatures on the petitions, the record owners of land within the township contained within the district described above and had prepared and filed a report setting forth the percentage of record owners of lands by area within the district, who signed the petitions which amounted to not less than Fifty-One percent (51%).

Motion was then made by Trustee Lundell, seconded by Trustee Jeske and unanimously carried that the petitions be received by the township board and the report pertaining thereto be filed as a part of the minutes of the meeting.

Motion was next made by Trustee Lundell, seconded by Clerk Fagan and unanimously carried directing the Muskegon County Road Commission to proceed with the plans for the improvement, the location thereof, and an estimate of the costs of the same.

The Muskegon County Road Commission’s report was received showing the improvement, the location thereof and an estimate of the costs of the same, these plans and estimates were then presented to the board for their consideration. The total estimated cost was in the amount of \$14,121.00.

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Motion was next made by Trustee Lundell, seconded by Clerk Fagan and unanimously carried ordering the plans and estimates to be filed with the township clerk for public examination.

Motion was next made by Clerk Fagan, seconded by Trustee Lundell, to adopt the following resolution:

RESOLUTION

BE IT HEREBY RESOLVED that the township board does hereby tentatively declare its intent to have the Muskegon County Road Commission make road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of Merrie Lynn Court and West Merrie Lynn Court, located in the Sandcastle Estates Special Assessment District, together with the necessary structures and other work incidental thereto, all within the proposed district in accordance with the petitions of the property owners therefore.

BE IT FURTHER RESOLVED that the township board does tentatively designate the special assessment district against which the costs of the improvements is to be assessed as the Sandcastle Estates Special Assessment District which shall include the lands and premises more particularly described in EXHIBIT 1.

BE IT FURTHER RESOLVED that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on July 25, 2022 at a special meeting of the Township Board at the Fruitland Township Hall 4545 Nestrom Rd., Whitehall, MI 49461 at 4:45 pm.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded,

Upon roll call vote, the following votes were recorded:

Ayes: Trustee Holman, Trustee Lundell, Trustee Jeske, Trustee Graham, Treasurer Pachman, Clerk Fagan, Supervisor Marcinkowski

Nays:

The supervisor declared the motion carried and the resolution was duly adopted.

Breann Fagan, Township Clerk

SPRING VALLEY ESTATES AND BURTON WOODS 2022 ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

The supervisor next reported that petitions had been filed with the Township for road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of Doug Drive, Shari Drive, Sandy Lane and Burton Woods Drive, located within the real property described in the attached EXHIBIT 2, and what is to be known as the Spring Valley Estates and Burton Woods 2022 Road Improvement Special Assessment District, under authority of Michigan Public Act 188 of 1954, as amended

The supervisor and clerk next reported that they had checked the signatures on the petitions, the record owners of land within the Township contained within the district described above and had prepared and filed a report setting forth the percentage of record owners of lands by area within the district, who signed the petitions which amounted to not less than Fifty-One percent (51%).

Motion was then made by Trustee Jeske, seconded by Trustee Holman and unanimously carried that the petitions be received by the township board and the report pertaining thereto be filed as a part of the minutes of the meeting.

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Motion was next made by Trustee Jeske, seconded by Trustee Lundell and unanimously carried directing the Muskegon County Road Commission to proceed with the plans for the improvement, the location thereof, and an estimate of the costs of the same.

The Muskegon County Road Commission's report was received showing the improvement, the location thereof and an estimate of the costs of the same, these plans and estimates were then presented to the board for their consideration. The total estimated cost was in the amount of \$22,940.00.

Motion was next made by Trustee Jeske, seconded by Trustee Holman and unanimously carried ordering the plans and estimates to be filed with the township clerk for public examination.

Motion was next made by Trustee Jeske, seconded by Trustee Lundell, to adopt the following resolution:

RESOLUTION

BE IT HEREBY RESOLVED that the township board does hereby tentatively declare its intent to have the Muskegon County Road Commission make road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of Doug Drive, Shari Drive, Sandy Lane and Burton Woods Drive, in the Spring Valley Estates and Burton Woods 2022 Road Improvement Special Assessment District, together with the necessary structures and other work incidental thereto, all within the proposed district in accordance with the petitions of the property owners therefore.

BE IT FURTHER RESOLVED that the township board does tentatively designate the special assessment district against which the costs of the improvements is to be assessed as the Spring Valley Estates and Burton Woods 2022 Road Improvement Special Assessment District which shall include the lands and premises more particularly described in EXHIBIT 2.

BE IT FURTHER RESOLVED that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on July 25, 2022 at a special meeting of the Township Board at the Fruitland Township Hall 4545 Nestrom Rd., Whitehall, MI 49461 at 7:00 pm.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded,

Upon roll call vote, the following votes were recorded:

Ayes: Trustee Holman, Trustee Lundell, Trustee Jeske, Trustee Graham, Treasurer Pachman, Clerk Fagan, Supervisor Marcinkowski

Nays:

The supervisor declared the motion carried and the resolution was duly adopted.

Breann Fagan, Township Clerk

GARBER'S BIRCHWOOD SUBDIVISION 2022 ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

The supervisor next reported that petitions had been filed with the Township for road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of the entirety of Garber Lane and Brookside Drive, located within the real property as described in the attached EXHIBIT 3, hereinafter referred to as the Garber's Birchwood Subdivision 2022 Road Improvement Special Assessment District, under authority of Michigan Public Act 188 of 1954, as amended

The supervisor and clerk next reported that they had checked the signatures on the petitions, the record owners of land within the township contained within the district described above and had prepared and filed a report setting forth the percentage of

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record owners of lands by area within the district, who signed the petitions which amounted to not less than Fifty-One percent (51%).

Motion was then made by Trustee Lundell, seconded by Trustee Holman and unanimously carried that the petitions be received by the township board and the report pertaining thereto be filed as a part of the minutes of the meeting.

Motion was next made by Trustee Lundell, seconded by Trustee Holman and unanimously carried directing the Muskegon County Road Commission to proceed with the plans for the improvement, the location thereof, and an estimate of the costs of the same.

The Muskegon County Road Commission's report was received showing the improvement, the location thereof and an estimate of the costs of the same, these plans and estimates were then presented to the board for their consideration. The total estimated cost was in the amount of \$8,084.00.

Motion was next made by Trustee Lundell, seconded by Trustee Holman and unanimously carried ordering the plans and estimates to be filed with the township clerk for public examination.

Motion was next made by Trustee Lundell, seconded by Trustee Holman, to adopt the following resolution:

RESOLUTION

BE IT HEREBY RESOLVED that the township board does hereby tentatively declare its intent to have the Muskegon County Road Commission make road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of the entirety of Garber Lane and Brookside Drive, located in the Garber's Birchwood Subdivision 2022 Road Improvement Special Assessment District, together with the necessary structures and other work incidental thereto, all within the proposed district in accordance with the petitions of the property owners therefore.

BE IT FURTHER RESOLVED that the township board does tentatively designate the special assessment district against which the costs of the improvements is to be assessed as the Garber's Birchwood Subdivision 2022 Road Improvement Special Assessment District which shall include the lands and premises more particularly described in EXHIBIT 3.

BE IT FURTHER RESOLVED that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on July 25, 2022 at a special meeting be July 25th at the Fruitland Township Hall 4545 Nestrom Rd., Whitehall, MI 49461 at 4:00 pm.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded,

Upon roll call vote, the following votes were recorded:

Ayes: Trustee Holman, Trustee Lundell, Trustee Jeske, Trustee Graham, Treasurer Pachman, Clerk Fagan, Supervisor Marcinkowski

Nays:

The supervisor declared the motion carried and the resolution was duly adopted.

Breann Fagan, Township Clerk

BUTTERFIELD WOODS SUBDIVISION 2022 ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

The supervisor next reported that petitions had been filed with the Township for road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of Oak Tree Lane and Woodtrail Court, located within the real property as described in the attached EXHIBIT 4, hereinafter referred to as the

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Butterfield Woods Subdivision 2022 Road Improvement Special Assessment District, under authority of Michigan Public Act 188 of 1954, as amended

The supervisor and clerk next reported that they had checked the signatures on the petitions, the record owners of land within the township contained within the district described above and had prepared and filed a report setting forth the percentage of record owners of lands by area within the district, who signed the petitions which amounted to not less than Fifty-One percent (51%).

Motion was then made by Trustee Lundell, seconded by Clerk Fagan and unanimously carried that the petitions be received by the township board and the report pertaining thereto be filed as a part of the minutes of the meeting.

Motion was next made by Trustee Lundell, seconded by Clerk Fagan and unanimously carried directing the Muskegon County Road Commission to proceed with the plans for the improvement, the location thereof, and an estimate of the costs of the same.

The Muskegon County Road Commission's report was received showing the improvement, the location thereof and an estimate of the costs of the same, these plans and estimates were then presented to the board for their consideration. The total estimated cost was in the amount of \$14,165.00.

Motion was next made by Trustee Lundell, seconded by Clerk Fagan and unanimously carried ordering the plans and estimates to be filed with the township clerk for public examination.

Motion was next made by Trustee Lundell, seconded by Clerk Fagan, to adopt the following resolution:

RESOLUTION

BE IT HEREBY RESOLVED that the township board does hereby tentatively declare its intent to have the Muskegon County Road Commission make road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of the entirety of Oak Tree Lane and Woodtrail Court, located in the Butterfield Woods Subdivision 2022 Road Improvement Special Assessment District, together with the necessary structures and other work incidental thereto, all within the proposed district in accordance with the petitions of the property owners therefore.

BE IT FURTHER RESOLVED that the township board does tentatively designate the special assessment district against which the costs of the improvements is to be assessed as the Butterfield Woods Subdivision 2022 Road Improvement Special Assessment District which shall include the lands and premises more particularly described in EXHIBIT 4.

BE IT FURTHER RESOLVED that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on July 25, 2022 at a special meeting be July 25th at the Fruitland Township Hall 4545 Nestrom Rd., Whitehall, MI 49461 at 6:00 pm.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded,

Upon roll call vote, the following votes were recorded:

Ayes: Trustee Holman, Trustee Lundell, Trustee Jeske, Trustee Graham, Treasurer Pachman, Clerk Fagan, Supervisor Marcinkowski

Nays:

The supervisor declared the motion carried and the resolution was duly adopted.

Breann Fagan, Township Clerk

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The supervisor next reported that petitions had been filed with the Township for road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of Starboard Drive, located within the real property as described in the attached EXHIBIT 5, hereinafter referred to as the Village #1 2022 Road Improvement Special Assessment District, under authority of Michigan Public Act 188 of 1954, as amended

The supervisor and clerk next reported that they had checked the signatures on the petitions, the record owners of land within the township contained within the district described above and had prepared and filed a report setting forth the percentage of record owners of lands by area within the district, who signed the petitions which amounted to not less than Fifty-One percent (51%).

Motion was then made by Trustee Lundell, seconded by Clerk Fagan and unanimously carried that the petitions be received by the township board and the report pertaining thereto be filed as a part of the minutes of the meeting.

Motion was next made by Trustee Lundell, seconded by Clerk Fagan and unanimously carried directing the Muskegon County Road Commission to proceed with the plans for the improvement, the location thereof, and an estimate of the costs of the same.

The Muskegon County Road Commission's report was received showing the improvement, the location thereof and an estimate of the costs of the same, these plans and estimates were then presented to the board for their consideration. The total estimated cost was in the amount of \$5,421.00.

Motion was next made by Trustee Lundell, seconded by Clerk Fagan and unanimously carried ordering the plans and estimates to be filed with the township clerk for public examination.

Motion was next made by Trustee Lundell, seconded by Clerk Fagan to adopt the following resolution:

RESOLUTION

BE IT HEREBY RESOLVED that the township board does hereby tentatively declare its intent to have the Muskegon County Road Commission make road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of the entirety of Starboard Drive, located in the Village #1 2022 Road Improvement Special Assessment District, together with the necessary structures and other work incidental thereto, all within the proposed district in accordance with the petitions of the property owners therefore.

BE IT FURTHER RESOLVED that the township board does tentatively designate the special assessment district against which the costs of the improvements is to be assessed as the Village #1 2022 Road Improvement Special Assessment District which shall include the lands and premises more particularly described in EXHIBIT 5.

BE IT FURTHER RESOLVED that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on July 25, 2022 at a special meeting be July 25th at the Fruitland Township Hall 4545 Nestrom Rd., Whitehall, MI 49461 at 4:00 pm.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded,

Upon roll call vote, the following votes were recorded:

Ayes: Trustee Holman, Trustee Lundell, Trustee Jeske, Trustee Graham, Treasurer Pachman, Clerk Fagan, Supervisor Marcinkowski

Nays:

The supervisor declared the motion carried and the resolution was duly adopted.

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Breann Fagan, Township Clerk

MURRAY/WILSON ROADS 2022 ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

The supervisor next reported that petitions had been filed with the Township for road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of the entirety of entirety of Wilson Road, located within the real property as described in the attached EXHIBIT 6, hereinafter referred to as the Murray/Wilson Roads 2022 Road Improvement Special Assessment District, under authority of Michigan Public Act 188 of 1954, as amended

The supervisor and clerk next reported that they had checked the signatures on the petitions, the record owners of land within the township contained within the district described above and had prepared and filed a report setting forth the percentage of record owners of lands by area within the district, who signed the petitions which amounted to not less than Fifty-One percent (51%).

Motion was then made by Trustee Lundell, seconded by Trustee Holman and unanimously carried that the petitions be received by the township board and the report pertaining thereto be filed as a part of the minutes of the meeting.

Motion was next made by Trustee Lundell, seconded by Trustee Holman and unanimously carried directing the Muskegon County Road Commission to proceed with the plans for the improvement, the location thereof, and an estimate of the costs of the same.

The Muskegon County Road Commission's report was received showing the improvement, the location thereof and an estimate of the costs of the same, these plans and estimates were then presented to the board for their consideration. The total estimated cost was in the amount of \$6,062.00.

Motion was next made by Trustee Lundell, seconded by Trustee Holman and unanimously carried ordering the plans and estimates to be filed with the township clerk for public examination.

Motion was next made by Trustee Lundell, seconded by Trustee Holman, to adopt the following resolution:

RESOLUTION

BE IT HEREBY RESOLVED that the township board does hereby tentatively declare its intent to have the Muskegon County Road Commission make road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of the entirety of Wilson, located in the Murray/Wilson Roads 2022 Road Improvement Special Assessment District, together with the necessary structures and other work incidental thereto, all within the proposed district in accordance with the petitions of the property owners therefore.

BE IT FURTHER RESOLVED that the township board does tentatively designate the special assessment district against which the costs of the improvements is to be assessed as the Murray/Wilson Roads 2022 Road Improvement Special Assessment District which shall include the lands and premises more particularly described in EXHIBIT 6.

BE IT FURTHER RESOLVED that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on July 25, 2022 at a special meeting be July 25th at the Fruitland Township Hall 4545 Nestrom Rd., Whitehall, MI 49461 at 4:15 pm.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded,

Upon roll call vote, the following votes were recorded:

Ayes: Trustee Holman, Trustee Lundell, Trustee Jeske, Trustee Graham, Treasurer Pachman, Clerk Fagan, Supervisor Marcinkowski

Nays:

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The supervisor declared the motion carried and the resolution was duly adopted.

Breann Fagan, Township Clerk

HAIN STREET 2022 ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

The supervisor next reported that petitions had been filed with the Township for road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of the entirety of Hain Street, located within the real property as described in the attached EXHIBIT 7, hereinafter referred to as the Hain Street 2022 Road Improvement Special Assessment District, under authority of Michigan Public Act 188 of 1954, as amended

The supervisor and clerk next reported that they had checked the signatures on the petitions, the record owners of land within the township contained within the district described above and had prepared and filed a report setting forth the percentage of record owners of lands by area within the district, who signed the petitions which amounted to not less than Fifty-One percent (51%).

Motion was then made by Trustee Lundell, seconded by Trustee Holman and unanimously carried that the petitions be received by the township board and the report pertaining thereto be filed as a part of the minutes of the meeting.

Motion was next made by Trustee Lundell, seconded by Trustee Holman and unanimously carried directing the Muskegon County Road Commission to proceed with the plans for the improvement, the location thereof, and an estimate of the costs of the same.

The Muskegon County Road Commission's report was received showing the improvement, the location thereof and an estimate of the costs of the same, these plans and estimates were then presented to the board for their consideration. The total estimated cost was in the amount of \$5,651.00.

Motion was next made by Trustee Lundell, seconded by Trustee Holman and unanimously carried ordering the plans and estimates to be filed with the township clerk for public examination.

Motion was next made by Trustee Lundell, seconded by Trustee Holman, to adopt the following resolution:

RESOLUTION

BE IT HEREBY RESOLVED that the township board does hereby tentatively declare its intent to have the Muskegon County Road Commission make road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of the entirety of Hain Street, located in the Hain Street 2022 Road Improvement Special Assessment District, together with the necessary structures and other work incidental thereto, all within the proposed district in accordance with the petitions of the property owners therefore.

BE IT FURTHER RESOLVED that the township board does tentatively designate the special assessment district against which the costs of the improvements is to be assessed as the Hain Street 2022 Road Improvement Special Assessment District which shall include the lands and premises more particularly described in EXHIBIT 7.

BE IT FURTHER RESOLVED that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on July 25, 2022 at a special meeting be July 25th at the Fruitland Township Hall 4545 Nestrom Rd., Whitehall, MI 49461 at 7:00 pm.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded,

Upon roll call vote, the following votes were recorded:

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Ayes: Trustee Holman, Trustee Lundell, Trustee Jeske, Trustee Graham, Treasurer Pachman, Clerk Fagan, Supervisor Marcinkowski

Nays:

The supervisor declared the motion carried and the resolution was duly adopted.

Breann Fagan, Township Clerk

OLD ORCHARD SUBDIVISION 2022 ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

The supervisor next reported that petitions had been filed with the Township for road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of Tranquil Trail, located within the real property as described in the attached EXHIBIT 8, hereinafter referred to as the Old Orchard Subdivision 2022 Road Improvement Special Assessment District, under authority of Michigan Public Act 188 of 1954, as amended

The supervisor and clerk next reported that they had checked the signatures on the petitions, the record owners of land within the township contained within the district described above and had prepared and filed a report setting forth the percentage of record owners of lands by area within the district, who signed the petitions which amounted to not less than Fifty-One percent (51%).

Motion was then made by Trustee Lundell, seconded by Trustee Holman and unanimously carried that the petitions be received by the township board and the report pertaining thereto be filed as a part of the minutes of the meeting.

Motion was next made by Trustee Lundell, seconded by Trustee Holman and unanimously carried directing the Muskegon County Road Commission to proceed with the plans for the improvement, the location thereof, and an estimate of the costs of the same.

The Muskegon County Road Commission's report was received showing the improvement, the location thereof and an estimate of the costs of the same, these plans and estimates were then presented to the board for their consideration. The total estimated cost was in the amount of \$24,418.00.

Motion was next made by Trustee Lundell, seconded by Trustee Holman and unanimously carried ordering the plans and estimates to be filed with the township clerk for public examination.

Motion was next made by Trustee Lundell, seconded by Trustee Holman, to adopt the following resolution:

RESOLUTION

BE IT HEREBY RESOLVED that the township board does hereby tentatively declare its intent to have the Muskegon County Road Commission make road improvements including application of a dense graded bituminous surfacing and other necessary and incidental improvements of the entirety of the entirety of Tranquil Trail, located in the Old Orchard Subdivision 2022 Road Improvement Special Assessment District, together with the necessary structures and other work incidental thereto, all within the proposed district in accordance with the petitions of the property owners therefore.

BE IT FURTHER RESOLVED that the township board does tentatively designate the special assessment district against which the costs of the improvements is to be assessed as the Old Orchard Subdivision 2022 Road Improvement Special Assessment District which shall include the lands and premises more particularly described in EXHIBIT 8.

BE IT FURTHER RESOLVED that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on July 25, 2022 at a special meeting be July 25th at the Fruitland Township Hall 4545 Nestrom Rd., Whitehall, MI 49461 at 5:15 pm.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

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BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded,

Upon roll call vote, the following votes were recorded:

Ayes:

Nays:

The supervisor declared the motion carried and the resolution was duly adopted.

Breann Fagan, Township Clerk

- d. Recommendations on township property – Lakewood Lots – Supervisor Marcinkowski reported that the Park Commission accepted the chosen property for future parks.**

NEW BUSINESS –

- a. White Lake Drive – Commercial District – Supervisor Marcinkowski would like the Board to consider whether the area south of White Lake Dr., between Durham and Zellar should be considered as a commercial district. Whitehall Township has a commercial/industrial district on the north side of White Lake Drive and the township only has a few small commercial districts currently. He believes benefits will include getting increased utilities run down White Lake Drive and increasing property values in that area. Attorney Even suggested looking at the Master Plan and considering an amendment. He also warned that any properties currently zoned residential would become “non-conforming” once an area is rezoned commercial.**
- b. Blueberry Festival – Supervisor Marcinkowski would like to approve a drone use request for the Blueberry Festival in order to make short marketing videos/materials to be placed on our website.**
- c. NO WAKE Buoys – White Lake – Buoys were placed in White Lake by the Sylvan Beach Association that were reported as illegal buoys because they were placed without permit. When Supervisor Marcinkowski began investigating it was determined that Fruitland Township’s current buoys also need a permit, so he has started that process. Sylvan Beach Association also applied for permit for their buoys, and the DNR reached out to Supervisor Marcinkowski to see if there are any objections to their permit. The Board discussed that “No Wake” buoys within 100 ft of the shoreline would be acceptable. Trustee Graham questioned buoys she noticed at the White Lake Yacht Club as well.**
- d. VRBO Complaint – 5318 South Shore drive – A new complaint was received from a neighbor, John Gerig, regarding a VRBO being operated at 5318 S Shore Dr. Both Toby Ferguson (Ordinance Enforcer) and Val Jensen (Zoning Enforcer) have been informed and will make contact. Trustee Lundell questioned if we should consider allowing some short-term rentals in certain areas or with some restrictions.**

- e. **Township Hall Cleaning** – Batka’s is closing so a new selection needs to be made. Supervisor Marcinkowski is beginning to collect quotes and information. Any other interested individuals/companies should reach out to Supervisor Marcinkowski.
- f. **Rotary Club – Fireworks Contribution – Cruz’In Weekend – July 30** – The Rotary was unable to provide fireworks for July 4th and are planning to do them on July 30th. Trustee Holman suggested an increase to \$250 instead of our usual \$100.

PUBLIC COMMENT -

Carlet Mitenbuler, 4623 Nestrom – Questioned why fireworks were planned for Cruz’In and not for the 4th of July. The Board clarified that it was a shortage of fireworks, shipping, and labor that caused the issues.

Mary Ann Bard, 1428 W Bard (via Zoom)- That is a bunch of lies about the Ecology station . I think they choose what they want to do and not to do. Two fires at the ecology station that weren't out when the fire department left and the fires spread. All the money that the Fruitland Township pay the fire department, they should be burying the brush piles at the ecology. station.

When is Fruitland Township contract done with WHITE3

When is the contract with White Lake Fire Department up????????

Skip number 2, it is a error

Is the township or Muskegon Road going to pay for the parking ????? Taxpayers should not be paying for it.

Very good suggestion about the new owners property Vlcki

Is the price for one chair? Go to Herman Miller and get some quotes

I think the board should skip this year for the fireworks. I feel the 4th of the July is for the veterans and not cars

BOARD COMMENTS/DISCUSSION – Clerk Fagan shared that absentee ballot applications and absentee ballots are available for the August 2, 2022 election. There are also still vouchers available for Seniors. Trustee Graham shared information about a grant to be passed on to the Citizen’s Advisory Committee. Supervisor Marcinkowski shared that Muskegon County is currently working on determining who has broadband service in Muskegon County and continues to work toward whole county connectivity. He shared that Frontier is also planning to put fiber-optic cables throughout the township next year. Supervisor Marcinkowski has not received any bids on the rebuild of the McMillan Road end stairs. Many contractors are unable to fit it in to their schedules within this year. Trustee Graham questioned a neighboring property and whether they have received the proper permits. Supervisor Marcinkowski reported updates from the Northside Water Policy Board. He also reported that the Baker College property was bought by Muskegon County. A recent letter from Senator Bumstead

FRUITLAND TOWNSHIP JULY 11, 2022 WORK SESSION MINUTES

discussed his Water Infrastructure funding and will pass the information onto the Citizen's Advisory Committee as well.

ADJOURNMENT

Motion by Trustee Holman, second by Trustee Jeske, ***ADOPTED***, to adjourn the July 11, 2022 Work Session of the Township of Fruitland at 12:42 PM.

Upon Voice Vote: 7 AYES – motion carried

Respectfully Submitted,

Breann Fagan, Clerk
Township of Fruitland

FRUITLAND TOWNSHIP JULY 11, 2022 WORK SESSION MINUTES

STATION 1
1300 Delaney Dr.
Whitehall, MI 49461
231-893-6503



STATION 2
4206 Duck Lake Rd
Whitehall, MI 49461
231-766-3311

Fruitland Township Board Members,

In response to the “anonymous” letter that was submitted at the Regular Board Meeting last night, I would like to take the time to address each question and give you the most accurate answer possible. It is always been my policy that unsigned documents such as this are invalid, but in the essence of transparency I have addressed all of the issues. I will be attending your July Work Session for an in-person opportunity to ask and answer questions, or elaborate at that time as well.

1. Why are we using the the ariel truck on non related fire call's?
 - a. The Aerial that we have at the White Lake Fire Authority is a fire truck. It is also a licensed medical response vehicle with the state of Michigan so it is able to respond on medicals in the event the primary medical response vehicle is already deployed on another emergency, or if it is down for repair.
 - b. It is currently been more active because we had a Firefighter hit in our mini pumper and that vehicle was subsequently totaled and is no longer in service. We moved the primary medical response vehicle from station #1 to use in that vehicles place while we are waiting for its replacement.
 - c. That medical truck does not have a pump, water, or any of the extrication equipment that the mini pumper carried, so the Aerial is used.
 - d. It is also the second out vehicle for our paid on call responders who would normally use the medical truck to respond.
 - e. We ordered the mini pumper replacement in November of 2020, and due to COVID and supply chain issues we are not slated to receive it until January of 2023. That Aerial will continue to respond on whatever call it needs to in order to offer the best emergency response service that we can until the new mini pumper is in service.
2. What is the cost to have that unit re cerified every year?

SMOKE DETECTORS SAVE LIVES

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- a. The cost to have the Aerial recertified every year is \$580. This is a certification of the actual ladder that is on top of the truck. This is a requirement that we do every year and has no bearing on anything on the vehicle other than the actual ladder itself.
3. Why aren't the chiefs & assistant chief cars not marked in big letters fire dept.?
 - a. Both the Fire Chief and Deputy Chief vehicles are both clearly marked. They have door shields that are significantly larger than the other similar sized vehicles, the same reflective striping, "FIRE COMMAND" decals as a designation, the EMS Star of Life on the side to identify it as an emergency medical response unit, and also a large unit number on the roof to help Helicopters and Airplanes mark locations of emergencies. The only thing missing at this time are the chevrons on the tailgates, as we are waiting for the material and installer to be available
4. Why are the firefighters & officers not wearing their PPE? on calls
 - a. The firefighters and officers wear their PPE when it is appropriate to do so. We wear our Personal Protective Equipment (PPE) when there is a hazard or a situation that warrants it. We do not wear it on every call. PPE is used when personal protection is needed. There are some circumstances where we deviate from this rule, but only with just cause.
5. The fire authority paid lots of money for their gear don't they need it know?
 - a. Yes. The Fire Authority did spend a lot of money on gear and we still need that gear for when a situation warrants it. There are times where the gear is not needed, therefore it is not worn. We make decisions based on each individual call on whether PPE is needed, and to what degree. I am not going to have my staff in all of their turnout gear on a 90-degree day when it isn't warranted just because we have it. It is very easy to become overheated and there is no reason to risk someone's safety when PPE is not required. Also, there is no reason to risk damage to our expensive gear when it doesn't need to be worn.
- #3 They made the last chief mark his car double standards
Incorrect. The previous Chief did not have a marked vehicle. I inherited his unmarked vehicle when I was promoted to Chief and I am the one who asked the Board to approve the expenditure to have it marked as one of my first duties as Chief. I feel that it is important that those vehicles are easily identified by our community as an emergency responder that can help them.

SMOKE DETECTORS SAVE LIVES