

**FRUITLAND TOWNSHIP  
REGULAR MEETING  
SEPTEMBER 19, 2022 MINUTES**

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

**ALSO PRESENT** – (5) Five interested parties

**CALL TO ORDER** - Supervisor Marcinkowski called the September 19, 2022 Regular Meeting to order at 6:00 PM and led the pledge of allegiance.

**AGENDA** - Motion by Trustee Lundell, second by Trustee Jeske, **ADOPTED**, to accept the September 19, 2022 Regular Township Board Meeting Agenda.  
*Upon Voice Vote: 7 AYES – motion carried*

**PUBLIC COMMENT –**

Mike Reed, 5982 S Shore Dr – Presented photos and questioned the recent work done on S Shore Dr. Pointed out that a guard rail was not replaced after the work. He spoke to Paul Bouman and felt dismissed, and is wondering if the Township can do anything. Also presented pictures of two drains that he feels should have covers.

Scott Manzo, 4893 Terravita Drive – Spoke about the White Lake Fire Authority considering changing their Articles of Incorporation and believe Fruitland Township should continue to have 3 representatives on the Board since Fruitland Township residents represent such a large part of the WLFA. Also believes the Chief should not have sole signing power. Questioned whether Station 2 is even being used.

Brian Hosticka, 1387 Holton Whitehall Rd – State Representative Candidate for upcoming election. Grew up in Whitehall, lived in Fruitland Township for 6 years. Has many years and ties within the community. Currently a public defender for Muskegon County.

Katie Bradford, 3775 White Lake Dr – Live in one of the 2 residential homes located in the area that has been suggested to be considered to be rezoned to commercial.

**ANNOUNCEMENTS/COMMUNICATIONS –**

- a. **4344 South Shore Drive** – Owner missed court of appeals filing date – township attorney working on final order from the court.
- b. **August PINS report**
- c. **July/August Zoning Report**

- d. **August Ordinance Report**
- e. **3321 Scenic** – received an email with an update on the status. Supervisor Marcinkowski asked for permission for a walk-through inspection with the building inspector to keep an eye on the progress.
- f. **Gary Kozicki** – Recently bought the property on the corner of Michillinda/Nestrom and is offering it to the township to buy for \$70,000.00.
- g. **Letter of Support – High Speed Internet – ARPA Funds – US Dept. of Commerce – Susan Brehm**
- h. **Sarah Zielinski vehicle** – Finally received the release of lien. My Auto will process new title to remediate the vehicle and donate to a family in need.
- i. **Meeting notes** – GMED sent an email with ARPA funds coordination updates and meeting notes for the Board’s information.
- j. **VRBO complaints** – letters sent – 7120 Starboard Drive and 7130 Starboard Drive.

**CONSENT AGENDA –**

- a. **August 2022 Treasurer reports; Revenues: (101) General Fund \$150,667.50; Public Works Fund (130) \$655.40; Expenditures: (101) General Fund \$65,618.48; (140) Metro Authority Fund \$3,878.13**
- b. **August 2022 Clerk reports – Check disbursements**
- c. **Minutes – August 8, 2022 Work Session; August 16, 2022 Regular Board Meeting**

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

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

**UNFINISHED BUSINESS –**

- a. **Duck Lake Cemetery – seeking corner and mid-post ideas to designate perimeter.** Supervisor Marcinkowski asked the Board to consider the galvanized posts in order to get the perimeter marked and consider holding off on the decorative posts to be discussed in the future. Supervisor Marcinkowski will continue to gather quotes for simple posts.

Motion by Trustee Lundell, second by Trustee Holman, **ADOPTED**, to approve spending up to \$1,000 to buy posts for the cemetery.

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

- b. **Property leases – Scenic Drive Road End – Otterbacher/Craft and Mike Byam**  
Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to approve the parking leases as presented.

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

**c. Senior Millage – Re-allocate?**

Motion by Trustee Holman, second by Treasurer Pachman, **ADOPTED**, to re-allocate the remaining voucher funds to be used for Ecology Station Vouchers and Farmer’s Market Vouchers as needed. Still to be provided to residents who have not received them yet this year.

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

**NEW BUSINESS –**

**a. Township Hall Cleaning quotes – Jen’s Cleaning; S&A Cleaning; Big Lake Property Services**

Motion by Supervisor Marcinkowski, second by Treasurer Pachman, **ADOPTED**, to approve the quote from S&A.

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

Motion by Trustee Jeske, second by Trustee Holman, **ADOPTED**, to approve the quote from Big Lake Property Services.

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

**b. Drone Video Content – approval to send out basic scope – RFQ’s**

Motion by Supervisor Marcinkowski, second by Trustee Graham, **ADOPTED**, to direct Supervisor Marcinkowski to send.

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

**c. Commercial District – White Lake Dr – Blank to Zellar – Smaller scope – 2 homes – pass this to Planning Commission** – Supervisor Marcinkowski shared information regarding the third parcel located in the area that currently has deed restrictions due to previous chemical contamination. He is going to research more to determine if that parcel would be allowable for commercial businesses despite the contamination. If so, this may be another reason to consider rezoning this area as commercial.

Motion by Trustee Graham, second by Trustee Holman, **ADOPTED**, to table this for now.

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

**d. Tree removal and trimming – quotes**

Motion by Supervisor Marcinkowski, second by Trustee Jeske, **ADOPTED**, to approve the quote from Jelinek Tree Services in the amount of \$29,500.

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

**e. PPE – SCBA’s – ARPA Funds - \$25K Request** – This item remained tabled.

**f. Memorandum of Understanding** – The Memorandum of Understanding was updated to include that Fruitland Township would be the organization that would work with EGLE for any permits.

Motion by Trustee Jeske, second by Trustee Holman, **ADOPTED**, to approve the Memorandum of Understanding with updated language.

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

**g. Contract with Living Word Church – ARPA funds – for Senior Services**

Motion by Supervisor Marcinkowski, second by Trustee Lundell **ADOPTED**, to approve the contract between Fruitland Township and Living Word Senior Services with amendment adding an annual end date.

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

**h. Tree Management 2022 – Gary Kozicki/Mike Gould**

Motion by Supervisor Marcinkowski, second by Trustee Jeske, **ADOPTED**, to approve the proposal made by Gary Kozicki and Mike Gould for Tree Harvesting.

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

**i. WLFA – Articles of Incorporation** – Supervisor Marcinkowski presented proposed changes for the White Lake Fire Authority Articles of Incorporation. He also announced that he would be resigning from the WLFA Board while they work on the changes because of a conflict of interest with his role on the Township Board. He also announced that Brian Allred is resigning.

Motion by Supervisor Marcinkowski, second by Trustee Holman **ADOPTED**, to suspend from Robert's Rules to discuss with resident.  
*Upon Voice Vote: 6 AYES, 1 NAY – motion carried*

Clerk Fagan tried to clarify some language within the proposed changes regarding the number of signors and the Fire Chief signing checks. Resident Mr. Manzo angrily questioned why the Fire Chief would want to be a signor on the account. Supervisor Marcinkowski clarified that these are all proposed changes and he brought it to the Board in order to review the changes and make suggestions to the WLFA Board.

Motion by Trustee Lundell second by Treasurer Pachman **ADOPTED**, to return to Robert's Rules.  
*Upon Voice Vote: 7 AYES – motion carried*

Motion by Supervisor Marcinkowski, second by Trustee Holman **ADOPTED**, to take no action and take time to review the proposed changes.  
*Upon Voice Vote: 7 AYES – motion carried*

**j. Par Plan – Risk Reduction Grant Program – Lights, cameras and installation – Nestrom Park - \$5,000 max award – no match – approval to proceed**

Motion by Trustee Jeske, second by Trustee Holman **ADOPTED**, to allow the Supervisor to complete the Risk Reduction Grant Program Application.

*Upon Voice Vote: 7 AYES – motion carried*

**k. Berry Junction Trail maintenance – seal coating** – Quotes were calculated based on current year, but project will likely be considered next year. The Board would like to consider allocating ARPA Funds for this project when it comes up.

**l. Water System Policy Board – Section 5 Mandatory Connection - additional draft language – meeting info.**

Motion by Supervisor Marcinkowski, second by Trustee Jeske **ADOPTED**, to accept the changes as written.

*Upon Voice Vote: 6 AYES, 1 NAY – motion carried*

**m. Amended Language recommendation – Day Care, Private Homes – Planning Commission**

Motion by Trustee Holman second by Trustee Jeske **ADOPTED**, to accept the changes as written.

*Upon Voice Vote: 7 AYES – motion carried*

- n. Township Hall – 4-day work week** – Clerk Fagan shared that there are 23 municipalities in Muskegon County. 11 of them are open on Friday at this time (including Fruitland). Of those 11 only 6 are townships (the rest are cities) and include Fruitport Charter, Ravenna (not open Thursdays), Dalton, Egelston, Laketon, and Fruitland.

Motion by Supervisor Marcinkowski second by Clerk Fagan **ADOPTED**, to suspend Robert's Rules.

*Upon Voice Vote: 6 AYES, 1 NAY – motion carried*

Supervisor Marcinkowski questioned those residents in the audience on their thoughts. One resident suggested staying open until 5:30. One resident suggested Friday off but stay late one day per week, especially during the summer. Deputy Fekken said she would've appreciated a business opening at 7am when she was working at a job with a normal schedule.

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

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

Motion by Supervisor Marcinkowski second by Treasurer Pachman **ADOPTED**, to table this idea and speak to office staff about the suggestions.

*Upon Voice Vote: 6 AYES, 1 NAY – motion carried*

**o. GMED Contractor Letter**

Motion by Supervisor Marcinkowski second by Trustee Holman **ADOPTED**, to suspend Robert's Rules.

*Upon Voice Vote: 7 AYES – motion carried*

Morgan Carroll from GMED shared a letter she wrote regarding using a general contractor for the upcoming upgrade/improvements projects rather than looking for various subcontractors for individual projects. GMED has been having issues finding any contractors to answer any RFP's. Journey Construction responded to one of the requests and through further discussions, GMED is proposing that Fruitland Township use Journey Construction as a general contractor for all upcoming projects and would be willing to work with us to use preferred subcontractors. Supervisor Marcinkowski clarified that we would be able to review any scopes of work or projects developed by Journey Construction.

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

*Upon Voice Vote: 7 AYES – motion carried*

Motion by Supervisor Marcinkowski, second by Trustee Jeske, **ADOPTED**, to approve the suggestion and use Journey Construction as a General Contractor for the currently planned township hall projects (generator, well, HVAC, bathroom upgrades, park wifi improvements, vehicle charging station).

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

Motion by Supervisor Marcinkowski second by Trustee Holman **ADOPTED**, to suspend Robert's Rules.

*Upon Voice Vote: 7 AYES – motion carried*

Morgan clarified that GMED's contract is to coordinate paperwork, contracts, and administration of the ARPA funds, but they are unable to coordinate the actual jobs and manage each individual subcontractor that we choose to hire. A General Contractor would manage more of the actual jobs and coordinate to make sure all the work is getting done well and completely.

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

*Upon Voice Vote: 7 AYES – motion carried*

**PUBLIC COMMENT –**

Mary Ann Bard, 1428 W River – (Via Zoom) Isn't number under ew Business C;. isn' that where the radio station was at one time. ?

Can a person get a copy of article incorporation from the White Lake Fire Authority. Long time coming! Hope the next person will not be taken in y the Chief!

Can home owners have their family members stay at their cottages in the summer months ?

Go back to five days a week. Stay open 8:00 a.m. to 4:00. P.m.

You were elected to do a job for the residents Not what you as board members want.

zWhat is wrong with the bathroom faucets?

FRUITLAND TOWNSHIP SEPTEMBER 19, 2022 REGULAR MEETING MINUTES

David Rice, Nestrom Rd – Thank You for approving the Memorandum of Understanding. Asked if there are trees being logged in the Duck Creek Natural Area.

Mike Reed, 5892 S Shore Dr – Asked if there would be Board support regarding the work done on S Shore Drive.

**BOARD COMMENTS/DISCUSSION** – Trustee Holman reported on the Planning Commission meeting on 9/1 – they updated daycare language to reflect the state regulations. They tabled working on a solar farm ordinance because Montague is working on a similar ordinance. They're looking at adding language regarding grading based on resident concerns about maintaining their view. Trustee Holman asked about the status of the well at the cemetery. Supervisor Marcinkowski will check with the Maintenance Supervisor to get it fixed before spring. Supervisor Marcinkowski shared information from the Muskegon County Road Commission. Trustee Graham asked him to ask if the culvert on Weber by Green Creek has been evaluated. Supervisor Marcinkowski shared statistics about Human Trafficking. Information from the Parks Commission clarified that Commissioner Huch's quote for the tennis courts would last for about 5 years while the quote shared by Commission Murray would last approximately 20 years. The Water Policy Board has had some staff changes and needs a new staff person for billing/administration. Supervisor Marcinkowski shared that he prays for all the Board members, residents, business owners, staff, inspectors, etc. and asked the Board members to pray for the community as well. Trustee Lundell asked that we not suspend Robert's Rules unless it is for professional input or someone is scheduled, not just for upset residents.

**ADJOURNMENT**

Motion by Trustee Holman, second by Trustee Jeske, ***ADOPTED***, to adjourn the September 19, 2022 Regular Meeting of the Township of Fruitland at 8:36 PM.

*Upon Voice Vote: **ZAYES – motion carried***

Respectfully Submitted,

Breann Fagan, Clerk  
Township of Fruitland