

**FRUITLAND TOWNSHIP  
REGULAR MEETING  
FEBRUARY 21, 2023 MINUTES**

**PRESENT** – Supervisor Marcinkowski, Clerk Fagan, Trustee Holman, Trustee Graham, Trustee Jeske, Treasurer Pachman, Trustee Lundell (arrived at 5:10)

**ALSO PRESENT** – (12) Twelve interested parties

**CALL TO ORDER** - Supervisor Marcinkowski called the February 21, 2023 Regular Meeting to order at 5:00 PM and led the pledge of allegiance.

**AGENDA** - Motion by Trustee Holman, second by Trustee Jeske, **ADOPTED**, to accept the amended February 21, 2023 Regular Township Board Meeting Agenda.  
*Upon Voice Vote: 6 AYES – motion carried*

**PUBLIC COMMENT –**

Matt Varnum, WRLS – Leaving copies of updated WRLS information.

David Rice, 4047 Nestrom Rd – Any upfront costs cannot be reimbursed by the DNR Trust Fund Grant so engineering costs would need to be paid up front.

Martha Allen, 3995 Jay Rd – Discussed the paving for Jay Rd and hopes to continue working with the township to see that get done.

Terrie Hampel, 6171 Duck Lake Rd – Read a support letter from Friends of Fruitland Township Trails for the Duck Creek Natural Area and provided a donation of \$1000 to go towards the matching funds for the DCNA.

**ANNOUNCEMENTS/COMMUNICATIONS –**

- a. **January PINS report** – Will be placed on file
- b. **January Zoning Report** – Will be placed on file
- c. **January Ordinance Report** – Will be placed on file
- d. **DCNA Public Input Meeting for DNR Trust Fund Grant – 2/9** – Approximately 25 residents attended. Dave Rice gave a PowerPoint presentation. Many of the public comments and suggestions were positive.
- e. **Nestrom Park Public Input Meeting for SPARK Grant – 2/16** – Took place during the snowstorm and was not well attended. Some comments and suggestions were collected, both positive and negative. There will be a small meeting this Thursday with a physical therapist to discuss exercise equipment for the park.
- f. **Tanis 4434 South Shore** – Recent communication from the attorney states that Tanis will agree to remove the home and garage within 35 days. The agreement should be ready to sign within the next few days and the 35 days will start once the agreement is signed.

Motion by Trustee Holman, second by Clerk Fagan, **ADOPTED**, to approve Supervisor Marcinkowski to sign the agreement for 35 days once it is available.

*Upon Voice Vote: 7 AYES – motion carried*

**CONSENT AGENDA –**

- a) **January 2023 Treasurer reports; Revenues: (101) General Fund \$186,429.26; Expenditures: (101) General Fund \$57,121.02**
- b) **January 2023 Clerk reports – Check disbursements and budget amendments**
- c) **Minutes – January 9, 2023 Work Session; January 17, 2023 Regular Board Meeting**

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

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

**UNFINISHED BUSINESS –**

- a. **Budget review** – A first look budget was provided showing the comparison between the current year and the proposed upcoming budget.

Motion by Clerk Fagan, second by Supervisor Marcinkowski, **ADOPTED**, to approve the 2023-24 Budget Hearing at the Regular Meeting on March 20<sup>th</sup>, and the Special Budget Meeting on March 30<sup>th</sup> at 10:00 AM.

*Upon Voice Vote: 7 AYES – motion carried*

- b. **Road Projects - Jay Rd paving – small subdivision roads** – Last year's pricing for the paving of Jay Rd included Fruitland Township and MCRC covering the gravel upgrade (\$30,000 each) and then splitting the remaining cost for the paving (148k) on a 25/25/50 split. The new pricing has a total project cost of \$210,000 with it split 25/25/50, which significantly increases the costs to the residents. Supervisor Marcinkowski will return to the MCRC to clarify. There will also need to be more discussion with the township attorney's on how to approach the subdivision road upgrades due to MCRC adding the wedging at an increased cost.

Motion by Supervisor Marcinkowski, second by Trustee Holman, **ADOPTED**, to suspend Robert's Rules to discuss with residents in the audience.

*Upon Voice Vote: 7 AYES – motion carried*

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

*Upon Voice Vote: 7 AYES – motion carried*

- c. **RFP – Engineer of Record – discussion – selection** – The Board discussed both proposals and pros and cons to each company. The Board thought it was important that Fleis&Vanderbrink has experience with grants in other municipalities.

Motion by Trustee Graham, second by Trustee Jeske, **ADOPTED**, to approve the Engineer of Record RFP from Fleis & Vanderbrink.

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

- d. **Electric vehicle charging station – LOOP 3<sup>rd</sup> party option – 480V \$17K ARPA allocation request** – Supervisor Marcinkowski met with an electrician last week to determine if 480v is already available and is waiting for the report. Loop has an investigation process that is done before anything binding is agreed upon. The first agreement would be non-binding to start the process.

Motion by Trustee Lundell, second by Trustee Jeske, **ADOPTED**, to approve the non-binding agreement with Loop to begin the investigation process.

*Upon Voice Vote: 7 AYES – motion carried*

**NEW BUSINESS –**

- a. **New payroll company request**

Motion by Trustee Graham, second by Trustee Lundell, **ADOPTED**, to approve the agreement with BS&A for payroll services and use ARPA funds for the set up costs.

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

- b. **WLFA – Board representation** – Supervisor Marcinkowski requested that he be allowed to replace Melissa Beegle in advance of the Articles of Incorporation being reviewed so that the new person is up to speed prior to next year. Trustee Jeske questioned removing Melissa from the WLFA when she was recently nominated to be chairperson against Supervisor Marcinkowski. Trustee Graham expressed she did not want to remove a board member that does not want to be

removed. Supervisor Marcinkowski said he would have another discussion with her to determine her feelings.

Motion by Trustee Holman, second by Supervisor Marcinkowski, **RESCINDED**, to replace Melissa Beegle on the White Lake Fire Authority Board.

Trustee Holman rescinded his motion

**c. Senior Millage funding –**

Motion by Clerk Fagan, second by Trustee Graham, **ADOPTED**, to allocate the Senior Millage Grant 2023 as follows: \$5000 to White Lake Senior Center, \$5000 to AgeWell, \$1,825 for a Senior Event and the remaining \$15,000 to go towards vouchers including Fruitland Township Ecology Station (\$20), Muskegon Farmers Market (\$5-10), Montague Farmers Market (\$5-10 plus administrative fee), and the White River Light Station tickets.  
*Roll Call Vote:* Trustee Holman **AYE**, Trustee Graham **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE**, Trustee Lundell **AYE**, Trustee Jeske **AYE**, Treasurer Pachman **AYE**, – **motion carried**

**d. PINS contract 2023-2024**

Motion by Trustee Jeske, second by Clerk Fagan, **ADOPTED**, to approve the PINS Contract as presented.  
*Roll Call Vote:* Trustee Holman **AYE**, Trustee Graham **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **AYE**, Trustee Lundell **AYE**, Trustee Jeske **AYE**, Treasurer Pachman **AYE**, – **motion carried**

**e. Resolution 2023-03 Establish Supervisor Salary for Fiscal Year 2023/2024**

Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to approve Resolution 2023-03 as written.  
*Roll Call Vote:* Trustee Holman **AYE**, Trustee Graham **AYE**, Clerk Fagan **AYE**, Supervisor Marcinkowski **ABSTAIN**, Trustee Lundell **AYE**, Trustee Jeske **AYE**, Treasurer Pachman **AYE**, – **motion carried**

**f. Resolution 2023-04 Establish Clerk Salary for Fiscal Year 2023/2024**

Motion by Trustee Lundell, second by Trustee Jeske, **ADOPTED**, to approve Resolution 2023-04 as written.

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

**g. Resolution 2023-05 Establish Treasurer Salary for Fiscal year 2023/2024**

Motion by Trustee Lundell, second by Trustee Jeske, **ADOPTED**, to approve Resolution 2023-05 as written.

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

**h. Resolution 2023-06 Establish Trustee Salary for Fiscal Year 2023/2024**

Motion by Trustee Lundell, second by Trustee Jeske, **ADOPTED**, to approve Resolution 2023-06 as written.

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

Motion by Trustee Jeske, second by Trustee Graham, **FAILED**, to approve Resolution 2023-05 with a lower increase.

**i. Resolution 2023-08 Meeting Dates and Times for the Fiscal Year 2023/2024**

Motion by Trustee Jeske, second by Treasurer Pachman, **ADOPTED**, to approve Resolution 2023-08 with updating all Tuesday meetings to start at 5pm.

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

**j. Resolution 2023-09 Holiday Observance Days for Fiscal Year 2023/2024**

Motion by Trustee Graham, second by Clerk Fagan, **ADOPTED**, to approve Resolution 2023-09 as written.

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

- k. **Tree tops – resident request to cut firewood** – The Board continued to talk about a permit system with waiver to be given to a certain number of residents on a first come, first serve basis.

Motion by Trustee Lundell, second by Supervisor Marcinkowski, **ADOPTED**, to approve a one year permit and safety waiver system for residents to be able to collect and cut freshly cut tree tops/wood.

*Upon Voice Vote: 7 AYES – motion carried*

- l. **Ecology Station – Old Dump – Westshore Engineering - \$3000 ARPA allocation request**

Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to approve the agreement as written, to be paid with ARPA funds.

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

- m. **3321 Scenic Drive – Agreement to Demolish Building**

Motion by Trustee Jeske, second by Clerk Fagan, **ADOPTED**, to approve Supervisor Marcinkowski to sign the agreement for the razing of all structures located at 3321 Scenic Drive.

*Upon Voice Vote: 7 AYES – motion carried*

- n. **DCNA Engineering Cost -**

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

*Upon Voice Vote: 7 AYES – motion carried*

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

*Upon Voice Vote: 7 AYES – motion carried*

Motion by Trustee Lundell, second by Clerk Fagan, **ADOPTED**, to approve payment of the engineering costs in the amount of \$16,800 for the DCNA from ARPA funds.

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

**PUBLIC COMMENT –**

David Rice, 4047 Nestrom Rd – Thank you.

Helen Mortenson, Jay Rd – Supports the work being proposed on Jay Rd and encourages the Board the move quickly.

Mary Ann Bard, 1423 W River, Via Zoom - When are you going to get Henry and Pyle property taken care of. Seems you are only interesting to go after new problems and forget the years gone by problems. Fruitland Township is getting to look darn junky.

When are you going to put the right number of people on Parks and Recreation. A new person by State Law should be appointed 30 days after one leaves. You are well over that time frame.

I don't think that Parks and Recreation even have a quorum at this time. This electric vehicle charging station for Fruitland Township should just forget this one. How many people are going to drive out to Fruitland Township or use the station. How much will it cost to charge a vehicle? How long? to many if's. What is the electric bill to the township going to be???????????

Salary for Year 2023-2024 should not go up. Get paid well now for the hours they work.

How much is the salary now and how much will it go up with the raise???

I think Jeff should leave the WLFA Board and a resident or a board member should be appointed.

What is more important to you Jeff, Fruitland Township or WLFA?????

How many use the VAC Fruitland township???? Not resident's outside of Whitehall School District can use the VAC.

What are your raises?

Your raises for the amount of time you all work is highway robbery to the taxpayer's.

Unknown Zoom Attendee - Supervisor, you can't support your own motion.

**BOARD COMMENTS/DISCUSSION –** Trustee Graham asked what, if anything, we are paying for with ARPA that will require funding after ARPA runs out. Clerk Fagan shared that there will be a May election this year on May 2, 2023 for MAISD millage renewal and a Whitehall School District Bond Proposal. Supervisor Marcinkowski spoke about another township that uses a township wide road millage, which cost each resident a certain amount and enabled the township to pave every road in the township.

**ADJOURNMENT**

FRUITLAND TOWNSHIP FEBRUARY 21, 2023 REGULAR MEETING MINUTES

Motion by Trustee Jeske, second by Trustee Lundell, ***ADOPTED***, to adjourn the February 21, 2023 Regular Meeting of the Township of Fruitland at 7:06 PM.

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

Respectfully Submitted,

Breann Fagan, Clerk  
Township of Fruitland