

**FRUITLAND TOWNSHIP
REGULAR MEETING
APRIL 17, 2023 MINUTES**

PRESENT – Clerk Fagan, Trustee Graham, Trustee Jeske, Treasurer Pachman, Trustee Lundell

ABSENT - Supervisor Marcinkowski, Trustee Holman

ALSO PRESENT – (15) Fifteen interested parties

CALL TO ORDER – Clerk Fagan called the April 17, 2023 Regular Meeting to order at 6:00 PM and led the pledge of allegiance.

AGENDA - Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to accept the April 17, 2023 Regular Township Board Meeting Agenda.
Upon Voice Vote: 5 AYES – motion carried

PUBLIC COMMENT –

Irene Pierson, 6827 Whitehall Rd. – There are few streetlights between Michillinda and White Lake Drive. She would like to see more lights near White Lake Assisted Living.

Melissa Beegle, 6019 Zellar Rd – Has been a Fruitland Township representative on the White Lake Fire Authority Board for 12 years and is unhappy about recent comments made by members of the Fruitland Township Board about her motivations on the WLFA Board and gave explanations for some of the criticism she has heard.

Jeff Beegle, 6019 Zellar Rd – Questioned the actions of Supervisor Marcinkowski and the comments made regarding Melissa Beegle and the WLFA Board.

Pete McCarthy, 4259 Mystic Lane – Fire Chief for the White Lake Fire Authority. Stated that he is always available for questions and always answers honestly. Remarked that Trustee Holman has made inflammatory and accusatory statements in the past and even to the WLFA staff in public.

Greg Kruse, 5617 S Shore Dr – Spoke about his FOIA appeals and Clerk Fagan gaslighting and trying to extort money from him. Provided documents for the Board and spoke about Melissa Beegle’s involvement in the construction of the first McMillan Road end stairs. He then served the Board a copy of his lawsuit against Fruitland Township.

ANNOUNCEMENTS/COMMUNICATIONS –

- a. **March PINS report** – Will be placed on file
- b. **March Zoning Report** – Will be placed on file
- c. **March Ordinance Report** – Will be placed on file

- d. **Tree removal – WRLS – April 20th** – parking lot closed signage up in advance – posted on website, Enews and Fruitland Informed
- e. **Muskegon Foundation wish list** – Supervisor Marcinkowski has put in two requests this year for the Muskegon Community Foundation Wish List: information Kiosk for DCNA \$1,500, Youth Soccer Field \$45,000.

CONSENT AGENDA –

- a) **March 2023 Treasurer reports; Revenues: (101) General Fund \$145,098.45; (140) Metro Authority Fund \$6,500; Parks and Recreation Specialty Fund \$16,000.00; Expenditures: (101) General Fund \$ 508,857.52; (160) Parks and Recreation Specialty Fund \$760.00**
- b) **March 2023 Clerk reports – Check disbursements and ARPA Funds**
- c) **Minutes – March 13, 2023 Work Session; March 21, 2023 Regular Board Meeting; March 30, 2023 Special Board Meeting**

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

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

UNFINISHED BUSINESS –

- a. **McMillan Rd End Dune Stabilization quote – Dune Grass Man – ARPA?** Clerk Fagan shared an email from a City Manager that used Olde Path (The Dune Grass Man) and he recommends using them. The Board discussed checking with maintenance to see how much of the tree removal they can do, and adding a rock or something similar to the south of the top of the stairs to stop the rain washout for now.

Motion by Clerk Fagan, second by Trustee Graham, **ADOPTED**, to revisit this by adding this to the agenda in June or July.

Upon Voice Vote: **5 AYES – motion carried**

NEW BUSINESS –

- a. **Land Exchange with DNR** – Supervisor Marcinkowski would like approval to send the application for the consideration of a land exchange for more land at Marcus Park.

Motion by Trustee Lundell second by Treasurer Pachman, **ADOPTED**, to approve Supervisor Marcinkowski to proceed with the application.

Upon Voice Vote: **5 AYES – motion carried**

- b. Trailer request – approval to sell box truck to help with purchase** – The Board discussed this request and had additional questions.

Motion by Trustee Lundell second by Trustee Jeske **ADOPTED**, to table this request until 3 quotes are obtained and a value for the box truck is known.

Upon Voice Vote: 5 AYES – motion carried

- c. Park Commission – open position – Tim Bazany and Katy Bradford** – The Board will wait to see who the Parks Commission recommends for selection in May after review by Park Commission of new candidate.

- d. Duck Lake Level Control Structure – 3-year inspection** – Clerk Fagan and Trustee Jeske gave background that this is a required inspection that was last completed by Schultz Land & Water Consulting in 2020. Three quotes were gathered at that time and Schultz was chosen.

Motion by Trustee Jeske, second by Clerk Fagan, **ADOPTED**, to approve Schultz Land & Water Consulting to do the inspection at a cost not to exceed \$1500.00

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

- e. Transfer Station information sheet** – The Board reviewed the Transfer Station information and the yearly revenue/expenditures spreadsheet. The transfer station ended the 2022-2023 fiscal year in the red by nearly \$7,000. They would like to see the 2019 price list and informational letter sent to residents with the tax notices this summer. The Board also discussed the May Discount Dump Days. Sprague Auto reached out to offer services to residents that have junk cars or scrap metal. Clerk Fagan will include their services in the information for the Discount Dump Days which will go out to residents via the E-News, website and Fruitland Township Informed Facebook group.

Motion by Clerk Fagan, second by Trustee Jeske, **ADOPTED**, to approve the Fruitland Township 2023 Discount Dump Days from May 1st – May 31st.

Roll Call Vote: Trustee Graham AYE, Clerk Fagan AYE, Trustee Lundell AYE, Trustee Jeske AYE, Treasurer Pachman AYE, Trustee

Holman **ABSENT**, Supervisor Marcinkowski **ABSENT**, – **motion carried**

f. Resolution 2023-12 – DNR SPARK GRANT APPLICATION FOR NESTROM PARK

Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to approve Resolution 2023-12 DNR Spark Grant Application for Nestrom Park.

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

- g. Scenic Drive Feasibility Study – additional \$2,900 – ARPA funds** – Trustee Jeske explained that the Grants Committee has received two proposals for engineering feasibility studies; one that would add shoulders from Fenner Road to Duck Lake Road, and one that would extend from Fenner Road to the north end of Scenic at White Lake Drive. At this time the Grants Committee is still recommending only to Duck Lake Road, but the cost of the study is higher than originally thought. Fruitland Township would need to contribute an additional \$2,900 on top of the \$5,000 already allocated via ARPA funding.

Motion by Trustee Jeske, second by Clerk Fagan, **ADOPTED**, to approve an additional \$2,900 to be allocated from ARPA Funds for the Scenic Drive Feasibility Study for a total of \$7,900.

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

- h. Municipality Support Letter** – The Board received a request from the Chemours Environmental Impact Committee of White River Township regarding the need for testing and clean-up of Sadony Bay. They are applying for grants and they are requesting a letter of support from surrounding municipalities.

Motion by Clerk Fagan, second by Trustee Lundell, **ADOPTED**, to approve Supervisor Marcinkowski to sign the letter of support.

Upon Voice Vote: **5 AYES – motion carried**

- i. Greg Kruse FOIA appeal** – Clerk Fagan presented two FOIA appeal requests from Mr. Kruse. She stated that his requests were denied due to being too broad and not sufficiently describing the records he is requesting. She shared the email

responses she sent his asking for more specific requests in order to fulfill the requests.

Motion by Trustee Jeske, second by Trustee Lundell, **ADOPTED**, to send both FOIA appeals to the township attorney for his review and opinion.

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

PUBLIC COMMENT –

Melissa Beegle, 6019 Zeller – Finished her public comment from before regarding her representing Fruitland Township on the WLFA Board. Stated she has voted the same as Supervisor Marcinkowski on all but a few votes and is displeased with the comments from Trustee Holman and Supervisor Marcinkowski about her representation on the WLFA Board.

Motion by Trustee Jeske, second by Treasurer Pachman, **ADOPTED**, to suspend from Robert's Rules for discussion.

Upon Voice Vote: **5 AYES – motion carried**

Trustee Jeske asked for clarification regarding the brush trucks that the WLFA Board is requesting. Melissa stated the current brush trucks are from 1985 and were given to the WLFA. Both trucks were in the budget, which Supervisor Marcinkowski approved.

Fire Chief Pete McCarthy was asked for clarification about how Station 2 is being used and if response times have changed with Station 2 not being used as often. His response was that prior to the new station being built, staff split their shifts between Station 1 during the day and Station 2 at night because Station 2 had sleeping quarters. When the new station was built, there were studies done to make sure it was placed in a location that was central for the entire coverage area. Time studies show that the average response time from the new station is 5 minutes to anywhere in the coverage area, which is lower than it was previously. Both stations have trucks and equipment and the paid on call firefighters often respond from Station 2. He also touched on the brush trucks, stating that the trucks are needed and that they did try to save money by ordering 2 brush trucks and one UTV that can be used on smaller trails.

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

Upon Voice Vote: 5 AYES – motion carried

Greg Kruse, 5617 S Shore Dr – Explained his use of the word “any” vs “all” and welcomed the lawyer's opinion. Talked more about the McMillan Road End stairs and issues with previous administrations.

BOARD COMMENTS/DISCUSSION – Trustee Graham gave an update for the “Senior Palooza”, that she is working with AgeWell and a small group to hold Senior Palooza at the Fruitland Township Hall on July 8th tentatively from 10am to 1pm. They are discussing having vendors as well as a lunch or meal. Clerk Fagan reminded everyone that the election is May 2nd, 2023 and that absentee ballots are available. She also shared an invite from AgeWell for their Heels for Meals fundraiser on April 22nd. They have offered complimentary tickets if anyone would like to go.

ADJOURNMENT

Motion by Trustee Graham, second by Trustee Jeske, **ADOPTED**, to adjourn the April 17, 2023 Regular Meeting of the Township of Fruitland at 7:18 PM.

Upon Voice Vote: 5 AYES – motion carried

Respectfully Submitted,

Breann Fagan, Clerk
Township of Fruitland