

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
JANUARY 22, 2013
MINUTES**

PRESENT – Trustee Bard, Trustee Deur, Trustee Rissi, Clerk Rillema, Treasurer Beegle, Supervisor St. Amour

ABSENT - Trustee Hampel

ALSO PRESENT – Seven (7) interested parties.

CALL TO ORDER – Supervisor St. Amour called the Tuesday, January 22, 2013 Regular Meeting to order at 5:04 PM, led the pledge of allegiance and asked for a moment of silence.

AGENDA – Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the January 22, 2013 Regular Township Board Meeting Agenda.
Upon Voice Vote: 6 AYES, 1 ABSENT – motion carried

PUBLIC COMMENT –

- (1) Dennis McKee, Consumers Energy – Stated that smart meters were being installed in homes to eliminate the need for meter readers and invoicing “estimate” billing statements. Over 40 million smart meters out of 315 million have been installed.
- (2) Laura Shields, Parks & Recreation Commissioner Chair – Thanked the Board of Trustees for the joint meeting earlier in the month. Some of the projects are being researched and a final budget for funding of project requests will be given to the Board of Trustees in February. Chair Shields also handed the Board members an email from Ric Pedler, Muskegon County Nature Club, regarding placement of bird houses on township property.
- (3) Terry Sabo, Muskegon County Commissioner District #8 –Introduced himself and stated that he is excited about his new role as County Commissioner in representing Fruitland Township.

MINUTES –

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to accept the December 10, 2012 Work Session Minutes and December 17, 2012 Regular Meeting Minutes.
Upon Voice Vote: 6 AYES, 1 ABSENT – motion carried

RECEIPTS & DISBURSEMENTS –

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to accept the Receipts of \$109,765.28 and Bank Balance and Certificate of Deposits of \$800,066.84 for the period of December 1, 2012 through December 31, 2012 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$41,004.59 and Fund 130

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Disbursements in the amount of \$112.23 for the period of December 1, 2012 through December 31, 2012 as reported by Karolyn Rillema, Fruitland Township Clerk.

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

PUBLIC HEARING - Article R14 Medical Marihuana Dispensary Ordinance

PUBLIC HEARING OPEN 5:22 PM

Trustee Deur spoke in detail of the sub-committees input, adoption of the Medical Marihuana Moratorium and work that has gone into the proposed ordinance by Attorney Even. Additional court cases may make it necessary to make language amendments in the future. The Board of Trustees thanked Trustee Deur and others for their work.

PUBLIC COMMENT - There was no public comment or written comment received from the public in support or opposition.

PUBLIC HEARING CLOSED 5:35 PM

Motion by Supervisor St. Amour, second by Trustee Deur, **ADOPTED**, to enact Article R14 Medical Marihuana Dispensary Ordinance and instruct the Clerk to publish such ordinance in the White Lake Beacon.

Roll Call Vote: Trustee Bard **AYE**, Trustee Deur **AYE**, Trustee Rissi **AYE**, Clerk Rillema **AYE**, Treasurer Beegle **AYE**, Supervisor St. Amour **AYE**, Trustee Hampel **ABSENT**

ANNOUNCEMENTS/COMMUNICATIONS – Supervisor St. Amour announced that Attorney Even wrote a letter to resident, Ewing Jones, in response to his communication received by all board members. The MCRC is hosting a Winter Open House on Wednesday, January 30, 2013 at 9AM which includes a tour of the facilities on Apple Avenue. A thank you was received by the White Lake Senior Center for our 2012 contribution. Trustee Rissi stated no new information to report on the Water Quality Protection Policy Zoning, Planning & Master Plan for the Duck Creek Watershed. Supervisor St. Amour stated that he sent an email responding to a letter received by the DEQ for our compliance response for the Ecology Station.

COMMITTEE/BOARD UPDATES –

- White Lake Ambulance Authority – Trustee Bard stated that no meeting was held in December. Supervisor St. Amour stated that he received communication from Attorney Even stating that M.C.L.A. 124.603 (2) states that amendments may be made to an authority's Articles of Incorporation if adopted by the legislative body of each city, village or township of which the authority is composed. The Board requests that Attorney Even prepare a letter stating this language in regards to the Articles of Incorporation amendments being requested by the WLAA and that additional Articles of Incorporation language changes will be submitted to the WLAA following their January meeting by Fruitland Township for consideration. The Board of Trustees also requests that Attorney Even prepare a letter regarding continued concerns on the lack of implementation of internal controls over financial reporting by the WLAA. Supervisor St. Amour would like to discuss both subjects with

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Chairman of the WLAA, Donald Studaven prior to the next WLAA meeting on the 30th of January 2013.

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to empower Supervisor St. Amour to contact White Lake Ambulance Authority Chairman Studaven regarding financial position of the Authority.

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

- White Lake Fire Authority – Treasurer Beegle stated that the election of officers was completed at the WLFA meeting on January 10, 2013. Supervisor St. Amour was re-elected as Chair and she was re-elected as Vice-Chair. The Authority is currently updating their employee handbook and the language that Attorney Even is preparing for the WLAA on the Articles of Incorporation adoption also is in effect for the WLFA. This language will also be given to the WLFA along with language changes submitted by Fruitland Township for consideration.
- Planning Commission – Trustee Deur stated that a public hearing was held for language changes to Article III, General Provision, Section 3.07 Projections Into Yards on January 9, 2013. There was no public comment or written comments received supporting or opposing the language changes.

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to accept the recommendation from the Planning Commission for the amended language in Article III, General Provisions, Section 3.07 Projections Into Yards to add (D) Eaves may project into any yard setback, but shall not project into any such setback more than Twenty-Four inches. Such amendment shall be effective in the following Zoning Districts Site Development Standards regarding Side Yard Setback – Article IV, RR, Rural Residential, Section 4.04 / Article V, LDR, Low Density Residential, Section 5.04 / Article VI, MDR, Medium Density Residential, Section 6.04 / Article VIa, LMSD, Lake Michigan Shoreline District, Section 6.04a / Article VII, MHDR, Medium High Density Residential, Section 7.04 / Article VIII, HDR, High Density Residential, Section 8.04 / Article VIIIa, ILD, Inland Lakes Districts, Section 8.02a and XII, FPRD, Forest Preservation and Recreation District. The Clerk will publish such language amendment in the White Lake Beacon.

Roll Call Vote: Trustee Bard **AYE**, Trustee Deur **AYE**, Trustee Rissi **AYE**, Clerk Rillema **AYE**, Treasurer Beegle **AYE**, Supervisor St. Amour **AYE**, Trustee Hampel **ABSENT**

OLD BUSINESS –

1. Ordinance Enforcement – Supervisor St. Amour reported various ordinance enforcement cases in the township.
2. Murray Road and Todd Road Projects – Supervisor St. Amour stated a public hearing for the Murray Road Improvements 2013 Special Assessment District will be held on Wednesday, February 6, 2013 at 5:00 PM at the township hall. If the public hearing is favorable, the petition process would start. Managing Director Hulka will be present for the public hearing.

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Supervisor St. Amour stated that he met with Consuelo Maxim regarding grant funding for road projects along with Trustee Rissi and Trustee Hampel. In her synopsis letter, it appears that it would take about two years to complete such project. Although the time frame for this type of funding is not reasonable for the Murray Road Project, the Board would like to discuss at the February Work Session for potential future road work. Supervisor St. Amour stated that the Todd Road may be considered an “experimental” project for the MCRC and will keep the board abreast of such work.

NEW BUSINESS –

1. 2013-14 Budget Discussion – Supervisor St. Amour reviewed briefly the Revenues and Expenditures proposed in the 2012-14 Budget. Any additional additions/deletions/changes should be forwarded to Supervisor St. Amour prior to the February work session. A public hearing will be scheduled at the February 19, 2013 Regular meeting on the 2013-14 Budget.

2. Budget Amendments –

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to authorize the Clerk to make the 2012-13 3rd Quarter Budget Amendments as presented.
Roll Call Vote: Treasurer Beegle **AYE**, Clerk Rillema **AYE**, Trustee Rissi **AYE**, Trustee Deur **AYE**, Trustee Bard **AYE**, Supervisor St. Amour **AYE**, Trustee Hampel **ABSENT**

ACCT NUMBER	DESCRIPTION	REASON	AMOUNT	INCREASE/ DECREASE
REVENUES				
FUND 101				
101-000-476.001	Permit - Building	additional revenue	\$ 2,623.05	increase
101-000-573.000	Liquor License	additional revenue	\$ 13.75	increase
101-000-622.002	Zoning - PLZ	additional revenue	\$ 250.00	increase
101-000-626.000	Ecology Station	additional revenue	\$ 13,590.81	increase
101-000-630.000	Burials	additional burials	\$ 1,718.04	increase
101-000-643.000	Cemetery Lot Sale	additional lot sales	\$ 2,100.00	increase
101-000-664.000	Interest on Deposits	additional revenue	\$ 99.40	increase
101-000-667.000	Township Park Pavilion Rental	2013 additional revenue	\$ 45.00	increase
101-000-671.000	Other Revenues	additional revenue	\$ 45.39	increase
101-000-679.000	Harvest Tree Receipts	additional revenue	\$ 15,182.36	increase
			\$ 35,667.80	
FUND 101				
APPROPRIATIONS				
101-101-801.001	Contracting-Computer Services	BS&A.net Software Training (Bldg Dept)	\$ 923.32	increase
101-101-956.000	Miscellaneous	Lamos Rd End Survey, Trustee Name Plates	\$ 206.47	increase
101-101-977.00	Capital Improvements	BS&A.net Software Purchase (Bldg Dept)	\$ 4,860.00	increase
101-191-707.000	Part Time Wages	Election Workers	\$ 570.00	increase
101-191-726.000	Supplies	Election Supplies	\$ 481.70	increase
101-191-801.000	Contracting	Election maintenance of equipment	\$ 26.50	increase
101-215-724.000	Postage	Mailing of Voter ID cards (twice)	\$ 338.71	increase
101-265-707.000	Part Time Wages	Seasonal Help	\$ 145.00	increase
101-267-707.000	Part Time Wages	Seasonal Help	\$ 145.00	increase
101-267-910.001	Health Insurance	Health Insurance Increase adjustment	\$ 139.49	increase
101-269-707.000	Part Time Wages	Seasonal Help	\$ 145.00	increase
101-269-715.000	EMP/ER - Soc Sec/Med	Seasonal Help	\$ 0.50	increase

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101-269-910.001	Health Insurance	Health Insurance Increase adjustment	\$ 139.49	increase
101-276-707.000	Part Time Wages	Seasonal Help	\$ 362.50	increase
101-276-801.000	Contracting	Burial Charges	\$ 700.00	increase
101-276-910.001	Health Insurance	Health Insurance Increase adjustment	\$ 484.48	increase
101-301-724.000	Postage	postage	\$ 12.60	increase
101-526-910.001	Health Insurance	Health Insurance Increase adjustment	\$ 1,198.60	increase
101-526-956.000	Miscellaneous	Ecology Station Punch Cards	\$ 389.85	increase
101-691-707.000	Part Time Wages	Seasonal Help	\$ 72.12	increase
101-691-910.001	Health Insurance	Health Insurance Increase adjustment	\$ 484.44	increase
101-746-707.000	Part Time Wages	Seasonal Help	\$ 290.00	increase
101-746-910.001	Health Insurance	Health Insurance Increase adjustment	\$ 418.50	increase
101-746-930.000	Repairs & Maintenance	Pier Sand Removal, Flag Pole Replacement	\$ 632.80	increase
			\$ 13,167.07	
FUND 120 - PUBLIC ROADS FUND				
REVENUES				
120-447-930.000	Repairs & Maintenance	2012 Road Projects	\$ 1,598.68	increase
FUND 130 - PUBLIC WORKS FUND				
APPROPRIATIONS				
130-000-669.000	Water Service Charges	additional revenue	\$ 1,080.56	increase
FUND 990 - SPECIAL CONTINGENCY FUND				
REVENUES				
990-000-664.000	Interest on Deposits	Interest Earned	\$ 203.68	increase

3. Scrap Tire Grant –

**FRUITLAND TOWNSHIP
RESOLUTION 2013-01
5-TOWNSHIP 2013 SCRAP TIRE CLEAN-UP GRANT PROPOSAL**

- WHEREAS,** scrap tires have a blighting influence and pose a public health hazard from mosquito-transmitted diseases, and;
- WHEREAS,** blight negatively effects property values and the aesthetic quality of our recreation areas, and;
- WHEREAS,** the Michigan Department of Environmental Quality has a Scrap Tire Clean-up Grant Program to address the proper disposal and reuse of scrap tires, and;
- WHEREAS,** Fruitland Township desires to cooperate with neighboring communities to access resources provided by the state in the most efficient manner;

NOW, THEREFORE, BE IT RESOLVED, that the Fruitland Township Board supports a grant submittal to the Michigan Department of Environmental Quality’s Scrap Tire Clean-up Grant on behalf of Laketon, Muskegon, Dalton, Blue Lake and Fruitland Townships, and;

BE IT FURTHER RESOLVED, that Laketon Township commits to apply for the grant on behalf of Laketon, Dalton, Muskegon, Blue Lake and Fruitland Townships and administer the grant for all five communities.

Upon a roll call vote, the members voted as follows:

“**AYE**”: Trustee Bard, Trustee Deur, Trustee Rissi, Clerk Rillema, Treasurer Beegle, Supervisor St. Amour

“**NAY**”: None

“**ABSENT**”: Trustee Hampel

BE IT RESOLVED THAT, Resolution 2013-01, 5-Township 2013 Scrap Tire Clean-up Grant Program was **ADOPTED** at the January 22, 2013 Regular Meeting of the Township of Fruitland.

Karolyn Rillema
Township Clerk

Dated: January 23, 2013

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4. Lot Division – Clerk Rillema explained that applicant, Estate of Ruth Carmody, is requesting a division/combination of lots in a recorded plat for parcels 61-06-142-000-0040-00, 61-06-142-000-0041-00 and 61-06-142-000-0043-00 which would eliminate one parcel and split the remaining two. Zoning Administrator Sandel has reviewed and recommends such division/combination.

Motion by Clerk Rillema, second by Trustee Rissi, **ADOPTED**, to accept the division/combination of a lot in a recorded plat for parcels 61-06-142-000-0040-00, 61-06-142-000-0041-00 and 61-06-142-000-0043-00 for applicant Estate of Ruth Carmody as recommended by Zoning Administrator Sandel.
Roll Call Vote: Trustee Bard **AYE**, Trustee Deur **AYE**, Trustee Rissi **AYE**, Clerk Rillema **AYE**, Treasurer Beegle **AYE**, Supervisor St. Amour **AYE**, Trustee Hampel **ABSENT**

5. Accounts Payable –

Motion by Clerk Rillema, second by Treasurer Beegle, **ADOPTED**, to authorize the Clerk to pay the Accounts Payable which includes Michigan Municipal Treasurers Association dues for Treasurer Beegle in the amount of \$50.00, Michigan Association of Municipal Clerks dues for Clerk Rillema in the amount of \$60.00, Muskegon County Treasurer’s Office for the 4th Quarter PINS Agreement in the amount of \$10,065.50, White Lake Area Chamber of Commerce 2013 Membership dues in the amount of \$230.00 and West Michigan Shoreline Regional Development Commission (WMSRDC) for North Central Muskegon County Joint Planning Commission (JPC) 2013 dues in the amount of \$1000.00.
Roll Call Vote: Treasurer Beegle **AYE**, Clerk Rillema **AYE**, Trustee Rissi **AYE**, Trustee Deur **AYE**, Trustee Bard **AYE**, Supervisor St. Amour **AYE**, Trustee Hampel **ABSENT**

6. Board Comments – There were no board comments.

ADJOURNMENT –

Motion by Treasurer Beegle, second by Supervisor St. Amour, **ADOPTED**, to adjourn the January 22, 2013 Regular Meeting of the Township of Fruitland at 6:40 PM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland