

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
DECEMBER 17, 2012
MINUTES**

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

ALSO PRESENT – Three (3) interested parties.

CALL TO ORDER – Supervisor St. Amour called the Monday, December 17, 2012 Regular Meeting to order at 5:00 PM, led the pledge of allegiance and asked for a moment of silence for those families in Connecticut.

AGENDA – Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the December 17, 2012 Regular Township Board Meeting Agenda.
Upon Voice Vote: 7 AYES – motion carried

PUBLIC COMMENT –

MINUTES –

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to accept the November 13, 2012 Work Session Minutes and November 19, 2012 Regular Meeting Minutes.
Upon Voice Vote: 7 AYES – motion carried

RECEIPTS & DISBURSEMENTS –

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to accept the Receipts of \$19,028.23 and Bank Balance and Certificate of Deposits of \$731,368.21 for the period of November 1, 2012 through November 30, 2012 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$61,801.77 and Fund 120 Disbursements in the amount of \$441,106.68 for the period of November 1, 2012 through November 30, 2012 as reported by Karolyn Rillema, Fruitland Township Clerk.
Upon Voice Vote: 7 AYES – motion carried

ANNOUNCEMENTS/COMMUNICATIONS – Supervisor St. Amour announced that Trustee Bard is starting her ninth year on the Board, Clerk Rillema, Trustee Deur and he are starting their fifth year, Treasurer Beegle is starting her fourth year and welcomed Trustee Rissi and Trustee Hampel to the Board. Supervisor St. Amour stated that Novotny is still having difficulty with frequency of signal on the life rings at the channel. They continue working on it until it is properly monitoring. Habitat for Humanity is reviewing property in another jurisdiction but is still interested in some of the Lakewood Lots owned by the Township. The first "draft" of the 2013-14 Fiscal Year Budget will be presented at the January work session. Any ideas or comments prior to the work session should be directed to Supervisor St. Amour prior to the work session. Supervisor St.

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Amour responded to the group of Whitehall High Senior students interested in volunteering painting services at the Nestrom Road Park but in their response they stated it would be a spring project. He will meet with them and report the specifics. Letters were written by both the Drain Commissioner and Muskegon County Health Department to two property owners in the Mason Drain District for illicit sewer connections. Communication between the Drain Commissioner and Muskegon County Health Department to the property owner to the east of the Lamos Road End regarding the encroachment on the Partridge Drain may result in the covering of the drain responsible by the easterly property owner. Supervisor St. Amour will keep the Board updated on both Drain Districts as information becomes available. Trustee Deur placed copies of "How to Make Your Home Lead Safe" provided by the Muskegon County Health Department in the lobby for residents to pick up. The drainage issue at the WRLS has been corrected by Scheid Plumbing, Heating & Cooling. A blocked drain was located and flushed. Correspondence from resident, Mr. McCabe, was given to all Board members. Mr. McCabe is dissatisfied with information on his record card. It states that on the new construction at 4486 Orshal Road that he is currently working on "aluminum/vinyl" when in fact it is not sided at all. Supervisor St. Amour has communicated with Assessor Bowen about this information. She has consulted with our software provider and it is a program that is pre-programmed with dropdowns. That particular selection offers wood/shingle, aluminum/vinyl, or brick only. Mr. McCabe is dissatisfied with that response. Supervisor St. Amour receives numerous calls/voice mails daily from Mr. McCabe requesting often times the same information.

COMMITTEE/BOARD UPDATES –

- Parks & Recreation Commission – Supervisor St. Amour stated that Trustee Hampel will serve as our liaison for the Board and Parks & Recreation Commission. Mary Josephson and Lynn Knopf were appointed at the December 10, 2012 Work Session as Commissioners to fill the two vacancies. Their term will end November 2014 in which they could run again in the General Election.

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to change the Monday, January 14, 2013 work session from 10:00 AM to 4:00 PM and have a joint meeting with the Parks & Recreation Commission Monday, January 14, 2013 at 5:00 PM.

Upon Voice Vote: 7 AYES – motion carried

- Planning Commission – Trustee Deur reported that a Public Hearing will be held at the January Planning Commission meeting on Article III, General Provisions, Section 3.07 Projections Into Yards (D). Minor language changes for the setback requirements for roof eaves are being proposed. Also part of the Public Hearing will be to propose amendments in the Zoning Districts Site Development Standards regarding Side Yard Setback. An Ordinance on Prohibiting Medical Marihuana Dispensaries and Related Penalties for Violation of this Ordinance was forwarded to the Board of Trustees. A Public Hearing is scheduled on Tuesday, January 22, 2013 at 5:00 PM to consider adoption of the Regulatory Ordinance.

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to extend our Medical Marihuana Moratorium which currently expires January 31, 2013 to March 31, 2013 which is an additional 60 days.

Upon Voice Vote: 7 AYES – motion carried

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- Citizens Advisory Wireless Committee – Trustee Deur reported a meeting with Ray Leppien of miSpot recently. miSpot is currently working on 4G wireless networks in over 30 sites in Michigan. Additional areas may be sought after February and Fruitland Township could be considered but the expense of running the fiber is still an issue. Trustee Deur will report all updates as he is informed.
- White Lake Community Library -

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to re-appoint Sally Schwartz to continue serving as our Representative on the White Lake Community Library Board for another term beginning January 1, 2013 through December 31, 2016.

Upon Voice Vote: 7 AYES – motion carried

- Duck Creek Watershed Assembly - Trustee Rissi reported that she met with Steve Coverly and Supervisor St. Amour to review the draft of the Water Quality Protection Policy Zoning, Planning & Master Plan for the Duck Creek Watershed. There is a lot of information provided in the plan which will be shared with the Duck Creek Watershed Assembly and eventually presented to our Board for its review.

OLD BUSINESS –

1. Ordinance Enforcement – Supervisor St. Amour reported various ordinance enforcement cases in the township. Several are on monthly checks and appear to be making progress.
2. Murray Road and Todd Road Projects – Supervisor St. Amour stated that Attorney Even, MCRC Managing Director Hulka and himself met and discussed the process of special assessment for Murray Road. A Citizens Advisory Committee will be appointed to discuss the proposed project. Postcards will be sent to all property owners that utilize Murray Road for property driveway access around mid-January. If percentage is favorable, public hearings would then be scheduled, a petition for special assessment filed and work scheduled.

Motion by Supervisor St. Amour, second by Trustee Deur, **ADOPTED**, to approve the Supervisor to appoint Charles Deupree, Irene Pierson, Brian Lernowich and Ted Boers to the Murray Road Citizen's Advisory Committee.

Upon Voice Vote: 7 AYES – motion carried

3. Ordinance Review - Clerk Rillema explained that Resolution 2012-21 added language that the Building Official/Inspector was being added as an Ordinance Enforcement Officer.

**FRUITLAND TOWNSHIP
RESOLUTION 2012-21**

APPOINTMENT OF ORDINANCE ENFORCEMENT OFFICERS AND ORDINANCE ENFORCEMENT BUREAU CLERK

WHEREAS, A resolution providing for the appointment of a Bureau Clerk to be responsible for the administration of the Township Ordinance Enforcement Bureau and to appoint persons to the office of Ordinance Enforcement Officer for such terms as set forth herein;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Fruitland Township that the Township Clerk is hereby appointed to the office of Bureau Clerk for the Township Ordinance Enforcement Bureau and is granted all such authority as allowed by law and further the following township employees are hereby appointed as Ordinance Enforcement Officers:

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The Township Supervisor
The Township Clerk
The Township Zoning Administrator
The Building Official/Inspector

Each Ordinance Enforcement Officer is hereby authorized to enforce all Ordinances of the Township of Fruitland, whether heretofore or hereafter enacted, and whether such Ordinances specifically designated a different official to enforce the same or do not designate any particular enforcing officer all as set forth in the Township's Ordinance Enforcement Officer Ordinance. This resolution is adopted pursuant to MCL 41.2.

Motion by Clerk Rillema, second by Supervisor St. Amour, **ADOPTED**, Resolution 2012-21 Appointment of Ordinance Enforcement Officers and Ordinance Enforcement Bureau Clerk.

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

"AYE": Trustee Bard, Trustee Deur, Trustee Rissi, Clerk Rillema, Treasurer Beegle, Trustee Hampel, Supervisor St. Amour

"NAY": None

"ABSENT": None

BE IT RESOLVED THAT, Resolution 2012-21, Appointment of Ordinance Enforcement Officers and Ordinance Enforcement Bureau Clerk was adopted at the December 17, 2012 Regular Meeting of the Township of Fruitland.

Karolyn Rillema, Clerk
Township of Fruitland

Date: December 17, 2012

NEW BUSINESS –

1. Fred Meijer Berry Junction Rail Trail Commission -

FRUITLAND TOWNSHIP RESOLUTION 2012-22 FRED MEIJER BERRY JUNCTION RAIL TRAIL COMMISSION

WHEREAS, the Fred Meijer Berry Rail Trail Commission has a phase II plan in place to extend the existing trail, and;

WHEREAS, the phase II plan includes extension into the townships of Dalton, Muskegon Charter, Laketon and the City of North Muskegon, and;

WHEREAS, the Fred Meijer Berry Junction Rail Trail Commission wishes to collaborate with the County of Muskegon in grant application efforts, and;

NOW, THEREFORE, BE IT RESOLVED, that Fruitland Township supports the Fred Meijer Berry Junction Rail Trail Commission working in collaboration with the County of Muskegon in pursuing grants for phase II of the trail.

Motion by Clerk Rillema, second by Treasurer Beegle, **ADOPTED**, Resolution 2012-22 Fred Meijer Berry Junction Rail Trail Commission.

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

"AYE": Trustee Hampel, Treasurer Beegle, Clerk Rillema, Trustee Rissi, Trustee Deur, Trustee Bard, Supervisor St. Amour

"NAY": None

"ABSENT": None

BE IT RESOLVED THAT, Resolution 2012-22, Fred Meijer Berry Junction Rail Trail Commission was adopted at the December 17, 2012 Regular Meeting of the Township of Fruitland.

Karolyn Rillema, Clerk
Township of Fruitland

Date: December 17, 2012

2. White Lake Senior Center Invoice -

Motion by Clerk Rillema, second by Trustee Hampel, **ADOPTED**, to authorize the Clerk to make payment to White Lake Senior Center in the amount of \$1000.00.

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

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3. MTA Conference -

Motion by Treasurer Beegle, second by Supervisor St. Amour, **ADOPTED**, to authorize the Clerk to make payment to MTA for Trustee Hampel to attend the MTA Conference in an amount not to exceed \$650.00 for the following dates, January 22, 2013 through January 25, 2013.

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

4. Construction Board of Appeals -

Motion by Supervisor St. Amour, second by Trustee Bard, **ADOPTED**, to appoint Don Schmiede, Lester DeHaan and Steve Seeger to the Construction Board of Appeals for a term ending December 31, 2015.

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

5. Board Comments - Supervisor St. Amour stated that Trustee Rissi has arranged a meeting with Trustee Rissi's daughter (grant writer), Trustee Rissi and himself to discuss the potential to apply for grant monies for use on the Murray Road Project on the 27th of this month.

ADJOURNMENT –

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to adjourn the December 17, 2012 Regular Meeting of the Township of Fruitland at 6:05 PM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland