

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
APRIL 15, 2013
MINUTES**

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

ALSO PRESENT – Six (6) interested parties.

CALL TO ORDER – Supervisor St. Amour called the Monday, April 15, 2013 Regular Meeting to order at 5:00 PM, Commissioner Terry Sabo the pledge of allegiance and a moment of silence was observed.

AGENDA – Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the April 15, 2013 Regular Township Board Meeting Agenda.
Upon Voice Vote: 7 AYES – motion carried

PUBLIC COMMENT –

- (1) Terry Sabo, County Commissioner - Delivered 2013 Muskegon County Directories for all the Board of Trustees.
- (2) Wayne Thuma, 4515 Orshal Road - Asked the Board of Trustees to answer questions he had on Marcus Park. Supervisor St. Amour proceeded to explain to Mr. Thuma the rules under Public Comment and invited him to call him or speak to him after the meeting to get updated on the lawsuit.
- (3) Jan Klco, 6740 Blank Road - Encouraged the Board of Trustees to adopt a resolution to prohibit Walmart and other similar stores from developing in the White Lake Area.

SPECIAL GUEST - Matt Biolette, Chef Container, LLC was in attendance to explain the Industrial Fuel Surcharge. He signed the contract for Chef Container, LLC to be our sanitation/recycling vendor at the Ecology Station for three years and presented it to the Clerk.

MINUTES –

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to accept the March 11, 2013 Work Session Minutes, March 18, 2013 Regular Meeting Minutes and March 28, 2013 Special Meeting Minutes.
Upon Voice Vote: 7 AYES – motion carried

RECEIPTS & DISBURSEMENTS –

Motion by Treasurer Beegle, second by Trustee Deur, **ADOPTED**, to accept the Receipts of \$93,100.21 and Bank Balance and Certificate of Deposits of \$988,225.24 for the period of March 1, 2013 through March 31, 2013 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$386,477.52 for the period

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of March 1, 2013 through March 31, 2013 as reported by Karolyn Rillema, Fruitland Township Clerk.

Upon Voice Vote: 7 AYES – motion carried

ANNOUNCEMENTS/COMMUNICATIONS – Supervisor St. Amour stated that the MCRC has added the donation box language to the Scenic Drive Road End Application. He will forward on to the White Lake Association (WLA) the agreement prepared by Attorney Even for signature by the WLA President to allow for the placement of the donation box to fund necessary repairs to the Dock to be paid by the WLA. A meeting with the MCRC Managing Director, Muskegon County Drain Commissioner and Supervisor St. Amour on the status of the SAXE, Mason and Partridge Drains will take place mid-June 2013. The Board of Trustees verbally okayed Trustee Deur and Supervisor St. Amour to seek additional information on grant monies available to fund a possible expansion of the nature trail system on township property off Duck Lake Road. Supervisor St. Amour has been in contact with a resident who would like to help with the spring cleanup of the Fred Meijer Berry Junction Rail Trail (FMBJRT). Supervisor St. Amour stated that an effort to coordinate with Dalton Township will be sought.

COMMITTEE/BOARD UPDATES –

- White Lake Ambulance Authority – Supervisor St. Amour stated that he has received no communication from the WLAA attorney regarding the proposed amended language to the Articles of Incorporation and the letter dated March 29, 2013 requesting the 2011-12 Audit Report, 2012-13 Budget Year-to-Date Revenues/Expenditures and 2013-14 Proposed Budget information is being treated as a FOIA with a response date of April 23, 2013. Attorney Even is working with members of the Board of Trustees to draft a letter that will fully express our concern about 1) the poor quality of financial reports from WLAA, 2) the internal control weaknesses noted by the WLAA auditors and 3) lack of response from its Board on numerous requests. Supervisor St. Amour will ask to be placed on the next WLAA board agenda. A proposed WLAA 2013-14 budget was given to Trustee Bard present in the audience at the March 28, 2013 WLAA meeting for approval or modification by Fruitland Township. Because the budgeting process requires intimate knowledge of year-to-date activities and response from the WLAA has not been received, the following motion was offered and supported.

Motion by Supervisor St. Amour, second by Trustee Bard, **ADOPTED**, to not approve or modify the White Lake Ambulance Authority 2013-14 Proposed Budget due to the lack of response of inquiries for the financial condition.

Upon Voice Vote: 7 AYES – motion carried

- White Lake Fire Authority –

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to approve the additional recommendation in Article VI Paragraph 4 of the White Lake Fire Authority Articles of Incorporation removing the last sentence that states that the Chairperson shall vote only for the purposes of breaking a tie or meeting the requirement of having the four members present to approve any action.

Upon Voice Vote: 7 AYES – motion carried

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- Zoning Board of Appeals – Clerk Rillema stated that the ZBA held a hearing on April 8, 2013 for applicant, Michael Brewer, 4483 Park Street, 61-06-560-000-0019-00, requesting a variance from Article VIII General Provisions, Section 3.08 Accessory Buildings and Uses (E). The variance was approved unanimously by the following motion: to approve with exception that 5' be removed from the road side of building and added to the proposed 10' on the back.
- Planning Commission - Trustee Deur stated that the pond ordinance was reviewed but a public hearing will be postponed until several other ordinances are finished being reviewed to hold several on one meeting night as a cost savings. The 2013-14 officers were nominated and appointed as follows: Commissioner Dave Roesler - Chairman, Commissioner Tom Thompson - Vice Chairman, and William Josephson - Secretary.

Trustee Deur excused himself from the meeting at 5:40 PM.

- Parks & Recreation Commission - Trustee Hampel stated that the 2013-14 officers were nominated and appointed as follows: Commissioner Laura Shields - Chairwoman, Commissioner Mary Nagengast - Vice Chairwoman, and Lynn Knopf - Secretary. The project list was divided amongst the commissioners.

OLD BUSINESS –

1. Ordinance Enforcement – Supervisor St. Amour reported that 4965 Duck Lake Road, 2643 Duck Lake Road and 3980 McMillan Road continue their efforts on cleanup. 5700 Michillinda, 5096 Orshal Road, 3323 Worden Road and 3068 Scenic Drive are on the watch list and he will be re-visiting South Shore Drive on the junk ordinance.

2. Discount Dump Day -

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to authorize Discount Dump Days from Saturday, June 1, 2013 - Saturday, June 29, 2013 for one trip with a cost of \$5.00. Residents/property owners may pay for and pick up their coupon at the township office and must present the coupon to the Ecology Station Attendant at the time of use.

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

NEW BUSINESS –

1. Fee, Permit and Escrow Schedule -

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to amend Resolution 2013-06 Fee, Permit & Escrow Schedule to remove the rental of the WRLS and increase the Nestrom Park Pavilion Rental from \$15.00 to \$20.00.

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

2. Poverty Exemption Guideline Amendment -

Motion by Clerk Rillema, second by Treasurer Beegle, **ADOPTED**, to amend the Fruitland Township Asset Requirements for the Poverty Exemption Guidelines.

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

3. Hydrant Flushing -

Motion by Supervisor St. Amour, second by Trustee Bard, **ADOPTED**, to instruct the Clerk to make payment to Muskegon County Public Works for the 2012 Hydrant Fee in the amount of \$2,200.00.

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

4. Donation of Property - Supervisor St. Amour stated that Zoning Administrator reviewed and no restrictions are recorded on the parcel # (61-107-300-0004-00). Supervisor St. Amour will speak to owner Father Partridge on his proposed donation and report his findings at the May work session.

5. Marcus Park Lawsuit - Supervisor St. Amour stated that all briefs have been filed to the Appellate Court for review by the 3rd District Judges. Attorney Even expects a September/October 2013 hearing.

6. Board Comments – There were no board comments.

ADJOURNMENT –

Motion by Treasurer Beegle, second by Trustee Rissi, **ADOPTED**, to adjourn the April 15, 2013 Regular Meeting of the Township of Fruitland at 5:50 PM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland