

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

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

ALSO PRESENT – Two (2) interested parties.

CALL TO ORDER – Supervisor St. Amour called the Monday, September 17, 2012 Regular Meeting to order at 7:00 PM, led the pledge of allegiance and asked for a moment of silence..

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

PUBLIC COMMENT –

- 1) Terry Sabo, Muskegon County Road Commissioner, Candidate for County Commissioner District #8 came this evening to say “hi” and let us know he is interested in what is happening in Fruitland Township.

MINUTES –

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to accept the August 13, 2012 Work Session Minutes and August 20, 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 \$108,453.39 and Bank Balance and Certificate of Deposits of \$1,183,291.68 for the period of August 1, 2012 through August 31, 2012 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$60,724.63, Metro Authority Fund 140 Disbursements in the amount of \$6,114.13 and Equipment Replacement Fund 145 Disbursements in the amount of \$3,675.00 for the period of August 1, 2012 through August 31, 2012 as reported by Karolyn Rillema, Fruitland Township Clerk.
Upon Voice Vote: 7 AYES – motion carried

ANNOUNCEMENTS/COMMUNICATIONS – Supervisor St. Amour announced that developer Norman Dodds is requesting to place a 30 yard dumpster near or on the Community Building property for approximately six weeks while landscaping is completed at the home he is building on South Shore Drive at Lamos Road end. Discussion amongst the Board declined to allow Mr. Dodds to place such dumpster on township property due to lack of parking for WLAAA members, an upcoming election and potential sight interference of the dumpster along either Lamos Road or South

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Shore Drive. Supervisor St. Amour will advise Mr. Dodds of the Board's decision. Supervisor St. Amour stated that he received a counter offer from the Fruitland Evangelical Covenant Church to purchase the newspaper container at a cost of \$250.00. The board agreed to such sale and the Clerk will prepare a bill of sale in the amount of \$250.00. Supervisor St. Amour announced that Fruitland Township will hold another candidate forum on Thursday, October 30, 2012. More information in an upcoming e-news.

COMMITTEE/BOARD UPDATES –

- White Lake Ambulance Authority – Trustee Bard reported the WLAA met on August 29 at 7:00 PM. Of the 111 calls in August, Fruitland Township had 14. She reported that from dispatch to arrival on scene, it took under 10 minutes or less for the majority of calls. Unfortunately, the new building was vandalized at a cost exceeding \$25,000.00. Director Dresen has filed a police report.
- White Lake Fire Authority – Treasurer Beegle reported that the WLFA met on September 13 at 7:00 PM. The Articles of Incorporation have been adopted by the City of Whitehall and also Whitehall Township. Attorney Even has reviewed the Articles of Incorporation and has spoken to the WLFA's attorney with a difference of opinion on some language. The Board would like to review Attorney Even's language concerns at the October work session. Treasurer Beegle reported that the Employee Handbook and Policies & Procedures are being reviewed by their attorney at this time. A public hearing for the budget is scheduled for September 20, 2012 at 7:00 PM.
- Parks & Recreation Commission – Supervisor St. Amour stated the potential idea list was given to the Chair of the Parks & Recreation Commission. The Commission met on September 12 @ 7:00 PM and discussed the listing and need more clarification on some of the items. Supervisor St. Amour reinstated with Chair Shields that after the November Election a joint meeting should be held to discuss partnering on some of the items.
- Planning Commission –

Motion by Trustee Deur, second by Trustee Bole, **ADOPTED**, to approve the Planning Commission's recommendation for language changes to Article III, Section 3.29 Outdoor Storage in Residential Districts as just presented.

Upon Voice Vote: 7 AYES – motion carried

Motion by Trustee Deur, second by Trustee Binns, **ADOPTED**, to approve the Planning Commission's recommendation for language changes to Article XX, Section 20.09 Remedies and Enforcement and also accept the Municipal Civil Infraction Fine Schedule as presented.

Upon Voice Vote: 7 AYES – motion carried

- Zoning Board of Appeals – Clerk Rillema reported that a meeting was held on September 10, 2012 for Santiago Coronado, 6058 Murray Road requesting a variance on Article VIIIa Inland Lakes District, Section 8.02a 1 for the construction of a 14' x 19' Accessory Building. The ZBA approved the variance with a vote of 4 Ayes and 1 Nay.

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- Citizens Advisory Wireless Committee – Trustee Deur reported that he had a conversation with My-Spot with regards to expanding 4G in the Muskegon area. Unfortunately, Fruitland Township is not yet in the area proposed for expansion at this time.
- McMillan Road End Update – Supervisor St. Amour reported that the email received from resident Nancy Johnson in regards to three separate instances. Supervisor St. Amour will follow up with police enforcement on procedures to be followed. Overall the board was pleased with the little activity engaged since the road end was reopened with the stairway.
- White Lake Public Advisory Committee – Trustee Deur reported that Al Steinman will be speaking on the environmental history of White Lake at the White Lake Community Library on Sunday, September 23, 2012 with regards to the history of chemical manufacturing on White Lake.

OLD BUSINESS –

1. Ordinance Enforcement – Supervisor St. Amour reported various ordinance enforcement cases in the township. Several cases will be monitored in the future.
2. Civil Infractions – Supervisor St. Amour stated that the process of handling civil infractions will be discussed at the September work session. The following Resolution was adopted.

**FRUITLAND TOWNSHIP
RESOLUTION 2012-19**

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:

The Township Supervisor
The Township Clerk
The Township Zoning Administrator

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 Treasurer Beegle, **ADOPTED**, Resolution 2012-19 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 Binns, Clerk Rillema, Treasurer Beegle, Trustee Bole, Supervisor St. Amour

“**NAY**”: None

“**ABSENT**”: None

BE IT RESOLVED THAT, Resolution 2012-19, Appointment of Ordinance Enforcement Officers and Ordinance Enforcement Bureau Clerk adopted at the September 17, 2012 Regular Meeting of the Township of Fruitland.

Karolyn Rillema, Clerk
Township of Fruitland

Date: September 18, 2012

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3. Policies & Procedures, Employee Handbook – Supervisor St. Amour stated that Attorney Even reviewed and continued discussion will take place at the October work session on the bid process and language changes to the sexual harassment section of the handbook.
4. Lamos Road End – Supervisor St. Amour stated that Zoning Administrator Sandel scheduled a survey to be done of the road end at a cost of \$285.00. Once the survey is completed and construction to the east slows, posts will be placed along east/west boundaries with signage for public area use.
5. Murray Road and Todd Road Projects – Supervisor St. Amour stated that Murray Road does not meet the asset management plan of the MCRC. The township is willing to cover 60% of the cost as it has done recently on other road projects. The MCRC would be willing to cover engineering costs of approximately 20% and the remaining would need to be covered by special assessment. Supervisor St. Amour has asked the MCRC for a final quote to replace Murray Road as it currently is designed and will then send postcards to residents of Murray Road and Starboard Drive surveying them for willingness to pay by special assessment.
6. Health Insurance Fringe –

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to amend Article R1 Health Insurance and Life Insurance Ordinance, Section R1.02 Item Number(s) 4 and 5 to read as follows: Should the employee/elected official select to cover other family members, the additional cost will be as follows: 100% personal cost for 2009 and thereafter. Should an employee or elected official select not to participate in this health insurance plan, they will receive a monthly incentive of \$275.00. Such premium or charges shall be paid from the general fund of the township. This ordinance amendment shall take effect on the date of publication.

Roll Call Vote: Trustee Bole **AYE**, Trustee Deur **AYE**, Trustee Binns **AYE**, Clerk Rillema **AYE**, Treasurer Beegle **AYE**, Trustee Bole **AYE**, Supervisor St. Amour **NAY** – **motion carried**

NEW BUSINESS –

1. Charge for Dock Use - Supervisor St. Amour talked with the MCRC about placing a money collection box at the Scenic Drive Road End. Conversation was that an agreement could probably be drawn up but offered concern for parking and safety at the road end. Conversation of the Board discouraged the placement of such collection box due to our inability to monitor, availability for vandalism and parking issues at this time.
2. Mason Drain and Partridge Drain – Supervisor St. Amour stated that Muskegon County Drain Commissioner Fisher has retained the firm of Fitzgerald Henne & Associates, Inc., to study the Mason Drain and Partridge Drain to determine if improvements or maintenance is necessary. The firm was scheduled to meet with Zoning Administrator Sandel last Wednesday, September 12, but did not show. Supervisor St. Amour has asked Zoning Administrator Sandel to follow up on the firm's assessment.
3. Cancel Official Payments –

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Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to have Treasurer Beegle cancel the Official Payments Online Tax Payment Service due to the increase in cost.

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

4. Board Comments – Treasurer Beegle reported that 92% of summer tax has been collected as of this morning and expects postmarked mail for the next few days before penalties start occurring.

ADJOURNMENT –

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to adjourn the September 17, 2012 Regular Meeting of the Township of Fruitland at 8:06 PM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland