

**FRUITLAND TOWNSHIP BOARD  
WORK SESSION  
OCTOBER 9, 2012  
MINUTES**

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

**ALSO PRESENT:** Attorney Even and three (3) interested parties.

**CALL TO ORDER:** Supervisor St. Amour called the Monday, October 9, 2012 Work Session of the Township of Fruitland Board to order at 10:00 AM at the township hall.

**AGENDA:** Supervisor St. Amour asked to amend the agenda by moving New Business #3 Michillinda Beach Lodge Noise Study at the beginning of Old Business.

Motion by Trustee Deur, second by Trustee Bard, ***ADOPTED***, to accept the amended October 9, 2012 Work Session Agenda.

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

**PUBLIC COMMENT:** There was no public comment.

**ANNOUNCEMENTS:** Supervisor St. Amour stated that Fruitland Township will host a political forum on October 30 at 6:00 pm. DLROA has filed for an appeal on the Marcus Park Lawsuit. Supervisor St. Amour received communication from the Muskegon County Sheriff's department stating that volunteer jail help is not available. Supervisor St. Amour stated that a survey map has been requested of the Lamos Road End. Supervisor St. Amour stated that a mediation charge has been received for the mediation that took place this spring on the Marcus Park Lawsuit. He apologized to the Board as he thought he was of the understanding that no charge would be incurred by Fruitland Township. Attorney Even stated that he had emailed Supervisor St. Amour notification about the mediation and charge. Even & Franks has paid this invoice to Smith Haughey Rice & Roegge in the amount of \$715.64. A motion will be prepared for the Monday Regular meeting to reimburse Even and Franks for this charge.

**SPECIAL GUEST:** Steve and Camille Jourdan-Mark (Michigan's Adventure, Inc.) are requesting support of Fruitland Township for an application to the State of Michigan for a Tavern License at 4750 Whitehall Road, Muskegon. Ms. Jourdan-Mark states that Michigan Adventure is the only sister park of Cedar Fair that does not currently have such license. This license would enable the sale of beer and wine inside of the park and allow for additional catered events within the park. Ms. Jourdan-Mark states that the park would still ask for noise ordinance variance if events went past the 11:00 PM time frame. The Board was favorable with such application and a Resolution will be prepared for the Monday Regular meeting.

Trustee Bole arrived at 10:20 AM.

**OLD BUSINESS:**

## FRUITLAND TOWNSHIP OCTOBER 10, 2012 WORK SESSION MINUTES

- .5 Michillinda Beach Lodge Noise Study - Attorney Doug McNeil was present to discuss the noise ordinance in relationship to his clients, David & Kathleen Twardock, and neighboring property owner, Michillinda Beach Lodge. Attorney Even will review our current ordinance and review the study that was given to the Board of Trustees. Discussion will take place at a future meeting.
  
1. Ordinance Enforcement – Supervisor St. Amour reviewed the following ordinance enforcement cases active in the township.
  - 4965 Duck Lake Road – continued cleanup
  - 2643 Duck Lake Road – tickets issued, continued cleanup
  - 3980 McMillan Road – continued cleanup - early November re-check
  - 3517 N. Green Creek Road – continued cleanup - early November re-check
  - 4126 W. River Road - no sand mining occurring, vehicle staging only
  - 3323 Worden Street - requested cleanup - early November re-check
  
2. Civil Infractions – Supervisor St. Amour stated that he would like to schedule a meeting with the three office officials, staff and Attorney Even after the election to finalize procedures for handling civil infractions.
  
3. Policies & Procedures, Employee Handbook – Clerk Rillema updated the Policies & Procedures and Employee Handbook with the updated information from Attorney Even on sexual harassment, vacation accruals, removing paid birthday for employees and renaming sick days to personal days. A motion will be prepared for the Monday Regular meeting for approval.
  
4. WLFA Articles of Incorporation – Supervisor St. Amour stated that the Articles of Incorporation would be reviewed by Attorney Even and discussed at the November work session.
  
5. Lamos Road End – Supervisor St. Amour stated that a survey map was received by the surveyor and posts with signage will be placed once landscaping work has slowed on the property to the east of the road end.
  
6. Murray Road & Todd Road Projects – Supervisor St. Amour stated that he has not received any new estimates on Murray Road from the Muskegon County Road Commission. Supervisor St. Amour received an email from Besty Grein of the Friends of the White River Light Station stating that they did not want to jeopardize their 501(c)3 status and would not be participating in any road funding. Attorney Even stated that participation in the road funding by the Friends of the White River Station would be allowable and beneficial if they chose to donate monies. Supervisor St. Amour will reach out another time to the group. Todd Road will be reviewed once a decision on Murray Road is reached.
  
7. Mason Drain & Partridge Drain - Supervisor St. Amour stated that the engineering study had taken place but has received no further updates from Muskegon County Drain Commissioner Fisher at this time.

### **NEW BUSINESS:**

FRUITLAND TOWNSHIP OCTOBER 10, 2012 WORK SESSION MINUTES

1. 2nd Qtr 2012-2013 Budget Amendments - Clerk Rillema prepared the budget amendments for 2nd quarter 2012-13. A motion will be prepared for the Monday Regular meeting to authorize her to make such amendments.
2. Accounts Payable - Clerk Rillema provided a copy of the Muskegon County 3rd Quarter PINS Agreement in the amount of \$10,065.50 and H.J. Umbaugh and Associates for preparation and dissemination of our Annual Continuing Disclosure Report and Audit to EMMA and the State Repository in the amount of \$450.00. A motion will be prepared to authorize payment of both for the Monday Regular meeting.
3. McMillan Road End - Supervisor St. Amour stated that he followed up with Deputy Ashker regarding information received from residents who called 911 for activity at the road end this summer with confusing protocol given to them. Supervisor St. Amour stated that it is Standard Operating Procedure for the Deputy/Sheriff/Officer to ask the complantee what they would like to happen when it involves residential trespassing. Supervisor St. Amour stated that he will respond to those residents with this new information.
4. Life Ring Removal - Supervisor St. Amour stated that he would like to run a joint ad again in the White Lake Beacon for removal of life rings on the White Lake Channel jetty. A motion will be prepared for the Monday Regular meeting.
5. Board Comments - Supervisor St. Amour asked the board if it was okay to have the planning commission look at accessory buildings being allowed as stand alone structures on properties in the township. The Board was agreeable.

**ADJOURNMENT:**

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to adjourn the Monday, October 9, 2012 Work Session of the Township of Fruitland at 11:32 AM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk  
Township of Fruitland