

FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
January 19, 2009
MINUTES

PRESENT: Supervisor Sam St. Amour, Treasurer Debbie Boyer, Clerk Karolyn Rillema, Trustee Mary Ann Bard, Trustee Norma Binns, Trustee Gary Bole and Trustee Jan Deur.

ALSO PRESENT: Fifteen (15) interested parties.

CALL TO ORDER: Supervisor St. Amour called the Monday, January 19, 2009 Regular Meeting of the Fruitland Township Board to order at 7:02 PM and welcomed those in attendance, led the Pledge of Allegiance and asked for a moment of silence to pray for those in the armed forces.

PUBLIC COMMENT: Lisa Stewart, 1530 Duck Lake Road – She purchased 1562 Duck Lake Road and would like 90 days to evaluate the status of the house repairs before her determination of repair or tear down. Supervisor St. Amour mentioned it would be discussed tonight under Old Business, Item #6.

MINUTES: Supervisor St. Amour apologized to the Board for neglecting to provide the minutes in the Board’s packets. Both the December 10, 2008 and December 15, 2008 minutes should be reviewed and will be approved at the next work session in February.

RECEIPTS and DISBURSEMENTS

Accept or amend report of Receipts of ~~\$130,605.65~~ **\$197,181.41** and total Bank Balance and Certificate of Deposits in the amount of ~~\$784,456.41~~ **\$921,368.28** as of January 16, 2009, as reported by Debbie Boyer, Fruitland Township Treasurer CPFA and approve or amend Total General Fund Disbursements in the amount of \$23,960.37 and Equipment Replacement Fund Disbursements in the amount of \$36,589.00 for the period of December 13, 2008 through January 16, 2009, as reported by Karolyn Rillema, Fruitland Township Clerk.

<u>Receipts</u>	<u>Disbursements</u>	<u>Cash in Bank</u>
Fund #101 – 812	Acct #101 – 812	Total Bank Accts & CD’s
\$130,605.65	\$60,549.37	\$784,456.41
\$197,181.41		\$921,368.28

Motion by ~~Trustee Binns~~ **Treasurer Boyer**, second from Trustee ~~Deur~~ **Bard**, **ADOPTED**, to **amend and accept** report of Receipts of ~~\$130,605.65~~ **\$197,181.41** and total Bank Balance and Certificate of Deposits in the amount of ~~\$784,456.41~~ **\$921,368.28** as of January 16, 2009, as reported by Debbie Boyer, Fruitland Township Treasurer CPFA and approve Total General Fund Disbursements in the amount of \$23,960.37 and Equipment Replacement Fund Disbursements in the amount of \$36,589.00 for the period of December 13, 2008 through January 16, 2009, as reported by Karolyn Rillema, Fruitland Township Clerk.

Upon Voice Vote: 7 AYES (Original Motion)

Upon Voice Vote: 7 AYES (Amended Motion on February 16, 2009)

ANNOUNCEMENTS

E-News Update

The first E-news will be sent out the end of this week.

White Lake Beacon Article

Copies of the interview with Supervisor St. Amour, Treasurer Boyer and Clerk Rillema are available for those who did not see the article.

Township Extended Hours

Extended hours took effect Thursday, January 8, 2009. The Hall is open from 8:00 AM – 5:30 PM on Thursdays, and 9:00 AM – 4:00 PM on Monday – Wednesday and Fridays.

Gypsy Moth

Supervisor St. Amour announced that Fruitland Township is not being recommended for any Gypsy Moth Spraying for the 2009 year.

Planning Commission

Trustee Deur stated a Public Hearing will be held on February 4, 2009, to discuss the New Planning Enabling Act, Wind Energy, Neighborhood/Commercial on Whitehall Road and Subdivision Ordinances. Please encourage as many residents to attend.

Passports

Supervisor St. Amour asked all residents to call ahead and verify all information they should bring to facilitate easy processing of forms.

Citizen's Advisory Law Enforcement Committee

An email address has been established for this committee – enforcement@fruitlandtwp.org. An on-line survey for residents/tax payers to complete will be ready by the close of day on January 20, 2009. The survey will end February 27, 2009.

CONSENT AGENDA

Motion Number 01-09-01

Supervisor St. Amour asked the Board if they would approve all appointments listed on the Consent Agenda as one motion. If they would like a board member to be withdrawn from that list to state at time of announcement. The list is as follows:

- Citizen's Advisory Community Building Committee – *(6 month term – January 1, 2009-June 30, 2009)*
Mari Hammond, Ken Trojan, Bob Timmerman, Sam St. Amour (Board Representative)
- Citizen's Advisory Wireless Service Committee – *(1 year term – January 1, 2009–December 31, 2009)*
Steve Nagengast, Charles Joy, Connie Learman, Jan Deur (Board Representative)
- Construction Board of Appeals – *(2 year term – January 1, 2009 – December 31, 2010)*
Dean Evans, Don Schmiede, Lester DeHaan
- Zoning Board of Appeals – *(term ending March 31, 2009)*
Steve Markel – Alternate
- Muskegon Area District Library Representative – *(term expiring December 31, 2010) - Ilene Cioe*
- Citizen's Advisory Scenic Drive Committee – *(term expiring December 31, 2009)*
- Citizen's Advisory Blueberry Festival Committee – *(term expiring September 1, 2009)*

Motion by Trustee Binns, second from Treasurer Boyer, **ADOPTED**, to approve all appointments listed on the Consent Agenda as stated by Supervisor St. Amour.

Upon Voice Vote: 7AYES

COMMITTEE/BOARD UPDATES –

- **White Lake Ambulance Authority** (*Mary Ann Bard*) – No report
- **White Lake Fire Authority** (*Debbie Boyer*) – 65 Incidents occurred in the month of December 2008 – 18 of those were in Fruitland Township. Average response time is 7 minutes 43 seconds. New KME Predator Panther Pumper Fire Truck approved for purchase.
- **Parks and Recreation Commission** (*Norma Binns*) – No report – meeting rescheduled for January 20, 2009.
- **Citizen’s Advisory Road Committee** (*Gary Bole*) – No report
- **Citizen’s Advisory Law Enforcement Committee** (*Mary Ann Bard*) – Survey will be up and running by close of day on January 20, 2009 for residents/taxpayers to respond. Deadline for public comment is February 27, 2009. An email address has been created – enforcement@fruitlandtwp.org for comments/suggestions/inquiries. The committee will try to set up our PINS officer to attend our April work session.
- **Planning Commission** (*Jan Deur*) – A public hearing is scheduled for Wednesday, February 4, 2009 to discuss changes with the Planning Enabling Act, Wind Energy, Neighborhood/Commercial on Whitehall Road and Subdivision Ordinances.
- **Citizen’s Advisory Dry Hydrant Committee** (*Norma Binns*) – First meeting this week with guest, Ben Novak attending.
- **Citizen’s Advisory McMillan Road End Committee** (*Mary Ann Bard*) – DEQ application is almost complete and will be ready for Supervisor St. Amour’s signature soon. The trees at McMillan Road End were never trimmed last fall. She will report information next meeting.
- **Citizen’s Advisory Community Building Committee** (*Sam St. Amour*) – No report
- **Citizen’s Advisory Wireless Committee** (*Jan Deur*) – No report
- **Citizen’s Advisory Scenic Drive Committee** (*Jan Deur, Sam St. Amour*) – Supervisor St. Amour reported that this committee is a joint effort with Laketon and Fruitland Township with approximately two miles of Scenic Drive to be repaired in 2009 with funds set aside by Muskegon County Road Commission – one mile north and south of River Road.
- **Zoning Board of Appeals** (*Gary Bole*) – No report
- **Citizen’s Advisory Blueberry Festival Committee** (*Norma Binns*) – Currently looking for a chairperson for this festival. Treasurer Boyer offered to be the Board Representative if a committee is formed.

OLD BUSINESS –

1. Item Number 01-09-02

Duck Lake Association / Marcus Dunes / Winterwood Shores

Supervisor St. Amour to form a Citizen’s Advisory Committee consisting of two members from each group for ideas for a potential solution to lake access/usage of Duck Lake.

Motion by Trustee Bole, second from Trustee Bard, **ADOPTED**, to approve Supervisor St. Amour to create a Citizen’s Advisory Committee consisting of two representatives representing DLA/MD/WW/Others (if applicable) to seek ideas for a potential solution to lake access/usage of Duck Lake.

Upon Voice Vote: 7AYES

2. Item Number 01-09-03

Policies & Procedures Handbook (Sections 1, 2 & 3)

Trustee Binns and Supervisor St. Amour would like to send sections 1, 2 & 3 to Attorney Eklund for his review. Section 4.0 – 4.6 to be reviewed by Trustee Deur, Treasurer Boyer and Clerk Rillema for next work session.

Motion by Trustee Binns, second from Trustee Deur, **ADOPTED**, to approve sections 1, 2 & 3 of the Policies and Procedures Handbook and send to Attorney Eklund for review after minor grammatical & capitalization errors are refined.

Upon Voice Vote: 7AYES

3. Item Number 01-09-04

Sewer Engineering Proposal – Meeting with Prein & Newhof

Supervisor St. Amour met with Prein & Newhof and was pleased with their presentation and would like to award them as the winning bid in the amount of \$5888.00.

Motion by Trustee Deur, second from Trustee Bard, **ADOPTED**, to approve Prein & Newhof as the winning bid on the Sewer Engineering Project in the amount of \$5888.00 and make a budget amendment to make up the difference in the amount of \$4088.00.

ROLL CALL VOTE: Trustee Bole **AYE**, Treasurer Boyer **AYE**, Clerk Rillema **AYE**, Trustee Binns **AYE**, Trustee Deur **AYE**, Trustee Bard **AYE**, Supervisor St. Amour **AYE**

4. Motion Number 01-09-05

Nord Road

Supervisor St. Amour would like to send the parcel owners on Nord Road a letter communicating to them the action to be taken in regards to the road maintenance/repair of that Road which is a private road and invite them to an informal informational meeting with Trustee Bole and himself. Snow plowing of the road will continue for now at the cost of the township.

Motion by Treasurer Boyer, second from Trustee Deur, **ADOPTED**, to approve Supervisor St. Amour to send a letter to property owners of Nord Road to set up an informal informational meeting with Supervisor St. Amour and Trustee Bole to discuss future road maintenance.

Upon Voice Vote: 7AYES

5. Nestrom Road

Supervisor St. Amour will be contacting the two property owners to help foster a friendly relationship between the two parties if possible.

6. Item Number 01-09-06

1562 Duck Lake Road

Supervisor St. Amour spoke of his conversation with Ms. Stewart who spoke earlier during Public Comment for a 90 day period to review the house she purchased to determine whether to repair or tear down. It was discussed amongst board members to consider 120 days.

Motion by Clerk Rillema, second from Trustee Bard, **ADOPTED**, to suspend rules to allow open floor discussion and allow Condemnation Officer Duncan to speak about the ruling on this address.

Upon Voice Vote: 7AYES

Condemnation Officer Duncan thought 90 days would be sufficient for Ms. Stewart to determine what she would want to do with the house. He asked that she be provided with list of repairs/needs that were determined by the various inspectors at their visit of the residence.

Motion by Trustee Bole, second from Trustee Deur, **ADOPTED**, to close open floor discussion on 1562 Duck Lake Road.

Upon Voice Vote: 7AYES

Supervisor St. Amour called for the vote to extend 90 days for Ms. Stewart to evaluate what she would want to do with the house.

Motion by Trustee Bard, second from Treasurer Boyer, **ADOPTED**, to approve Ms. Stewarts request to review status of house and report back to the Supervisor/Board her intentions by April 16, 2009.

ROLL CALL VOTE: Trustee Bard **AYE**, Trustee Deur **AYE**, Trustee Binns **AYE**, Clerk Rillema **AYE**, Trustee Boyer **AYE**, Trustee Bole **AYE**, Supervisor St. Amour **AYE**

7. **5623 Murray Road**

Supervisor St. Amour had no further update regarding this property, but did provide a letter sent by Attorney Eklund to Mika, Meyers, Beckett & Jones.

8. **Duncan Property Sale**

As of this date, the survey is not completed. Supervisor St. Amour is working with our Zoning Administrator to contact the surveyor and get drawings completed to further progress on this sale of property.

9. **Notary Status**

Both Deputy Clerk Garvey and Clerk Rillema have received their notary cards for in-state notarization and have ordered stamps and seals. There will be no charge for residents/taxpayers of Fruitland but will charge \$10.00 to non-residents/non-taxpayers of the township.

10. **Board Goals**

Supervisor St. Amour reminded those few Board members to complete their goals and provide him with those as soon as possible.

NEW BUSINESS –

1. **1994 Truck Status**

Treasurer Boyer researched costs on the truck since 2001 amounting to \$4100.00. Supervisor St. Amour would like to sell this vehicle which brought discussion amongst the Board about its use.

Motion by Trustee Deur, second from Trustee Bard, **ADOPTED**, to authorize Supervisor St. Amour to put the truck for sale after winter but before June 1, 2009.

ROLL CALL VOTE: Trustee Bole **NAY**, Treasurer Boyer **NAY**, Clerk Rillema **AYE**, Trustee Binns **AYE**, Trustee Deur **AYE**, Trustee Bard **AYE**, Supervisor St. Amour **AYE**

Treasurer Boyer will gather information on Blue Book Value and provide to Supervisor St. Amour for next work session.

2. Item Number 01-09-07
Cutoff for Receipts & Disbursements

Motion by Treasurer Boyer, second from Clerk Rillema, **ADOPTED**, to approve that all Receipt, Disbursement and Bank Balance Reports be reported as of the month end of the previous month for Regular Township Board Meeting.

Upon Voice Vote: 7 AYES

Treasurer Boyer will contact our Auditor, Brickley DeLong to make them aware of this change and will report back if they are not in agreement with this change in our reporting policy.

3. Item Number 01-09-08
Maintenance/Cleaning Service/Ecology Station

Supervisor St. Amour discussed adding the cleaning of the Township Hall as additional duties under the maintenance department of the hall and would like to look at other ways to reduce costs at our Ecology Station during the budget process for 2009.

Motion by Trustee Binns, second from Trustee Bard, **ADOPTED**, to approve the discontinuing of outside cleaning service and add cleaning responsibilities to Fruitland Township employees.

Upon Voice Vote: 7 AYES

4. Punch Card Only

Will be reviewed along with the Ecology Station during the budget process for 2009.

5. Item Number 01-09-09
Brine

Motion by Trustee Bole and second from Trustee Binns, **ADOPTED**, to approve letter to the Muskegon County Road Commission dated January 19, 2009, requesting Fruitland Township's participation in the Dust Control Program for 2009.

Upon Voice Vote: 7 AYES

6. Item Number 01-09-10
Blank Road Culvert

Supervisor St. Amour has prepared a letter to be sent to all property owners on Blank Road explaining the culvert repair and authorize Muskegon County Road Commission to repair culvert in the amount of approximately \$7642.00.

Motion by Treasurer Boyer and second from Trustee Bard, **ADOPTED**, to authorize Supervisor St. Amour to send letter to residents of Blank Road addressing status of road repair and sign the letter from Muskegon County Road Commission approving culvert repair in the estimated amount of \$7642.00.

ROLL CALL VOTE: Trustee Bard **AYE**, Trustee Deur **AYE**, Trustee Binns **AYE**, Clerk Rillema **AYE**, Treasurer Boyer **AYE**, Supervisor St. Amour **AYE**, Trustee Bole **AYE**

**7. Item Number 01-09-11
Health Insurance**

Motion by Clerk Rillema, second from Trustee Bard, **ADOPTED**, to approve payment to Supervisor St. Amour in the amount of \$568.05 and Clerk Rillema in the amount of \$568.05 for insurance monthly incentive retroactive to November 20, 2008 per Regulatory Ordinance R1.02, Item (4).

ROLL CALL VOTE: Trustee Bole **AYE**, Treasurer Boyer **AYE**, Clerk Rillema **ABSTAIN**, Trustee Binns **AYE**, Trustee Deur **AYE**, Trustee Bard **AYE**, Supervisor St. Amour **ABSTAIN**

**8. Item Number 01-09-12
Muskegon County Road Commission – Opting back into Speed Limit Decision Group**

Motion by Trustee Bole, second from Trustee Binns, **ADOPTED**, to authorize Supervisor St. Amour to send letter to Muskegon County Road Commission opting back into the Speed Limit Decision Group.

Upon Voice Vote: **7 AYES**

9. Parking Notice

Supervisor St. Amour prepared an informational letter to be handed out or placed on windshields of cars in areas around White Lake during the wintertime activities in regards to parking and our enforcement of “no parking” areas. The Board verbally authorized Supervisor St. Amour to have individuals and/or business establishments have these letters to inform the public.

10. Blueberry Festival

The Festival is in need of a chairperson to organize this event. An advertisement will be placed on E-news and Trustee Binns will continue asking in the community for a volunteer.

11. Ordinance Enforcer/Liquor Inspector

Don Carrier’s employment with Fruitland Township will end on January 31, 2009. Supervisor St. Amour is willing to serve as the temporary Ordinance Enforcer/Liquor Inspector until a new enforcer is appointed.

Motion by Trustee Binns, second from Trustee Bard, **ADOPTED**, to appoint Supervisor St. Amour to be the temporary Ordinance Enforcer/Liquor Inspector until a new one is appointed.

Upon Voice Vote: **7 AYES**

12. Item Number 01-09-13

Item Number 01-09-14

Fruitland Township Representation

- Muskegon Area First
- Joint Planning Commission
- Muskegon Area Wide Plan
- Muskegon Area Chamber of Commerce
- White Lake Area Chamber of Commerce - \$220.00
- West Michigan Shoreline Regional Development Commission

Trustee Deur spoke of his meetings with several of the groups listed above. It is recommended that we continue our membership with the White Lake Area Chamber of Commerce at this time in the amount of \$220.00.

Motion by Trustee Bole, second from Trustee Deur, ***ADOPTED***, to approve expenditure of \$220.00 to join the White Lake Area Chamber of Commerce for 2009.

ROLL CALL VOTE: Trustee Bole ***AYE***, Treasurer Boyer ***AYE***, Clerk Rillema ***AYE***, Trustee Binns ***AYE***, Trustee Deur ***AYE***, Trustee Bard ***AYE***, Supervisor St. Amour ***AYE***

Trustee Deur commented on his meeting with WMSRDC and asked that a letter be sent to Sean Dey at WMSRDC for clarification on Act 226 before a decision is made to continue membership.

Motion by Trustee Deur, second from Trustee Bole, ***ADOPTED***, to authorize Supervisor St. Amour to send a letter to West Michigan Shoreline Regional Development Committee for clarification in using Act 226 as part of the by-laws of the Joint Planning Commission.

Upon Voice Vote: **7AYES**

Following Board discussion, there was consensus that we should invite Ed Garner from Muskegon Area First and Cindy Larsen from the Muskegon Area Chamber of Commerce to speak to our group before a decision is made to continue membership. All agreed and Trustee Deur will try to arrange both groups to attend our next work session in February.

ADJOURNMENT

Motion by Trustee Bole, second from Trustee Bard, ***ADOPTED***, to adjourn the Monday, January 19, 2009 Regular Meeting of the Fruitland Township Board at 8:04 PM.

Upon Voice Vote: **7AYES**

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland