

FRUITLAND TOWNSHIP BOARD  
REGULAR MEETING  
DECEMBER 15, 2008  
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:** Ten interested parties.

**CALL TO ORDER:** Supervisor Sam St. Amour called the Monday, December 15, 2008, Regular Meeting of the Fruitland Township Board to order at 7:00 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:** None

**MINUTES:** Motion by Treasurer Boyer, second from Trustee Binns, ***ADOPTED***, to accept the November 12, 2008 and November 17, 2008 Regular Meeting Minutes as submitted.  
*Upon Voice Vote: 7 AYES*

**RECEIPTS and DISBURSEMENTS**

Accept or amend report of Receipts of \$17,044.78 and total Bank Balance and Certificate of Deposits in the amount of \$755,334.88 as of December 12, 2008, as reported by Debbie Boyer, Fruitland Township Treasurer CPFA and approve or amend Total General Fund Disbursements in the amount of \$23,963.54 for the period of November 14, 2008 through December 12, 2008, as reported by Karolyn Rillema, Fruitland Township Clerk.

Motion by Trustee Bard, second from Trustee Bole, ***ADOPTED***, to accept report of Receipts of \$17,044.78 and total Bank Balance and Certificate of Deposits in the amount of \$755,334.88 as of December 12, 2008, as reported by Debbie Boyer, Fruitland Township Treasurer CPFA and approve Total General Fund Disbursements in the amount of \$23,963.54 for the period of November 14, 2008 through December 12, 2008, as reported by Karolyn Rillema, Fruitland Township Clerk.  
*Upon Voice Vote: 7 AYES*

## **ANNOUNCEMENTS**

### **Snow Days**

Clerk Rillema reported that Fruitland Township Hall will follow the Whitehall District Schools announcement for closing due to inclement weather. WZZM 13 will be notified to broadcast the closing of the hall and any meetings scheduled for that day. Clerk Rillema will contact the Chairman for any meetings cancelled and they will contact other members about the cancellation.

### **Thursday Hours**

8:00 AM – 5:30 PM starting January 8, 2009. Supervisor St. Amour announced that extended hours will allow residents and/or taxpayers of Fruitland Township the availability to visit the Township Hall before or after work.

### **Monthly Meeting Schedules**

- Township Board Work Session – Tuesdays at 4:00 PM starting January 13, 2009 to be held each month the Tuesday prior to the Regular 3<sup>rd</sup> Monday of the month meeting.
- Township Board Regular Meeting – 3<sup>rd</sup> Monday of the month starting at 7:00 PM
- Parks & Recreation Commission – 1<sup>st</sup> Monday of the month starting at 7:00 PM
- Zoning Board of Appeals – 2<sup>nd</sup> Monday of the month starting at 7:00 PM
- Planning Commission – 1<sup>st</sup> Wednesday of the month starting at 7:00 PM

### **Notary Update**

Clerk Rillema and Deputy Clerk Garvey have sent in their applications to the State of Michigan to become Notaries. They should receive their certification by mid January. There is no cost to residents and/or taxpayers of Fruitland Township, but it will cost \$10.00 to non-residents and/or non-taxpayers of Fruitland Township.

### **E-News Update**

Supervisor St. Amour announced that a mass email containing meeting dates, alerts, and information to those opting to receive it will be forthcoming the first of the year. Treasurer Boyer is working with the computer service and mentioned that it will offer survey capability when it is completed. An information sheet was sent out with individual tax bills and there will be a link on our website in mid-January to sign up. Paper copies will be available at the Township Hall and will be mailed if requested.

## CONSENT AGENDA

Item Number 12-08-01

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:

- White Lake Library (*4 year term expiring 12/31/2012*)  
*Mike Bozym*  
*Ann Dake*
- White Lake Senior Center (*3 year term expiring 12/31/2010*)  
*Dick Fiet*  
*Ned Dake*
- Board of Review (*2 year term expiring 12/31/2010*)  
*Laura Shields*  
*Leonard Noel*  
*Don Lundquist*  
*Kathy Nearanz (Alternate)*
- Condemnation Officer (*4 year term expiring 12/31/2010*)  
*James Duncan*
- Citizen's Advisory Road Committee (*1 year term expiring 12/31/2009*)  
*Bill Raffaele*  
*Dick Ciezak*  
*Al Vande Vusse*  
*Mike Parrish*  
*Denise Irely*  
*Gary Bole (Board Representative)*
- White Lake Fire Authority (*term expiring at the pleasure of the board*)  
*Jeff Goss*  
*Sam St. Amour*  
*Debbie Boyer (Board Representative)*
- White Lake Ambulance Authority (*term expiring at the pleasure of the board*)  
*Mary Ann Bard (Board Representative)*
- Planning Commission (*3 year term expiring 3/31/2011*)  
*Jan Deur (Board Representative)*  
*Willie Josephson (balance of Jan Deur's term expiring 3/31/2010)*
- Muskegon County Regional Water Systems Policy Board (*term expiring at the pleasure of the board*)  
*Sam St. Amour*  
*Jan Deur (Alternate)*
- Berry Junction Rail Trail (*term expiring at the pleasure of the board*)

*Sam St Amour*

- District Library Representative (*Term expiring 12/31/2010*)

*Linda Brown*

- Citizen's Advisory Dry Hydrant Committee (*1 year term expiring 12/31/2009*)

*Jim Runyan*

*Charlie Dupree*

*Norma Binns (Board Representative)*

- Citizen's Advisory McMillan Road End Committee (*1 year term expiring 12/31/2009*)

*Nancy Johnson*

*Kathy West*

*Will Clark*

*Chuck Eckholm*

*Al Vande Vusse*

*Lester Hammond*

*Mary Ann Bard (Board Representative)*

All members of all committees will be asked to take the Oath of Office and sign the Statement of Standards & Ethics Code. They will be asked to coordinate this with Clerk Rillema.

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

*Upon Voice Vote: 7 AYES*

## **COMMITTEE BOARD UPDATE**

- White Lake Ambulance Authority (Mary Ann Bard) – Have purchased a new ambulance and sold an ambulance which will go to Mexico. The amount of emergency calls this year is consistent with last years.
- White Lake Fire Authority (Debbie Boyer) – Have received grant and authorized purchase of turn for firefighters, final drafts for “work agreements” for full time staff up for vote, hired new secretary, laptop computers installed in three fire engines. Meetings have been established the first Monday of the month at 7:00 PM at the Whitehall City Hall-Council Chambers.
- Parks & Recreation Commission (Norma Binns) – No report
- Citizen's Advisory Road Committee (Gary Bole) – No report
- Citizen's Advisory Law Enforcement Committee (Mary Ann Bard) – Had first meeting and will be working hard to present information to Board mid Spring
- Planning Commission (Jan Deur) – New Planning Enabling Act effective as of September 1, 2008. Planning Commissioners are reviewing our existing ordinances to conform to this act. Are also reviewing areas for proper zoning and collecting information and attending workshops on developing a Wind Energy Ordinance.
- Citizen's Advisory Dry Hydrant Committee (Norma Binns) – No report

- Citizen's Advisory McMillan Road End Committee (Mary Ann Bard) – Reported Nancy Johnson is working with Jeff Auch to complete the DEQ permit process. Once it is completed, it will be given to the Township Board to submit. Meetings have now been postponed until Spring 2009.

## OLD BUSINESS

1. Nord Road Update – Supervisor St. Amour, Treasurer Boyer are working with Attorney Eklund to obtain parcel owner information and post notice for Town Hall meeting in near future to discuss future road maintenance and repair work financing.
2. Sewer Engineering Proposal – Supervisor St. Amour has had an initial meeting with Prein & Newhof (bid winner) and will be meeting again in January to assess information regarding sewer and water needs in the northeast commercial zoning area of Fruitland Township.
3. New Truck Update – Trustee Bole reported that Rypma's has the 2009 Chevy Truck with plow and we should take possession sometime this week once the invoice is approved.

## NEW BUSINESS

1. Item Number 12-08-02

Marcus Park – Attorney to appear in court 12/22/08 to request Judge Marietti to leave order stand.

Motion by Treasurer Boyer, second from Trustee Deur, ***ADOPTED***, to authorize the Township Attorney to take such action as may be required in the pending circuit court action involving Marcus Park to have the Judgment of Judge Marietti dated February 1, 2007 continue to be binding on all parties despite the recent decision of the Court of Appeals that the Plaintiffs in that action did not have standing to file the lawsuit.

*Upon Voice Vote: 7 AYES*

2. Item Number 12-08-03

Planning Commission – Enabling Act, Proposal 1

Motion by Trustee Deur, second from Trustee Binns, ***ADOPTED***, that the Fruitland Township Board approve the Planning Commission recommendations to include the following language in its proposed draft ordinance: To further the desirable future development of the Township under the master plan, the Township Board after the master plan is adopted, shall prepare or cause to be prepared by the Township Supervisor or by a designated nonelected administrative official, a capital improvements program of public structures and improvements, showing those structures and improvements in a general order of their priority, for the following 6-year period. The prepared capital improvements program, if prepared by someone

other than the Township Board, shall be subject to final approval by the Township Board. The Planning Commission is hereby exempted from preparing a capital improvements plan.

*Upon Voice Vote: 7 AYES*

3. Item Number 12-08-04

Planning Commission – Enabling Act, Proposal 2 – Section 21.03

Trustee Deur spoke of the recommendations of the Planning Commission regarding this language.

Motion by Trustee Deur, second by Trustee Binns, that the Fruitland Township Board approve the Planning Commission recommendations to adopt Section 21.03 Amendment Process paragraphs A, B, C, D as written in its draft ordinance, and not use the alternate language.

***ROLL CALL VOTE:***

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

Discussion amongst board members regarding the language brought forth a motion to suspend rules for open floor discussion.

Motion by Trustee Bard, second by Treasurer Boyer to suspend rules to allow open floor discussion and allow Planning Chairman Kooistra to speak on this proposed language in the Enabling Act, Proposal 1 – Section 21.03.

*Upon Voice Vote: 7 AYES*

Planning Commission Chairman Kooistra spoke on the importance of teamwork and cooperation of both boards. She reminded the Township Board that good dialogue will enable both boards to accomplish many tasks and that it would be in the best interest to keep the current language.

Motion by Trustee Deur, second by Trustee Binns to close open floor discussion on Enabling Act, Proposal 1 – Section 21.03.

*Upon Voice Vote: 7 AYES*

4. Item Number 12-08-05

MTA Books

Motion by Trustee Bard, second by Trustee Bole, ***ADOPTED***, to have the Fruitland Township Board authorize the purchase of no more than five (5) copies of Municipal Civil Infractions at a total cost of \$150.00.

***ROLL CALL VOTE:***

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

**ADJOURNMENT**

Motion by Trustee Bole, second by Trustee Bard, ***ADOPTED***, to adjourn the Monday,  
December 15, 2008 Regular Meeting of the Fruitland Township Board at 8:05 PM.

*Upon Voice Vote:* **7 AYES**

Respectfully Submitted,

Karolyn Rillema, Clerk  
Township of Fruitland