

**FRUITLAND TOWNSHIP BOARD**  
**REGULAR MEETING**  
**December 17, 2007**  
**MINUTES**

**PRESENT:** Supervisor Gregory R Boughton, Treasurer Debbie Boyer, Trustee Mary Eley, Trustee Gary Bole, Trustee Mary Ann Bard, Trustee Norma Binns, and Clerk Janell Beard.

**ALSO PRESENT:** Township Attorney Robert Eklund and 9 interested parties.

**CALL TO ORDER** Supervisor Boughton welcomed guests and led those in attendance in the Pledge of Allegiance.

**PUBLIC COMMENT –**

1. Denise Irely, 2290 Nestrom Road, Muskegon, MI 49445 asked about Mr. Jim Scott's responsibility to keep Nestrom Road plowed open; Supervisor Boughton stated he would inquire at the Wednesday, December 19, 2007 meeting of the Muskegon County Road Commission as to the responsibility to keep the portion of Nestrom Road, at Scenic Drive, plowed.
2. Jane Missimer, 2721 Scenic Drive, Muskegon, MI 49445 cited her concerns with: 1.) safe passage of Nestrom Road at Scenic Drive, and blocking off former access to Nestrom Road from River Road; 2.) questioned the action of the Township Board to deny the 2 acre minimum lot area for the Medium Density Residential Zoning District at the November 19, 2007 meeting, and requested the amendment be brought back to the floor for discussion.
3. Chris Deur, 2761 Scenic Drive, Muskegon, MI supported the idea to survey the property owners within the Medium Density Residential Zoning District to gauge desired minimum lot area standard.
4. Lynn Knopf, 1259 Witham, North Muskegon, MI 49445 spoke for the Duck Creek Watershed Assembly and requested continued support of the Fruitland Township Board; which is imperative to the Duck Creek Watershed Assembly's 319 Management Grant application to receive in-kind support from Fruitland Township; and cited the organic weed control, temperature and vertebrae creek monitoring as some of the successful projects completed by the Duck Creek Watershed Assembly.

**MINUTES -**

Motion by Trustee Bard, second from Trustee Eley, **ADOPTED**, to amend the November 19, 2007 Regular meeting minutes to strike correspondence from White Lake Ambulance Director Brian Binns, and cite a report from Trustee Bard "At our October 15<sup>th</sup> board meeting, White Lake Ambulance Director Brian Binns presented an in-depth presentation of the workings of White Lake Ambulance. He covered the financial impact of participating with Medicaid and Medicare, the number and types of annual ambulance responses, and the number of employees working for White Lake Ambulance. He explained the millage renewal and why the White Lake Ambulance Board was able to reduce the millage from its current 0.625 to the requested 0.55. A PROMISE MADE AND A PROMISE KEPT! The clerks in the jurisdictions which White Lake Ambulance serves have received the White Lake Ambulance Audit. Clerk Beard

*has a copy if any one is interested in seeing it. I have nothing further I can add and as a Fruitland Township representative on the White Lake Ambulance Board, the board wishes to thank all of the residents of Fruitland Township who voted for the millage. Thank You”, and to restate November 19, 2007 amendment by Trustee Eley to the October 15, 2007 Regular Meeting minutes to clarify amendment of “no continued support” to state “continued in-kind support for the Duck Creek Watershed Assembly” and accept the November 14, 2007 Meeting Minutes as submitted.*

*Upon Voice Vote:*

**6 AYES** (*Bard, Bole, Binns, Boughton, Eley, Boyer*)

**1 NAY** (*Beard*)

**RECEIPTS and DISBURSEMENTS –**

Motion by Trustee Bard, second from Trustee Bole, to accept the report of receipts in the amount of 23,281.16 for Fiscal Year 2007 / 2008 for Fund 101, for a General Fund (Funds 101, 120, 130, 140, 145 and 812), and Building and Site (Fund 470) Total Balance of 1,059,617.59 (bank balance and CD’s) for the period of November 17, 2007 through December 14, 2007, as reported by Debbie Boyer, CPFA, Fruitland Township Treasurer; and approve Total General Fund Disbursements the amount of 29,851.70 reported from November 20, 2007 through December 17, 2007 as reported by Janell Beard, CMC, Fruitland Township Clerk.

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

**CORRESPONDENCE:**

Supervisor Boughton acknowledge receipt of the following correspondence:

1. Supervisor Boughton read correspondence from Kim McGee 6166 Murray Road, Whitehall, MI 49461 citing the populations of the City of Montague to be 2407, the population of the City of Whitehall to be 2884, and the population of Fruitland Township at 5235, excluding the summer population increase, and the fact that the aforementioned cities each have a police force, and the fact that there are two Rangers for the nearby State Parks, and encouraged combining forces for more efficient patrol and enforcement. Mr. McGee stated the Fruitland Township Parks and Recreation Commission has approved the purchase of signage for the posting of consistent park rules.
2. James Kobza, Duck Lake Riparian Owner’s Association, 5780 Duck Lake Road, Whitehall, MI 49461 requesting Fruitland Township participate with a monetary contribution in the amount of ,000.00 for Duck Lake Riparian Owner’s Association litigation, all cases now on appeal, 30,000.00 spent to date, 2,500.00 outstanding, 5,000.00 projected to address appeals.

Motion by Trustee Bard, second from Trustee Binns, ***ADOPTED***, to decline participation in the litigation of the Duck Lake Riparian Owner’s Association, and deny request for 5,000.00 financial contribution.

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

**NEW BUSINESS -**

- 1. Item Number: 07-12-01  
Appointments to District Library and Zoning Board of Appeals –

Motion by Supervisor Boughton, second from Trustee Binns, **ADOPTED**, to appoint Jean Dresen, 1800 W Michillinda Road, Muskegon, MI 49445, residing within the Reeths-Puffer School District, to the Muskegon Area District Library Board to serve a three year term fro 2008 through 2010.

*Upon Voice Vote: 7 AYES*

Motion by Supervisor Boughton, second from Trustee Bard, **ADOPTED**, to appoint Eileen Stoffan to the Zoning board of Appeals to complete the term of Penny Larson until March, 2008.

*Upon Voice Vote: 7 AYES*

- 2. Item Number 07-12-02  
Transfer Station Payment Procedure –

Motion by trustee Bole, second from Trustee Eley, **ADOPTED**, that the trial payment policy of cash or punch card for \$5.00 or less, and check or punch card for over \$5.00 at the transfer station be adopted.

*Upon Voice Vote: 7 AYES*

- 3. Item Number 07-12-03  
Planning Commission – Resolution for Recommendation 2007-12-05 #1 to amend  
Article III General Provisions  
Section 3.11 Fences, Walls, Hedges, Berms and Screens to include Lake Michigan Shoreline District, Inland Lakes District and North Duck Lake Overlay District;  
Section 3.31 Average Setback Lines add subsection E. Lake Michigan Shoreline Setback provisions;  
Article VI a. amend title to Lake Michigan Shoreline District  
Section 6.01 a. restating Purpose, Intent and Covered Areas title and subsections;  
Section 6.04 a. amending Site Development Standards;  
Section 6.05 a. amending Waterfront Access, Use and Related Matters  
Article IXX a. Open Space Planned Unit Development (OS-PUD)  
Section 9.04 a. Authorization and Procedures  
Zoning Map Change to reflect amendment of Lake Michigan Shoreline District

Motion by Trustee Eley, second from Trustee Binns, **ADOPTED**, to concur with the Fruitland Township Planning Commission and enact zoning ordinance amendments and Zoning Map amendments in accordance with Resolution for Recommendation 2007-12-05 #1

*Upon Voice Vote: 7 AYES*

- 4. Adjournment

Motion by Trustee Binns, second from Trustee Bole, **ADOPTED**, to adjourn the Monday, December 17, 2007 Regular Meeting of the Fruitland Township Board at 8:40 p.m.

*Upon Voice Vote: 7 AYES*

Respectfully Submitted,  
Janell Beard, Certified Municipal Clerk  
Township of Fruitland