

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
SEPTEMBER 21, 2009
MINUTES**

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

ALSO PRESENT: Five (5) interested parties.

CALL TO ORDER: Supervisor St. Amour called the Monday, September 21, 2009 Regular Meeting of the Township of Fruitland Board to order at 7:02 PM and welcomed those present, led the Pledge of Allegiance and asked for a moment of silence.

AGENDA: Accept or amend the Monday, September 21, 2009 Agenda. Supervisor St. Amour asked the Board to amend the following on the agenda: add under Receipts & Disbursements motion number 09-09-06 for the Bank Reconciliations and under New Business item 4 - MTA Conference.

Motion by Trustee Binns, second by Trustee Bard, **ADOPTED**, to accept the amended September 21, 2009 Regular Township Board Meeting Agenda.

Upon Voice Vote: 7AYES

PUBLIC COMMENT: There was no public comment.

MINUTES:

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to accept the August 11, 2009 Work Session minutes and August 17, 2009 Regular Meeting minutes of the Township of Fruitland.

Upon Voice Vote: 7AYES

RECEIPTS & DISBURSEMENTS:

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to accept Receipts of \$90,564.95 and Bank Balance and Certificate of Deposits of \$1,063,390.42 for the period of June 1, 2009 through June 30, 2009, accept Receipts of \$47,162.10 and Bank Balance and Certificate of Deposits of \$1,005,746.28 for the period of July 1, 2009 through July 31, 2009 and accept Receipts of \$82,686.98 and Bank Balance and Certificate of Deposits of \$1,025,541.71 for the period of August 1, 2009 through August 31, 2009 as reported by Melissa Hepler, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$63,127.72 for the period of August 1, 2009 through August 31, 2009, as reported by Karolyn Rillema, Fruitland Township Clerk.

Upon Voice Vote: 7AYES

Clerk Rillema stated that she and Treasurer Hepler were able to reconcile the bank statements for the months of June, July and August but the General Fund and Tax account are not balanced to zero. The General Fund 101 Ledger Account is over \$369.23 and Tax Account Fund 702

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Ledger Account is over \$3.61. They have contacted Brickley DeLong and received instructions to correct. The Board is pleased to hear that the bank statements are truly reconciled.

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to approve the decrease of the General Ledger Fund 101 by \$369.23 and also decrease the Tax Account Fund 703 by \$3.61 to balance with the bank statements ending August 31, 2009 and use a miscellaneous expense account for both to write off per Brickley DeLong.

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

ANNOUNCEMENTS: Supervisor St. Amour encouraged all in attendance to sign up for enews @ e-news@fruitlandtwp.org. The open house for the Habitat for Humanity home was on September 20th and there are Alcoa Tours to view the native plant landscape scheduled for September 23 and September 28@ 1:00PM & 5:30 PM

CONSENT AGENDA:

Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to appoint Steve Nagengast, Beth Beaman and David Burns to serve on the Citizens Advisory Residential Rental Committee for a one year term of September 1, 2009 through September 31, 2010.

Upon Voice Vote: **7AYES**

COMMITTEE/BOARD UPDATES:

- White Lake Ambulance Authority – Trustee Bard stated that the blood pressure checks will continue at Fruitland Township once a month until the end of the year and will then be reviewed. Trustee Binns suggested to Trustee Bard that the ambulance authority consider having the blood pressure checks at a local establishment where larger crowds are present.
- White Lake Fire Authority – Supervisor St. Amour stated that Fire Chief Hulbert is recovering and more information regarding the fire authority would be discussed later in the agenda.
- Parks and Recreation Commission – Trustee Binns was unable to attend the last meeting. Supervisor St. Amour reported possible dates for a joint meeting of October 1, October 15 or October 22. He asked Trustee Binns to coordinate a date with the Board to get scheduled with the Parks and Recreation Commission.
- Planning Commission – Trustee Deur stated that a public hearing was held on September 2 regarding the private street for Marcus Dunes and that their engineer will be submitting new drawings. The commission met earlier today for the first work session to discuss changes and/or additions to the Master Plan for Fruitland Township.
- Muskegon County Regional Water System Board – Supervisor St. Amour had no report.
- Citizen’s Advisory McMillan Road End Committee – Supervisor St. Amour stated that there is no board representation on this committee and this item would be discussed later on the agenda.

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- Citizen's Advisory Wireless Committee – Trustee Deur stated that the next meeting was rescheduled for October 5. Commissioner Ken Mahoney has agreed to meet with the committee to discuss the county's fiber ring and its uses.
- Citizen's Advisory Regulatory Ordinance Committee – Trustee Bole stated that a meeting had not been scheduled for this month.
- Citizen's Advisory Noise Committee – Supervisor St. Amour stated that he has been unable to schedule a joint meeting with the two individuals. He will be meeting individually with each and then hopefully have a joint meeting.
- Zoning Board of Appeals – Trustee Bole stated that no meeting was scheduled this month.
- Muskegon Area First – Supervisor St. Amour stated that Muskegon Area First continues to strive to encourage businesses to Muskegon County.

OLD BUSINESS:

1. Policies & Procedures – Sections 4.0 – 6.7 –

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to approve Sections 4.0 – 6.7 of the Policies and Procedures.

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

2. 1562 Duck Lake Road – Supervisor St. Amour received a letter back from the homeowner stating now that she knows the issues, the repairs would be completed to the garage and she would notify him when fixed. The Board had no questions at this time.
3. 5623 Murray Road – St. Amour stated that he was awaiting Attorney Eklund's opinion on what necessary steps should be taken.
4. Fruitland Township Representation (Joint Planning Commission/West Michigan Shoreline Regional Development Commission) – Supervisor St. Amour and Trustee Deur will be attending the upcoming JPC meeting scheduled for September 25, 2009 to discuss the comments and suggestions reviewed by Attorney Eklund regarding Act 226.
5. Road Improvements – Hard Surface to Gravel, MCRC Strategy – Supervisor St. Amour and Trustee Deur will be meeting with members of the Muskegon County Road Commission to discuss enhancing our ability to get more service for our dollar. Supervisor St. Amour stated that correspondence had been received regarding the possibility of two sections of roads in Fruitland Township (Hyde Park and Riley Thompson) being turned from hard surface to gravel. Supervisor St Amour will keep the board abreast of the progress of keeping these two sections of roads from being changed.
6. 2745 Lorenson Road – Supervisor St. Amour stated that the court case is scheduled for October 28th. It appears that there is some work being done on the home at this property. Supervisor St. Amour will check with our zoning coordinator to review if permits have been sought by the homeowner.
7. McMillan Road End – Stairway, Drawings, Raising Funds – Supervisor St. Amour stated that he had received stamped drawings for the stairway plan but that they were inaccurate due to the number of landings required. He has informed Al VandeVusse, member of the

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Citizens Advisory McMillan Road End Committee, of the changes required and will present the updated plans at the October work session.

8. Plastic Shredder – Treasurer Hepler reported that the shredder was sold for \$500.00 on Craigs List.
9. Township Liability – Supervisor St. Amour stated that this item continues to be a placeholder.
10. 3350 Bard Road – Supervisor St. Amour stated that no cleanup action appears to be happening at this address. It does appear that more items have appeared. Discussion amongst the Board resulted by instructing Supervisor St. Amour to proceed with court action. Supervisor St. Amour will contact Attorney Eklund and inform him of the Board's
11. Community Building (Grants/Ramp) – Clerk Rillema stated that the 2008 Polling Place Grant Reimbursement had been received in the amount of \$4,958.00. Fruitland Township has been awarded a 2009 Polling Place Grant Application in the amount of \$8,600.00 to build a new ramp at the Community Building. DeRose Builders has been awarded the bid and will be starting the project next week. Supervisor St. Amour stated that the stairway to the basement in the building poses a safety hazard and would like to enclose the stairway and add a door. Supervisor St. Amour will be handling this small project with our maintenance staff.
12. White Lake Fire Authority – Dry Hydrants/Cistern/Lease – Supervisor St. Amour stated that the WLFA should receive notification in October/November regarding the dry hydrants grant application. Supervisor St. Amour spoke with the Muskegon Charter Fire Department Chief regarding the use of a cistern being shared between Laketon and Fruitland in the southwest corner of the township. At this time, they are not interested in this endeavor. Supervisor St. Amour will again revisit this conversation with the Supervisor of Laketon. Trustee Deur prepared a handout showing the revenue and expenses for Fire Station #2 on Duck Lake Road. After discussion amongst the Board the following motion came forth:

Motion by Trustee Deur, second by Trustee Binns , **ADOPTED**, to move that the White Lake Fire Authority lease be revised to have the fire authority pay for all necessary repairs and maintenance at the Fire Station #2 on Duck Lake Road and that Fruitland Township be compensated at the same rate that the City of Whitehall receives of \$2.23 per square foot.

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

13. Liability Insurance – Supervisor St. Amour stated that a three year agreement had been signed by prior administration and that at this time if we were to cancel a refund would not be issued by the current carrier. Supervisor St. Amour would like to review the insurance again at budget time.
14. Duck Lake Building/Maintenance Garage – Drain Field/Maint. Building Hookup –

Motion by Trustee Bole, second by Trustee Deur, **ADOPTED**, to authorize payment to Ultimate Excavating in the amount of \$140.00 for the additional work completed to hook up the Maintenance Building into the drain field.

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

15. Copier Maintenance –Treasurer Hepler stated that a local company, Applied Imaging has quoted a savings of \$25.00 a month for our copier maintenance fee and that we will be switching from Ikon Office Solutions to Applied Imaging.
16. Parks & Recreation – Master Plan/Budget Amendments – Supervisor St. Amour asked Trustee Binns to provide the Board with the comments and suggestions she has compiled regarding the Master Plan for the Parks and Recreation Commission and to also coordinate the date for the joint meeting between the Board of Trustees and Parks and Recreation Commission.
17. Ordinance Enforcer – Clerk Rillema stated that the interview committee consisting of Treasurer Hepler, Trustee Deur and herself have interviewed 4 out of the 5 candidates and are pleased thus far with the quality of the candidates interviewed. They will inform Supervisor St. Amour of their top pick next week.
18. Muskegon County Drain Commission – Board of Determination – Supervisor St. Amour stated that this will be a 2010 project.
19. RAP Amendment for Muskegon Chemical Superfund Site – Trustee Deur stated that his wife Chris attended the meeting on behalf of Fruitland Township and reported that at this time Muskegon Chemical does not intend to do any further cleanup but would let natural remediation take place. It was not a popular decision amongst those in attendance at the meeting. A copy of the letter from Norm Ullman, Chairman of the White Lake Public Advisory Council, to the DEQ clearly states the disappointment of the decision of Muskegon Chemical and listed concerns going forward.
20. 5601 South Shore Drive – Supervisor St. Amour stated that the court case is scheduled for September 29, 2009 and an attorney has been hired to represent Fruitland Township due to the conflict of interest with Attorney Eklund.
21. Ecology Station –

Motion by Trustee Bole, second by Trustee Bard, **ADOPTED**, to change the pricing for a 30 gallon trash bag (2/3 or less) from \$2.00 to \$1.00.

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

NEW BUSINESS:

1. White Lake Senior Center – Annual Contribution –

Motion by Trustee Bole, second by Clerk Rillema, **ADOPTED**, to authorize payment to White Lake Senior Center for the annual contribution of \$1,500.00.

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

2. State Shared Revenue – Supervisor St. Amour stated that we should continue to monitor the impact of additional cuts in State Shared Revenue. The budget for the State of Michigan is to be balanced at the end of the month. Supervisor St. Amour stated that at the October work session a year to date budget will be presented and should be reviewed.
3. 6106-245-003-0003-00 – 6168 & 6188 Murray Road – Supervisor St. Amour stated that a condemnation hearing for these two properties is scheduled for October 8, 2009.
4. MTA Conference – Trustee Deur would like to attend the MTA Fall Regional Meeting at a cost of \$109.00.

Motion by Trustee Deur, second by Trustee Binns, **ADOPTED**, to approve that Trustee Deur attend the MTA Fall Regional Meeting in Grand Rapids, Michigan on Monday, September 28, 2009 at a cost of \$109.00. Trustee Deur has elected not to be reimbursed for mileage or meal expense.

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

ADJOURNMENT:

Motion by Treasurer Hepler, second by Trustee Bard, **ADOPTED**, to adjourn the Monday, September 21, 2009 Regular Meeting of the Township of Fruitland at 8:25 PM.

Upon Voice Vote: **7AYES**

Respectfully submitted,

Karolyn Rillema, Clerk
Township of Fruitland