

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
MAY 17, 2010
MINUTES**

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

ALSO PRESENT: Four (4) interested parties.

CALL TO ORDER: Supervisor St. Amour called the Monday, May 17, 2010 Regular Meeting to order at 7:02 PM and welcomed those present, led the pledge of allegiance and asked for a moment of silence.

AGENDA:

Motion by Trustee Deur, second by Trustee Binns, **ADOPTED**, to accept the May 17, 2010 Regular Township Board Meeting Agenda.
Upon Voice Vote: 7 AYES

PUBLIC COMMENT:

1. Leonard Noel, 2439 W. Lakewood Road – Mr. Noel thanked the Township for its partnership with the MCRC and recent work on Lakewood Road. He also stated his concern regarding the Medical Marijuana Act that is now state law. Mr. Noel encouraged the Board of Trustees to become familiar with the act and that potentially distribution sites could be located in the township. The City of Muskegon Heights recently passed a resolution to impose a Moratorium for the sale or dispensation of medical marijuana. Clerk Rillema will request a copy of the resolution.
2. Betsy Grein, 5780 Oak Tree Lane – Ms. Grein asked if any donations had been received for the White River Light Station to date. Ms. Grein also read out loud a letter that she will be having published in the newspaper which expresses her consideration of what she considers “real” expenses to run the WRLS and suggests that the township reconsider making any further cuts to the budget for fiscal year 2011-12.

MINUTES:

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to accept the April 13, 2010 Work Session Minutes and April 19, 2010 Regular Meeting Minutes.
Upon Voice Vote: 7 AYES

RECEIPTS & DISBURSEMENTS:

Motion by Treasurer Wilks, second by Trustee Deur, **ADOPTED**, to accept the Receipts of \$67,644.64 and Bank Balance and Certificate of Deposits of \$1,200,153.47 for the period of April 1, 2010 through April 30, 2010 as reported by Melissa Wilks, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$49,273.76 and Fund 145 Disbursements in the amount of \$695.41 for the period of April 1, 2010 through April 30, 2010, as reported by Karolyn Rillema, Fruitland Township Clerk.

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Upon Voice Vote: 7 AYES

ANNOUNCEMENTS:

Supervisor St. Amour stated that Enews recipients list continues to grow in size. Fruitland Township has contracted its Building Official/Inspector – Rod Siegel through Laketon Township. West Michigan Shoreline Regional Development Commission is celebrating its 40th Anniversary. Duck Creek Watershed Assembly is continuing their activities and is currently working on their management plan. The Memorial Day Services held at the Fruitland Township Cemetery is scheduled for May 31, 2010 at 9:00 AM. Carol Kooistra has agreed to sing at the service.

CONSENT AGENDA:

Motion by Trustee Bard, second by Trustee Binns, ***ADOPTED***, to approve Karolyn Rillema as an alternate from the Board of Trustees and Sue Hertel as an alternate from the Planning Commission to represent Fruitland Township on the Joint Planning Commission.

Upon Voice Vote: 7 AYES

COMMITTEE/BOARD UPDATES:

- White Lake Ambulance Authority – Trustee Bard stated that the WLAA meeting was held on April 28, 2010. The unused medication drop off sponsored by WLAA collected close to 700 pounds of unused medication. The new ambulance has been ordered and will take approximately six months for total assembly. Blood pressure clinics are still not attracting many citizens but will continue to be held at the Fruitland Township Hall the third Friday of each month. Two signs have been ordered to be placed at entrance and near ambulance on site. Trustee Bard stated that 125 calls were reported in April.
- White Lake Fire Authority – Trustee Bole stated that the Montague National Guard is unable to assist with the construction of the dry hydrants. The WLFA has sought bids for this work and varies from \$6,000.00 to \$16,000.00. The WLFA is not willing to cover the cost of construction at this time. Members of the Board of Trustees are disappointed in the decision of the WLFA and will discuss options at the June work session.
- Parks and Recreation Commission – Trustee Binns reported that no meeting was held in May due to a lack of quorum.
- Planning Commission – Trustee Deur stated that the Planning Commission was holding a public hearing at the June 2, 2010 meeting to discuss proposed driveway standards and the proposed Duck Lake Forest Preservation District Ordinance. Trustee Deur also mentioned that the Planning Commission may be looking at the medical marijuana state law that was passed in November 2008.
- Citizen’s Advisory Wireless Committee – Trustee Deur stated that they continue to field inquiries and that the Muskegon Chronicle published an article regarding wireless/broadband service in the area.
- Citizen’s Advisory Regulatory Ordinance Committee – Trustee Bole stated that the committee met and several ordinances have been reviewed and will be presented to the Board of Trustees for discussion.

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- Citizen's Advisory Residential Rental Committee – Supervisor St. Amour stated that Steve Nagengast gave his presentation to the Board of Trustee's at the May 10, 2010 work session. Discussion regarding their recommendations will occur at the June work session.
- Citizen's Advisory McMillan Road End Committee – Supervisor St. Amour stated that \$1,450.00 has been received to date toward the stairway project at McMillan Road end. Trustee Deur mentioned that there are some residents who are waiting to contribute until there is a grant award requiring matching gifts.
- Citizen's Advisory Law Enforcement Committee – Trustee Bard stated that the committee met on May 6, 2010 and started the discussion and research of civil infractions. She commented that the State of Michigan Traffic Code would need to be adopted prior to civil infractions being able to be enforced.
- Zoning Board of Appeals – Trustee Bole stated that no May meeting was held.
- Fred Meijer Berry Junction Rail Trail – Supervisor St. Amour stated that the engineer's inability to complete the drawings is holding up the project at this time.
- White Lake Public Advisory Council – Trustee Deur stated that a meeting held on May 13, 2010 showed citizen's support of the WLPAC's recommendations to the EPA and that Supervisor St. Amour, Clerk Rillema and himself wrote letters to the WLPAC endorsing their recommendations.

OLD BUSINESS:

1. 1562 Duck Lake Road – Supervisor St. Amour stated that Attorney Eklund has been instructed to proceed with court proceedings regarding the ordinance violation for accessory building without a primary use.
2. 5623 Murray Road – Supervisor St. Amour stated that a letter was received today from Attorney Sininger stating that the Gardner's have appealed to the Michigan Court of Appeals.
3. 2745 Lorenson Road – Supervisor St. Amour stated that the property is about cleaned up and most of the equipment has been hauled offsite. He is in contact with the property owner and will inform them when they have complied with total cleanup as requested by the court.
4. 3350 Bard Road – Supervisor St. Amour stated that it was difficult to differentiate whether cleanup was occurring because it appears that items from the back yard are now in the front yard. The scheduled court date for reappearance is June 8, 2010.
5. Condemnation Hearings – Supervisor St. Amour stated that the property of 6168 & 6188 Murray Road hearings were held earlier today and the bank is in talks with a potential buyer. The properties on Nord Road have been issued permits for repair. The house on Scenic Drive is scheduled for a July hearing and the position of Building Hearing Officer remains unfilled but Jim Duncan has agreed to finish out these condemnations.
6. Township Property – Supervisor St. Amour met with Dave Wilson who is preparing a proposal for suggested harvesting of land owned by Fruitland Township.

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7. Community Building Drain – Supervisor St. Amour stated the drain is not fully repaired and will be contacting the Drain Commissioner once appointed to complete the project.
8. D³ – Supervisor St. Amour stated that the postcard will be mailed to all residents/property owners prior to the scheduled dates of discounted dump day which will be from June 2, 2010 through June 30, 2010. The cost of discount dump day will be a maximum of \$5.00 for a one trip only time this year.

NEW BUSINESS:

- 1 Scenic Road End Dock Status – Supervisor St. Amour stated that he and Clerk Rillema made a phone call to Attorney Cliff Bloom for clarification of the state law that Attorney Eklund presented several months ago. Attorney Bloom felt that the language presented in the state law was very ambiguous and felt that the dock that has been onsite for many years would supersede this law if it even applied. Supervisor St. Amour stated that Clerk Rillema would be willing to form a committee to seek ideas for a replacement dock at the Scenic Drive Road End.

Motion by Supervisor St. Amour, second by Trustee Binns, ***ADOPTED***, to appoint Clerk Rillema to form a committee to seek ideas for a replacement dock at the Scenic Drive Road End.

Upon Voice Vote: 7 AYES

2. Candidate Forum – Supervisor St. Amour stated that this is a placeholder at this time.
3. Boy Scout Project – Treasurer Wilks stated that Clerk Rillema is in need of shelves built in the basement to hold township records. She will email the Scout contact and suggest this project to find out if there is any interest.
4. Fruitland Township Parking Lot Quote – Supervisor St. Amour stated that this is a placeholder at this time.
5. Revenue Sharing – Treasurer Wilks stated that she received a revenue sharing payment in the amount of \$49,328.00 and will report at the June work session upcoming projected revenue sharing.
6. My Pro Audit – Clerk Rillema stated that she has provided the firm of My Pro Audit with copies of one months invoices from both Consumers Energy and DTE Energy to determine if any errors have occurred. If no errors are present no refund will be due from either firm. If errors are found and a refund is received, Fruitland Township will split the reimbursement 50/50 with My Pro Audit.
7. Homeowners Affidavit – Clerk Rillema stated that Building Official/Inspector Siegel suggested a revised homeowners affidavit to replace the prior affidavit to comply with State Law so when a homeowner obtains a building, electrical, mechanical and/or plumbing permit that he or she completes a homeowners affidavit that states that if the house/home is sold within one (1) year of the date of certificate of occupancy or final inspection, that they are in violation of State law and subject to civil fines.

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Motion by Trustee Bard, second by Trustee Bole, **ADOPTED**, to adopt the revised Homeowners Affidavit and replace the prior Homeowners Affidavit adopted April 25, 2000.

Upon Voice Vote: 7 AYES

8. Board Comments – Trustee Deur inquired if any goals were going to be asked of the Board of Trustees for fiscal year 2010-11. He also stated that an upcoming seminar in Grand Rapids on effective policies & procedures would be beneficial for either himself or Clerk Rillema to attend. The cost of the seminar along with the purchase of a publication for Board & Administrative Policies for an early bird rate of \$120.50.

Motion by Trustee Deur, second by Trustee Binns, **ADOPTED**, to authorize Clerk Rillema or Trustee Deur to attend the seminar in Grand Rapids called Effective Policies & Procedures for Managing Your Township and the purchase of the publication called Policies Matters! Using Board & Administrative Policies to Manage Your Township at an early bird rate of \$120.50.

Roll Call Vote: Trustee Bard **AYE**, Trustee Deur **AYE**, Trustee Binns **AYE**, Supervisor St. Amour **NAY**, Clerk Rillema **AYE**, Treasurer Wilks **AYE**, Trustee Bole **NAY**

ADJOURNMENT:

Motion by Treasurer Wilks, second by Trustee Bard, **ADOPTED**, to adjourn the May 19, 2010 Regular Meeting of the Township of Fruitland at 8:25 PM.

Upon Voice Vote: 7 AYES

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland