

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
AUGUST 16, 2010
MINUTES**

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

ABSENT: Trustee Bole

ALSO PRESENT: Eleven (11) interested parties.

CALL TO ORDER: Supervisor St. Amour called the Monday, August 16, 2010 Regular Meeting to order at 7:04 PM and welcomed those present, led the pledge of allegiance and asked all to stand for a moment of silence.

AGENDA: Supervisor St. Amour asked for the following amendment to the agenda: Committee/Board Updates add WRLS - Curators Report.

Motion by Trustee Bard, second by Trustee Binns, ***ADOPTED***, to accept the amended August 16, 2010 Regular Township Board Meeting Agenda.
*Upon Voice Vote: **6 AYES 1 ABSENT***

PUBLIC COMMENT:

1. Dan Sutherland, 2983 N. Scenic Drive – Questioned how the diseased Beechwood trees were being quarantined during removal as disease can spread if not properly disposed of. Supervisor St. Amour stated that he will ask the MCRC as he will be attending a meeting on Wednesday, August 18, 2010. He asked for a phone number or email to contact the Mr. Sutherland with an answer.
2. Dick Mahoney, 5214 Scenic Drive – He is pleased with the upkeep and appearance of the White River Light Station. Stated that we are blessed to have it in our township.

MINUTES:

Motion by Trustee Deur, second by Trustee Bard, ***ADOPTED***, to accept the July 12, 2010 Work Session Minutes and July 19, 2010 Regular Meeting Minutes.
*Upon Voice Vote: **6 AYES 1 ABSENT***

RECEIPTS & DISBURSEMENTS:

Motion by Clerk Rillema, second by Trustee Deur, ***ADOPTED***, to accept the Receipts of \$26,536.95 and Bank Balance and Certificate of Deposits of \$988,206.03 for the period of July 1, 2010 through July 31, 2010 as reported by Melissa Wilks, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$73,680.71, Fund 120 Disbursements in the amount of \$76,718.25 and Fund 140 Disbursements

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in the amount of \$324.15 for the period of July 1, 2010 through July 31, 2010, as reported by Karolyn Rillema, Fruitland Township Clerk.

*Upon Voice Vote: **6 AYES 1 ABSENT***

ANNOUNCEMENTS:

Supervisor St. Amour stated over 500 recipients receive e-news at the present time. If interested in attending any of the upcoming conferences held by the MTA, to please contact the Clerk to get registered. Supervisor St. Amour received an email from the Fruitland Evangelical Covenant Church that the Blueberry Pancake Breakfast was another successful event and a thank you letter was received by the White Lake Area Elks for our donation towards the fireworks for the 4th of July. Supervisor St. Amour also received from the Smith family a map of where the two memorial markers will be placed and all agreed with the placement area.

COMMITTEE/BOARD UPDATES:

- White Lake Ambulance Authority – Trustee Bard stated the WLAA meeting was held on July 28, 2010. The month of July was very busy with 192 calls. The blood pressure clinics are still continuing until further notice but have not received an increase in participation as hoped. The WLAA will be discussing building repairs needed on the rented building with the City of Whitehall and may be exploring other options.
- White Lake Fire Authority – Supervisor St. Amour stated that the existing two dry hydrants were constructed with 6” PVC pipe which is an insufficient size. The WLFA suggests a 10” PVC pipe and will be submitting drawings to the DNRE.
- Parks and Recreation Commission – Trustee Binns stated that Trustee Deur and she will be meeting this week to discuss changes/additions to the Master Plan of the Parks and Recreation Commission. Trustee Binns stated that the July meeting of the Parks & Recreation Commission was somewhat contentious with the issue of private docks at Marcus Park. Supervisor St. Amour stated that Attorney Eklund is preparing draft agreement(s) for both Marcus Dunes and Winterwood Shores and will be meeting on August 18, 2010 to review.

SPECIAL GUEST – Eric Van Dop of Brickley DeLong presented the Board of Trustees with the 2009-10 Year End Report.

Motion by Trustee Binns, second by Trustee Bard, **ADOPTED**, to receive the 2009-2010 Audit and place on file.

*Upon Voice Vote: **6 AYES 1 ABSENT***

COMMITTEE/BOARD UPDATES (continued):

- Planning Commission – Trustee Deur stated that no pressing issues were on the agenda for the Planning Commission for the month of July, so no meeting was held.
- Zoning Board of Appeals – Clerk Rillema stated that no meeting was held in July.

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- Citizen's Advisory Wireless Committee – Trustee Deur stated that six grants were awarded by the Department of Agriculture. Although AzulStar has not received a grant thus far, they haven't received a rejection letter either.
- Citizen's Advisory Regulatory Ordinance Committee – Supervisor St. Amour stated he had received public comment on the proposed cemetery ordinance language.

Motion by Trustee Binns, second by Trustee Binns, **ADOPTED**, to approve Regulatory Cemetery Ordinance – Article R7, with the recommended changes by the Citizens Advisory Regulatory Ordinance Committee and Fruitland Township Board of Trustee's Work Session as presented and update the Fee & Escrow Deposit Schedule to reflect cemetery pricing for opening and closing fees from our current vendor.

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

- Citizen's Advisory Residential Rental Committee – Trustee Deur stated that he and Steven Nagengast met with Attorney Eklund and are awaiting his response.
- Citizen's Advisory McMillan Road End Committee – Supervisor St. Amour stated that over \$1,400.00 has been received to date.
- Citizen's Advisory Law Enforcement Committee – Supervisor St. Amour stated that Attorney Eklund has written letters to both the Sheriff's Department and local courts that our ordinance for Uniform Traffic Code Enforcement is effective August 21, 2010. Attorney Eklund will complete the manual with all necessary documents to be placed on file at Fruitland Township this week.
- Fred Meijer Berry Junction Rail Trail – Supervisor St. Amour stated communication has been received that the grant will be extended from a 2010 project to 2011 project. The schedule is a November 2010 Bid, December 2010 Award, and a 2011 Spring start.
- White Lake Public Advisory Council – Trustee Deur stated that the WLPAC is awaiting the reaction of the EPA to the recommendations made for the DuPont Property.
- WRLS Blue Ribbon Committee – Supervisor St. Amour stated that the second meeting of the committee will be held on August 19, 2010 at 4:15 PM at Fruitland Township.
- WRLS Curator Report – Curator McDonnell reported the admissions and tour income for the month of July and stated no weddings were scheduled for the months of July and August 2010. Curator McDonnell will be contacting the Parks & Recreation Commission regarding the order of brochures ordered by the commission prior to the changing of jurisdiction of the White River Light Station over to the Board of Trustees.

OLD BUSINESS:

1. Marcus Dunes Development – Supervisor St. Amour stated that an email was received from Jerry Henning that they have agreed to terms with the WLFA at this time.
2. 1562 Duck Lake Road – Supervisor St. Amour stated that the restrictive covenant agreement has been sent to the property owners for signature.

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3. 5623 Murray Road – Supervisor St. Amour stated that the Appellate Court has not made a decision at this time but could be received in early September.
4. Condemnation Hearings – Supervisor St. Amour stated that 6168 & 6188 Murray Road may have been sold and the next hearing date is scheduled for August 18, 2010 @ 1:00 PM. Nord Road properties have received permits and will need to be inspected. The house on Scenic Drive has been demolished and removed.
5. Township Property (Harvest) – Supervisor St. Amour stated that Attorney Eklund has prepared the contract language. Supervisor St. Amour will contact Attorney Eklund to reword language so that no deposit is required of Fruitland Township but instead will come from the potential buyer.
6. Moratorium for the Sale or Dispensation of Medical Marijuana – Supervisor St. Amour stated that Trustee Deur attended a symposium last month and brought back a vast amount of information. At the August work session, Attorney Eklund stated that he has not seen much involvement from rural communities at this point. Supervisor St. Amour tasked Trustee Deur to research and make a recommendation. Trustee Deur would like to have the Board of Trustees discuss what we want to accomplish with the potential sale and/or dispensation of medical marijuana which was a question posed by Attorney Eklund at the July work session. Discussion will take place at the September work session

NEW BUSINESS:

1. Ordinance Enforcement – Supervisor St. Amour stated that the owner of 1490 W. Duck Lake Road has not been very cooperative and a August 26, 2010 court date is scheduled.

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to contact the homeowners of 4676 W. McMillan Road that an additional 30 day time frame from August 14, 2010 has been extended to them because of non-compliance with the ordinance until they sell their home and move across state.

*Upon Voice Vote: **6 AYES 1 ABSENT***

2. Secretary/Receptionist Position – Treasurer Wilks stated that 159 applications were received for this position. Supervisor St. Amour, Clerk Rillema and she have looked over all and approximately twenty are now ready to be given a rating and then given to the Interview Committee consisting of Clerk Rillema, Trustee Bard and herself.
3. Camera/Recording System – Trustee Bole was not present to report on this topic.
4. White River Light Station – Supervisor St. Amour stated that he needs to combine the quotes for the sidewalk repair and gutter work because they both need to coordinate with each other. Attorney Eklund has prepared a disciplinary action form which will be discussed with the employee this week. Supervisor St. Amour has forwarded the amended deeds of donation and loan agreement forms to John McGarry of the Muskegon

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County Museum for his perusal. Supervisor St. Amour asked Curator McDonnell about our current deeds of donations and loan agreements and she agrees that they not as accurate as they should be.

5. Building Official/Inspector – 90 Day Review –

Motion by Trustee Binns, second by Trustee Deur, **ADOPTED**, to extend the contract with Laketon Township for services provided by Rod Siegel as our Building Official/Inspector through fiscal year ending March 31, 2011 at a cost of \$1,500.00 per month.

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

9. Board Comments – Supervisor St. Amour stated that he received information from American Fireworks who has been contracted to do private fireworks for 5391 Scenic Drive. We currently have no ordinances against fireworks. The White Lake Fire Authority was contacted and several steps need to be taken – an application, local fire authority authorization, Coast Guard authorization and a site inspection. The Board of Trustees gave verbal authorization to Supervisor St. Amour to allow the fireworks if the White Lake Fire Authority gave their blessing. Trustee Deur asked if a copy of the police report from Tom Hamilton had been received has he stated he would do from the July meeting. At this time, no report has been received at Fruitland Township. Clerk Rillema stated that My Pro Audit reviewed our utility bills and found charges of sales tax from DTE in the amount of \$821.85 dating back to 2006. The agreement with My Pro Audit is a 50/50 split. A check has been issued for one-half to My Pro Audit. One last account from Consumers is awaiting determination of charges at this time.

ADJOURNMENT:

Motion by Treasurer Wilks, second by Trustee Deur, **ADOPTED**, to adjourn the August 16, 2010 Regular Meeting of the Township of Fruitland at 8:20 PM.

Upon Voice Vote: **6 AYES 1 ABSENT**

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland