

**FRUITLAND TOWNSHIP BOARD  
REGULAR MEETING  
JANUARY 17, 2012  
MINUTES**

**PRESENT** – Trustee Bard, Trustee Deur, Trustee Binns, Treasurer Beegle, Supervisor St. Amour

**ABSENT** – Clerk Rillema, Trustee Bole

**ALSO PRESENT** – No interested parties.

**CALL TO ORDER** – Supervisor St. Amour called the Monday, January 17, 2012 Regular Meeting to order at 7:02 PM, Trustee Binns led the pledge of allegiance and a moment of silence was expressed for resident Bruce Rissi.

**AGENDA** –

Motion by Trustee Binns, second by Trustee Bard, **ADOPTED**, to accept the January 17, 2012 Regular Township Board Meeting Agenda.

*Upon Voice Vote:* **5 AYES, 2 ABSENT**

**PUBLIC COMMENT** – There was no public comment.

**MINUTES** –

Motion by Trustee Binns, second by Trustee Bard, **ADOPTED**, to accept the December 12, 2011 Work Session Minutes and December 19, 2011 Regular Meeting Minutes.

*Upon Voice Vote:* **5 AYES, 2 ABSENT**

**RECEIPTS & DISBURSEMENTS** –

Motion by Treasurer Beegle, second by Trustee Deur, **ADOPTED**, to accept the Receipts of \$142,023.42 and Bank Balance and Certificate of Deposits of \$982,957.08 for the period of December 1, 2011 through December 31, 2011 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$52,519.81 for the period of December 1, 2011 through December 31, 2011 as reported by Karolyn Rillema, Fruitland Township Clerk.

*Upon Voice Vote:* **5 AYES, 2 ABSENT**

**ANNOUNCEMENTS/COMMUNICATIONS** – Supervisor St. Amour reported receipt of the White Lake Senior Center monthly report which was a financial report that indicates Fruitland Township contribution for 2011 as \$1,000. He has received a request for a fence at McMillan Road End at the top of the hill to stop jumping which is the probable cause of this area not healing as fast as the rest of the dune from a resident whom will likely be at the next meeting. There have also been some concerns from one of the neighboring properties that survey stakes were taken. Supervisor St. Amour stated he is not sure if they would have been taken or if they were covered over with sand but it was re-staked before construction commenced on the stairway. The neighboring property to the

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North has stressed concern that the stairway may encroach upon their property line. Supervisor St. Amour stated that when standing at the top it can give that optical illusion, however, it is twenty (20) feet away. Consensus was to have Supervisor St. Amour get quotes for fencing of any kind except chain link and report back. Trustee Bard suggested a sign being placed at the top of the hill stating "AT YOUR OWN RISK". Supervisor St. Amour states there probably should be signs placed eventually. There has been a written request from Laure Bollenbach, Marketing Director for Michigan's Adventure, for a single day ordinance exception lasting until 12:30 a.m. on June 4, 2012. Supervisor St. Amour states the same request has been made to Dalton Township and their attorney is drawing something up for them so we will wait to see what they decide. The West Michigan **Trails and Greenway** Coalition whom handled monies from Fred Meijer and then paid to us for our portion of the rail trail is asking us for help for the creation of a pocket park to be on one of the trails near the Meijer Headquarters for Fred which would include a bench, trees, shrubs, bike rack and is budgeted for \$20,000. Supervisor St. Amour will ask Attorney Even if this would be allowed. Letter from Muskegon County Drain Commissioner giving Double L Enterprises, Inc. authorization to conduct excavation work for the portion of the Fred Dow Drain located on Mary Ann Bard's property at 1428 W. River Road. Muskegon Conservation District invoice received for the McMillan Road End lumber/stairway in the amount of \$2,120 with expected completion Spring 2012. A Scenic Drive Dock Grant Request will be brought forth by the White Lake Group which will include a potential donation lock box after further research is completed.

### **COMMITTEE/BOARD UPDATES –**

- White Lake Ambulance Authority – Trustee Bard reported that the board met on December 28, 2011. December was a very busy month and there have been 2000 plus calls for 2011 which is the largest number of calls ever received. The donation agreement for the new building has been signed and they are just waiting for the architect and a final report on the environmental issues. More to come! The audit for 2009/2010 is done and Sarah the new auditor is now working on the audit for 2010/2011 and then they will be up to date.
- White Lake Fire Authority – Treasurer Beegle reported the board met on January 12, 2012. Potential reorganization is being looked at within the Fire Authority which would include some cost savings. The Fire Code of Appeals Committee has a few members that are coming up on term limits so they will be looking for new candidates. The Needs Assessment Committee has given a presentation on some things that they would like. As a board \$19,500 has been approved for safety for the firefighters, including reflective striping, roof numbers for the top of the units as they have changed because of the Muskegon Area Chiefs resolution and also some cameras for the back of the units. The next meeting is in March.
- Parks & Recreation Commission – Supervisor St. Amour reported that the local lawsuit has been set for September 11, 2012 with Judge Graves which was adjourned from June 19, 2012. The Parks & Recreation Commission signed a Resolution transferring the "narrow strip" of Marcus Park to the Unit Owners of Marcus Dune Condominium Association for the surrender by the Unit Owners of all right, title and interest they have with regard to existing easements over and across that portion of Marcus Park predominately used by the public. Discussion will be held at the April work session; however, no action will be taken by the Board of Trustees until the April 16, 2012 regular meeting unless something happens prior to that time. Supervisor St. Amour stated he has advised them that the board at this time is not willing to discuss the land request because they are still in discussion with the Land Conservancy.

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- Planning Commission – Trustee Deur reported that Chairperson Kooistra is leaving effective March 31, 2012. Five (5) public hearings have been set for February 8, 2012 on the following sections of the zoning ordinance to either amend or add new language: Non-Conforming Buildings, Structures and Uses (Amend), Outdoor Furnaces (New), Site Plan Review (Amend), Excavations, Holes or Ponds (Amend) and Open Space Planned Unit Development (Amend). He encourages the board to sit in on the public hearings seeing these all go to the board for final approval. A discussion was held on the topic of oil and gas storage tanks because it was brought to their attention that one has been installed in the township. Commissioner Lernowich researched this and found that underground storage tanks are primarily regulated by the DEQ. Consensus of the Planning Commission was not to propose a local ordinance but to request that Supervisor St. Amour put something in the E-News referring residents to the appropriate person at the DEQ.
- Zoning Board of Appeals – Treasurer Beegle reported that there was no meeting scheduled for January.
- Citizens Advisory Wireless Committee – Trustee Deur advised several calls have been referred to him because Frontier is not meeting commitments for DSL installations. He has referred these callers to someone at Frontier that is following up on these issues. Supervisor St. Amour asked Trustee Deur if he thought a letter should be sent to Frontier from the township. Trustee Deur said he would like to wait and see if the problem continues before sending a letter.
- Citizens Advisory McMillan Road End Committee – Supervisor St. Amour stated that the donated dollars have been approved to pay for the lumber for the stairway project and looking for a spring completion.
- White Lake Public Advisory Committee – Trustee Deur reported a public meeting will be held on January 31, 2012 at the White Lake Area Library from 6:00 p.m. – 8:00 p.m. for discussion of various restoration issues. He also reported that the new logo for the WLPAC uses a drawing of the White River Light Station.
- White River Light Station – Curator McDonnell was not present. Supervisor St. Amour stated the agreement with SPLKA has been signed and will be effective April 1, 2012.

### **OLD BUSINESS –**

#### 1. Ordinance Enforcement –

- Orshal Road Property – Dog ordinance violation and junk ordinance violation, Supervisor St. Amour stated he has not heard back from Deputy Ashker, however, the complainant did call him and said the offense has been taken care of.
- River Road Property – Junk violation, Supervisor St. Amour is not sure if Deputy Ashker has been on this because of the snow.

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- Duck Lake Road Property – Junk violation, demolition permit was issued for the fallen down garage and it has been removed. Owner is slowly working on cleaning up the junk, if work does not continue Supervisor St. Amour will turn over to Deputy Ashker to issue a ticket.
- 5110 Orshal Road – Junk violation, Supervisor St. Amour is keeping an eye on this.

### Unsafe Buildings –

- 4565 Lorenson Road – Permits have been pulled and demolition is complete, however, there has been a large hole left. According to Building Official Rod Siegel and Building Coordinator Dion there is nothing in the township ordinance or building code stating they must fill this in.
  - 5560 Simonelli Road – This property is bank owned and has been informed that if the building is not demolished by spring, condemnation process will start.
2. Transfer Station Consolidation – Supervisor St. Amour stated there is a survey to take on the website with plenty of room for comments. Dalton Township is running the same type of survey.
  3. Civil Infractions – Supervisor St. Amour stated that the list of our current zoning/regulatory ordinances have been referred to Attorney Even for preparation of a civil infraction ordinance to be reviewed at the February work session.
  4. SAXE Drain Recommendations – Supervisor St. Amour stated that Drain Commissioner Fisher received his letter and resolution passed by the Board of Trustees requesting research on the SAXE Drain and because he has been out of the office sick we have not seen anything from him yet but it is forthcoming.
  5. Sewer Ordinance – Supervisor St. Amour stated that Attorney Even is working on this ordinance also.
  6. Township Property Access – Supervisor St. Amour states this was discussed in depth at the work session and his opinion was we need to monitor the situation and do nothing more at this time.

### NEW BUSINESS –

1. 2012-13 Budget Discussion –

Supervisor St. Amour states that:

- He is soliciting quotes for the Assessment Services for the township
- Health Insurance rates will be going up and the fringe will therefore increase
- An upcoming PINS meeting being held February 3<sup>rd</sup> should provide more definite numbers
- A survey for the Ecology Station is being done but there will be no change in running it at this time
- He put in \$8,100.00 for re-surfacing the tennis courts at the Nestrom Road Park in the Parks and Recreation Commission 2012-2013 budget. After discussion consensus was to add \$4,000.00 total to be used as follows for the Duck Lake Road Park: \$1,500.00 to finish

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basketball court, \$500.00 for pickleball equipment and \$2000.00 for stump removal/grinding to be done first, picnic tables, etc. if monies left

- He would like approval for A & B total road projects (\$722,914.00) Township part \$433,508.00 and Muskegon County Road Commission part \$289,406.00, straw vote approved unanimously to approve.
- A potential of up to 2.5% wage increase has been added for secretarial and maintenance staff to be given on merit at the time of reviews in April, He personally believes that a 2.5% increase is fair, Trustee Bard does not agree, Trustee Deur could be comfortable with possible 1%-2% raise, Trustee Binns believes it is time to recognize the staff who work very hard and for their talent, states increase is well deserved, staff needs to be compensated for cost of living, Treasurer Beegle believes that last year when wage increases were discussed with not knowing if the State Revenue was going to be cut that the increases were not approved, however, last year it was not cut and she does not see it being cut this year so she would agree with wage increases, wage increases will be put in the budget for public hearing in February

2. Tire Grant – Resolution 2012-01

**FRUITLAND TOWNSHIP  
RESOLUTION 2012-01  
TRI-TOWNSHIP 2012 SCRAP TIRE CLEAN-UP GRANT PROPOSAL**

- WHEREAS,** scrap tires have a blighting influence and pose a public health hazard from mosquito-transmitted diseases, and;
- WHEREAS,** blight negatively effects property values and the aesthetic quality of our recreation areas, and;
- WHEREAS,** the Michigan Department of Environmental Quality has a Scrap Tire Clean-up Grant Program to address the proper disposal and reuse of scrap tires, and;
- WHEREAS,** Fruitland Township desires to cooperate with neighboring communities to access resources provided by the state in the most efficient manner;

**NOW, THEREFORE, BE IT RESOLVED,** that the Fruitland Township Board supports Laketon Township’s grant submittal to the Michigan Department of Environmental Quality’s Scrap Tire Clean-up Grant on behalf of Dalton, Fruitland and Laketon Townships, and;

**BE IT FURTHER RESOLVED,** that Fruitland township commits to reimburse Laketon Township up to three thousand dollars (\$3000.00) for tires collected from Fruitland Township residents as part of this program and that Fruitland Township with either reimburse Laketon Township for a pro-rated portion of labor costs of the clean-up event or provide labor to help during the event.

Upon a roll call vote, the members voted as follows:

“**AYE**”: Treasurer Beegle, Trustee Binns, Trustee Deur, Trustee Bard, Supervisor St. Amour

“**NAY**”: None

“**ABSENT**”: Clerk Rillema and Trustee Bole

**BE IT RESOLVED THAT,** Resolution 2012-01, Tri-Township 2012 Scrap Tire Clean-up Grant Program was **ADOPTED** at the January 17, 2012 Regular Meeting of the Township of Fruitland.

Karolyn Rillema  
Karolyn Rillema  
Township Clerk

Dated: January 23, 2012

3. Budget Amendments –

Motion by Treasurer Beegle, second by Trustee Binns, **ADOPTED**, to instruct Clerk Rillema to make necessary 3<sup>rd</sup> Quarter 2011-12 Budget Amendments as listed.

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

4. Muskegon Conservation District –

Motion by Trustee Bard, second by Treasurer Beegle, **ADOPTED**, to authorize Clerk Rillema to make payment to the Muskegon Conservation District for the McMillan Road End lumber in the amount of \$2,120.00.

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

5. West Michigan Shoreline Regional Development Commission (WMSRDC) Dues –

Motion by Trustee Deur, second by Supervisor St. Amour, **ADOPTED**, to authorize Clerk Rillema to make payment to WMSRDC for dues for North Central Muskegon County Joint Planning Commission (JPC) in the amount of \$1,000.00.

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

6. White Lake Chamber of Commerce Dues –

Motion by Trustee Binns, second by Trustee Deur, **ADOPTED**, to authorize Clerk Rillema to make payment to White Lake Chamber of Commerce for 2012 member dues in the amount of \$220.00.

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

**ADJOURNMENT –**

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to adjourn the January 17, 2012 Regular Meeting of the Township of Fruitland at 9:10 PM.

*Upon Voice Vote:* **5 AYES 2 ABSENT**

Respectfully Submitted,

Sally Dion, Recording Secretary  
Township of Fruitland