

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
OCTOBER 17, 2011
MINUTES**

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

ABSENT: Trustee Bole

ALSO PRESENT – Six (6) interested parties.

CALL TO ORDER – Supervisor St. Amour called the Monday, October 17, 2011 Regular Meeting to order at 7:00 PM, welcomed those present, Curator McDonnell led the pledge of allegiance and a moment of silence was expressed.

AGENDA – Motion by Trustee Bard, second by Trustee Binns, **ADOPTED**, to accept the October 17, 2011 Regular Township Board Meeting Agenda.
*Upon Voice Vote: **6 AYES 1 ABSENT***

PUBLIC COMMENT – There was no public comment.

MINUTES –

Motion by Trustee Binns, second by Trustee Bard, **ADOPTED**, to accept the September 12, 2011 Work Session Minutes and September 19, 2011 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 \$41,186.42 and Bank Balance and Certificate of Deposits of \$1,141,100.70 for the period of September 1, 2011 through September 30, 2011 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$61,842.43 and Fund 140 Disbursements in the amount of \$5,695.33 for the period of September 1, 2011 through September 30, 2011 as reported by Karolyn Rillema, Fruitland Township Clerk.
*Upon Voice Vote: **6 AYES 1 ABSENT***

ANNOUNCEMENTS/COMMUNICATIONS – Supervisor St. Amour announced that Deputy Ashker, Muskegon County Commissioner Mahoney, Muskegon County Road Commissioner Black and White Lake Beacon Reporter Mark Lewis were in attendance tonight. Supervisor St. Amour was told that the Community Building floors were recently refinished by the White Lake Area Group that rents the building. The Muskegon County Road Commissioner's Annual Roadkill Dinner is scheduled for October 27, 2011. Attorney Even has sent a response to Mr. Pitney regarding his request for reimbursement for alleged violations for an improper inspection completed by our

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Electrical Inspector. Supervisor St. Amour reported that logging has started on the Duck Lake Road property. A letter was received by Muskegon County Drain Commissioner Fisher regarding issues with Tyler, Jones and Bard Roads which is connected to the Saxe Drain. The Drain Commissioner would like to schedule a meeting with both the Muskegon County Road Commission and Supervisor St. Amour to discuss alternatives. The MTA Annual Conference will be held in Detroit, January 25-27, 2012. Last year, the conference was paid but the Supervisor, Clerk and Treasurer did not attend and vouchers were issued for attendance to the 2012 conference with a \$25.00 fee for each. The Supervisor, Clerk and Treasurer would like to attend. Discussion will take place at the November Work Session. A letter was received by the City of Muskegon expressing their withdrawal on the water supply consolidation due to limited interest expressed by municipalities. Supervisor St. Amour was asked by the Chair of the Parks and Recreation Commission how much dollars would be allocated to the Parks & Recreation Commission from the logging taking place at the Duck Lake site due to their having jurisdiction over some of the land. Supervisor St. Amour will speak with Dave Wilson to acquire an approximate figure.

COMMITTEE/BOARD UPDATES –

- White Lake Ambulance Authority – Trustee Bard reported that the board met on September 28, 2011. The director continues to look for a local bookkeeper for assistance with QuickBooks. There were 185 calls for the month of September. The auditor should have the 2009-10 audit completed at the end of this week and 2010-11 must be finished by December 2011. A building was received as a gift from the Gerald Krause family which is the former Shell Cast Building to house the WLAA. The current building was built and paid for by the WLAA and has paid \$11,000.00 a year for rent of the land.
- White Lake Fire Authority – Treasurer Beegle reported that the board met on September 22, 2011 and adopted the 2011-12 budget. They continue their search for a Fire Chief.
- Parks & Recreation Commission – Supervisor St. Amour reported that the Federal Court is scheduling cases out as far as October 2012. A request for the local Circuit Court case by both Winterwood Shores and Marcus Dunes was granted to have Judge Marietti recuse himself from the case. Judge Graves has been appointed as the Judge.
- Planning Commission – Trustee Deur reported that the commissioners passed by motion to recommend to the Board of Trustees to extend the Medical Marijuana Moratorium until July 31, 2012 due to pending court cases and state legislature action. The letter sent by the planning commissioners last month regarding the 3.23 Non-Conforming Structures, Buildings & Uses was discussed and no action will be taken at this time. The commissioners will be reviewing the “uses” portion and consideration may be taken at that time regarding the structures/buildings.

Motion by Trustee Deur, second by Trustee Binns, **ADOPTED**, to accept the recommendation of the Planning Commission to extend Ordinance 104-Medical Marijuana Moratorium until July 31, 2012.

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

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- Zoning Board of Appeals – Clerk Rillema reported that no meeting was held in October.
- Citizens Advisory Wireless Committee – Trustee Deur reported that he has emailed Attorney Even for clarification on the request of Agri-Valley for use of the petitions originally used for Fruitland Township residents urging Frontier Communications to expand DSL coverage in our township.
- Citizens Advisory McMillan Road End Committee – Supervisor St. Amour disbursed pictures of the current stairway project being completed by Jeff Auch and volunteers. The project should be completed within the next few weeks. Supervisor St. Amour stated that new signage will be needed to correspond with the ordinance that will become effective November 1, 2011.
- White Lake Public Advisory Committee – Trustee Deur reported that it appears that the restoration projects completed have resulted in favorable funds to complete another location due to lower bids. An additional location site has not been chosen at this time.
- White River Light Station – Curator McDonnell reported that the Depot to Depot Tour was held last weekend despite the windy conditions. Attendance for 2011 at the WRLS was just under \$16,000.00 which is higher than budgeted. The Michigan Lighthouse Assistance Program Grant was completed and mailed last week. The grant is a match of \$4000.00 from Fruitland Township funds and \$8000.00 from the State of Michigan. Supervisor St. Amour questioned Curator McDonnell as the board thought it was a fully funded grant. Curator McDonnell stated that it is a match grant but better than a 50/50 grant. Supervisor St. Amour also stated that new signage will be required at the WRLS. If the concession agreement is adopted by SPLKA, conversation of a life ring observer will need to be discussed during budget time.

OLD BUSINESS –

1. Ordinance Enforcement –
 - Multiple Worden St. Properties – Supervisor St. Amour will schedule a date to visit those few remaining properties with Deputy Ashker.
 - 5110 Orshal Road – Deputy Ashker will revisit the property due to accumulating items in the yard.

Unsafe Buildings –

 - 2737 Scenic Drive & 4565 Lorensen – Building Official Siegel inspected the properties and has deemed both unsafe. Condemnation Officer DeHaan agrees with Building Official Siegel's assessment and has instructed to have a letter sent to both property owners to schedule initial condemnation hearings.
2. WRLS – Sable Point Lighthouse Keeper's Association –

Motion by Trustee Binns, second by Trustee Deur, ***ADOPTED***, to authorize the Supervisor and Clerk to sign the Concession Agreement between Fruitland Township and Sable Points Lighthouse Keepers Association to operate the

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White River Light Station located at 6199 Murray Road, Whitehall, MI 49461 with recommended changes.

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

3. Land Conservancy – Supervisor St. Amour stated no rescheduled date at this time.
4. Duck Lake Road Reduce Speed Limit Request – Supervisor St. Amour stated conversation with the MCRC, quotes for both a potential sidewalk and hillside removal at Duck Lake Road and Scenic Drive should be available sometime the month of October.
5. Transfer Station –
 - Consolidation – Supervisor St. Amour stated that he is continuing talks with Dalton Township and received a call from Allied Waste requesting a meeting to review the site for possible leasing.
 - Brush Pile –

Motion by Supervisor St. Amour, second by Treasurer Beegle, **ADOPTED**, to authorize the Supervisor to contract with White Lake Excavating, Inc to chip the brush pile at the transfer station at a cost not to exceed \$5000.00 if after contact to both Dalton and Muskegon Charter Fire Departments for a bid and acceptance to burn the brush pile is not lower.

Roll Call Vote: Treasurer Beegle **AYE**, Clerk Rillema **AYE**, Trustee Binns **AYE**, Trustee Deur **AYE**, Trustee Bard **AYE**, Supervisor St. Amour **AYE**, Trustee Bole **ABSENT**
6. Fruitland Township – Solicitation – The Board of Trustees is not interested in pursuing an ordinance for solicitation at this time.

NEW BUSINESS –

1. 2nd Quarter Budget Amendments –

Motion by Clerk Rillema, second by Treasurer Beegle **ADOPTED**, to instruct the clerk to make necessary 2nd Quarter 2011-12 Budget Amendments as listed

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

ACCOUNT NUMBER	DESCRIPTION	AMOUNT	INCREASE/ DECREASE	EXPLANATION OF BUDGET AMENDMENT NECESSITY
REVENUES				
FUND 101				
101-000-622.001	Zoning - ZBA	\$ 700.00	increase	under budgeted
101-000-650.000	Museum Admission Fees	\$ 2,372.00	increase	under budgeted
101-000-651.000	Museum Gift Shop Receipts	\$ 249.62	increase	under budgeted
101-000-655.000	Museum Grounds Rental Fee	\$ 350.00	increase	under budgeted
101-000-665.000	Interest Trust & Agency	\$ 20.47	increase	under budgeted
101-000-671.000	Other Revenues	\$ 63.10	increase	under budgeted
		\$ 3,755.19		
FUND 101				

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APPROPRIATIONS				
101-101-956.000	Governing Body - Miscellaneous	\$ 151.74	increase	under budgeted
101-191-724.000	Elections - Postage	\$ 219.26	increase	under budgeted
101-209-801.001	Assessing - Contracting-Computer Services	\$ 5.00	increase	under budgeted
101-526-930.000	Ecology Station - Repairs & Maintenance	\$ 56.37	increase	under budgeted
		\$ 432.37		

2. White Lake Senior Center Request –

Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to authorize the clerk to make payment to the White Lake Senior Center in the amount of \$1000.00.

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

3. Civil Infractions – Supervisor St. Amour stated that Attorney Even has been tasked to present to the Board of Trustees the steps necessary to adopt civil infractions at the November Work Session.

4. Life Insurance Coverage Termination – Supervisor St. Amour stated that our current provider has informed Fruitland Township that we will be terminated at the end of November because our employee participation does not meet the plan. Quotes from both the current carrier and our health insurance carrier has been sought and discussion will take place at the November Work Session.

5. County of Muskegon PINS Agreement 3rd Qtr Invoice –

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to authorize the clerk to make payment to the County of Muskegon for the 3rd quarter PINS Agreement in the amount of \$10,164.50.

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

6. MCRC – 2011 Road Projects Invoice –

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to authorize the clerk to make payment to the Muskegon County Road Commission for 2011 Road Projects in the amount of \$272,421.80.

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

7. H.J. Umbaugh & Associates Invoice –

Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to authorize the clerk to make payment to H.J. Umbaugh & Associates for the Annual

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Continuing Disclosure Report and Audit to EMMA and the State Repository in the amount of \$450.00.

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

8. Pitney Bowes – Postage Meter Lease –

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to authorize the treasurer to sign lease contract with Pitney Bowes for the G9SS Postage Meter for 60 months at a rate of \$131.22 per month billed quarterly.

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

9. Board Comments – Supervisor St. Amour stated that Attorney Even has been given information on sample sewer ordinance from Laketon Township and will be presenting to the Board of Trustees at the November Work Session. Trustee Deur questioned the rates/costs involved with the sewer project and Supervisor St. Amour stated that John Warner of the Muskegon County Public Works will be involved in the future discussion. Clerk Rillema questioned the absence of Trustee Bole and inquired if anyone had heard from him. Supervisor St. Amour will give Trustee Bole a call to inquire.

ADJOURNMENT –

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to adjourn the October 17, 2011 Regular Meeting of the Township of Fruitland at 8:00 PM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland