

**FRUITLAND TOWNSHIP BOARD  
REGULAR MEETING  
OCTOBER 18, 2010  
MINUTES**

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

**ALSO PRESENT:** Twelve (12) interested parties.

**CALL TO ORDER:** Supervisor St. Amour called the Monday, October 18, 2010 Regular Meeting to order at 7:02 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 to amend the agenda to add a Consent Agenda after Announcements/Communications.

Motion by Trustee Bard, second by Clerk Rillema, **ADOPTED**, to accept the amended October 18, 2010 Regular Township Board Meeting Agenda.  
*Upon Voice Vote: **7 AYES***

**PUBLIC COMMENT:**

1. Lee Holly, 6820 South Shore Drive – Asked if the Board would honor his request to speak during the Board Update for Parks & Recreation.
2. Jeff Marcinkowski, 3767 Jay Road – Stated that a running race is being organized by Muskegon Community College to be held at Nestrom Park. It would be the third Saturday of July that the Fruitland Covenant Church holds its Pancake Breakfast. Mr. Marcinkowski stated that the coach of the MCC Cross Country Team and Race Organizer would attend the November meeting to present the event. Mr. Marcinkowski stated this would be presented to the Parks & Recreation Commission at its November meeting.
3. Peggy Dilley, 6035 Murray Road – Concerned about the disbandment of the Parks & Recreation Commission and advised that there are steps to be taken if such abandonment is sought.

**MINUTES:**

Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to accept the September 13, 2010 Work Session Minutes and September 20, 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 \$38,117.19 and Bank Balance and Certificate of Deposits of \$1,019,391.54 for the period of September 1, 2010 through September 30, 2010 as reported by Melissa Wilks, Fruitland Township

## FRUITLAND TOWNSHIP OCTOBER 18, 2010 REGULAR MEETING MINUTES

Treasurer and approve General Fund 101 Disbursements in the amount of \$41,976.27 for the period of September 1, 2010 through September 30, 2010, as reported by Karolyn Rillema, Fruitland Township Clerk.

*Upon Voice Vote: 7 AYES*

### **ANNOUNCEMENTS:**

Supervisor St. Amour stated that over 550 are now signed up to receive e-news. Supervisor St. Amour also mentioned that we should take caution because the 2011 State Budget was balanced but was done so with approximately \$1.5 Billion of federal money which is a one time offer. As a result, fiscal year 2012 will have an estimated \$1.6 Billion shortfall which means a broad array of services and compensation will need to be cut – state shared revenue could be lowered again. Supervisor St. Amour asked that if any of the Board of Trustees was interested in attending the free government seminar at the Croton Township Fire Barn on October 21, 2010 with guest speaker, Cliff Bloom, to contact Clerk Rillema. Halloween will be celebrated in Fruitland Township on Sunday, October 31, 2010 from 6:00 PM to 8:00 PM. The WLFA will have a fire truck in the Sandy Lane Neighborhood to pass our goodies and help with safety. The Muskegon County Board of Commissioners passed a resolution supporting the proposed name change of Duck Lake State Park which the Board of Trustees of Fruitland Township did not support. Supervisor St. Amour stated that a survey has been placed on our website regarding Duck Lake. He encouraged all to take the survey. Our ISO Building evaluation has been received and was reported with a slightly higher rating. A thank you goes out to our Building Official Rod Siegel who coordinated the completion of this evaluation. The Muskegon County Road Commission 2010-11 Budget has been received. Fruitland Township has no major primary road projects scheduled but MCRC has money set aside for coordinated efforts with Fruitland on some secondary roads.

### **CONSENT AGENDA:**

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to appoint Ruth Duncan to replace Mike Bozym as our White Lake Community Library Representative with a term expiring 12/31/2012.

*Upon Voice Vote: 7 AYES*

### **COMMITTEE/BOARD UPDATES:**

- White Lake Ambulance Authority – Trustee Bard stated the WLAA meeting was held on September 29, 2010. There were 190 calls made in September. The board voted to hold meetings every other month at this time. The WLAA is trying to attend more the community events and are still offering the blood pressure clinics at this time at various locations.
- White Lake Fire Authority – Treasurer Wilks stated that the WLFA adopted its budget. The quote for the enlarged piping came in at \$3,247.34 which is under the amount of what the Board of Trustees authorized of \$3500.00. The DNRE permit was filed by the WLFA for the dry hydrants. It now appears that Metro Authority funds can be used for both dry hydrants and for cisterns.

FRUITLAND TOWNSHIP OCTOBER 18, 2010 REGULAR MEETING MINUTES

- Parks and Recreation Commission – The Master Plan of the Parks & Recreation Commission has been revised by the Board of Trustees and is ready to be sent back to the Parks & Recreation Commission for their review and adoption. A copy was given to Commissioner Marcinkowski who was in attendance. Supervisor St. Amour stated that the playground equipment needs to be transported by him and will be scheduled soon. The remainder of the equipment will be scrapped and proceeds will be split 50/50 with the township and scrap hauler. Supervisor St. Amour will meet with MCRC Engineer Bouman regarding the additional parking request along Scenic Drive near Marcus Park. The Parks & Recreation Commission is finalizing the agreements they authorized at their last meeting. Supervisor St. Amour stated that the Board of Trustees will not be presented these agreements until the Parks & Recreation Commission has reviewed the agreements and all involved parties have signed the agreements. The Parks & Recreation Commission received a letter from Attorney Eklund regarding the steps to be taken if disbandment was to occur.

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to suspend open floor discussion to allow Dr. Lee Holly to speak.

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

Dr. Holly presented the Board of Trustees with information regarding changing the name of the Parks & Recreation Commission to Parks, Recreation and Duck Lake Community Riparian Control Commission which would establish community desired uses, safety, sanitation, environment and health, Duck Lake bottom topography and water flow volumes.

Motion by Trustee Bole, second by Trustee Bard, **ADOPTED**, to unsuspend open floor discussion.

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

- Planning Commission – Trustee Deur stated that a public hearing is scheduled on November 3, 2010 to discuss height requirements for accessory buildings on certain lot sizes. The Commission appointed Trustee Deur, Sue Hertel and Brian Lernowich to look at zoning and/or regulatory ordinances for dealing with medical marijuana use in the township.
- Zoning Board of Appeals – Clerk Rillema stated there was no October meeting.
- Citizen’s Advisory Wireless Committee – Trustee Deur stated that AzulStar did not receive any grant awards. It appears that Frontier may be our only hope for additional DSL coverage in the area but due to a slowdown in funding no dollars are available until maybe 2011. Discussion with Merit Network, Inc. could result with some interested last mile providers to use their fiber optic network.
- Citizen’s Advisory Residential Rental Committee – Trustee Deur stated that Attorney Eklund discussed the IPMC with the State of Michigan and has changed his opinion that we are required to enforce the IPMC because of adopting the Building Code. Supervisor St. Amour would like to have a discussion with Rod Siegel, our Building Official regarding enforcement, what to inspect and how complaints are received.

## FRUITLAND TOWNSHIP OCTOBER 18, 2010 REGULAR MEETING MINUTES

- Citizen's Advisory McMillan Road End Committee – Supervisor St. Amour stated that this is a placeholder until year end.
- Fred Meijer Berry Junction Rail Trail – Supervisor St. Amour received a Recital from the MCRC in regards to contracting with them to construct the trail. Chris Hall, Supervisor of Dalton, is discussing the details of payment with the Green Way Coalition. Applications have been submitted to the Wege Foundation, Frye Foundation and DNRE to help offset the non-covered expenses from the matched dollars.
- White Lake Public Advisory Council – Trustee Deur stated that the EPA issued their ruling on the Hooker Chemical site that says no additional purge wells would help in the cleanup as the current purge wells are satisfactory. An conservation easement would be placed on the site so no other development could be built and continued funds from Hooker Chemical would fund research to get the property cleaned up.
- WRLS Blue Ribbon Committee – Supervisor St. Amour stated he received an email from Terry Pepper of the Great Lakes Lighthouse and they are not willing to help at this time.
- White Lake Senior Center –

Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to authorize payment of \$1000.00 to the White Lake Senior Center and allocate the expense to account number 101-101-801.002.

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

- WRLS Curator Report – Curator McDonnell reported the admissions and gift shop sales for the period of October 1 – October 18, 2010. One tour group of 43 seniors and the Depot to Depot visited the museum. Four classes of 4<sup>th</sup> graders from Oherli Elementary School in Montague visited the first week of October. Curator McDonnell participated in the Walk Through Time at Goodrich Park in September. Along with help from maintenance employee, Don Underwood, she has been painting the shutters of the museum. A visitor, Bob Sperling, also offered his services to help put back up the shutters with assistance from Don Underwood. A request to make a DVD of the outside and inside tour of the lighthouse to be made available for sale has been received. Curator McDonnell got verbal okay from the Board of Trustees to move forward with this request.

### **OLD BUSINESS:**

1. 5623 Murray Road – Supervisor St. Amour stated that no word has been received to date from the Appellate Court.
2. Condemnation Hearings – Supervisor St. Amour stated that 6168 & 6188 Murray Road buildings were demolished. Mr. McGee, neighbor, also mentioned that Press' did a fabulous job in the demolition and was pleased to have the buildings removed.

FRUITLAND TOWNSHIP OCTOBER 18, 2010 REGULAR MEETING MINUTES

3. Ordinance Enforcement – Supervisor St. Amour stated that the owner of 1490 W. Duck Lake Road pled guilty and has until November 2, 2010 to get his property cleaned up.
6. Secretary/Receptionist Position – Treasurer Wilks stated that six applicants were interviewed, one candidate was presented to Supervisor St. Amour to conduct his interview but unfortunately she declined. The second candidate was called for an interview with Supervisor St. Amour but also declined. Clerk Rillema, Treasurer Wilks and Trustee Bard will be interviewing additional candidates this week.
7. Camera/Recording System –

Motion by Trustee Bard, second by Treasurer Wilks, **ADOPTED**, to instruct Trustee Bole to purchase the Swann Home & Business Security Monitoring Kit not to exceed \$350.00.

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

8. White River Light Station – Treasurer Wilks reported that she met with Curator McDonnell to review the reports that are provided from the WASP software. The Treasurer is still investigating the accuracy of the reports at this time. A letter from the Michigan State Housing Development Authority was received in regards to grant money available for Michigan Lighthouse Assistance Program (MLAP) with a deadline of November 1, 2010. At this time, no additional projects are scheduled. Trustee Deur inquired if the sidewalk/gutter repair work that was recently done could be reimbursed. Supervisor St. Amour stated it needed to be pre-approved. Attorney Eklund made the changes to the proposal from the Friends of the White River Light Station that Supervisor St. Amour will forward to them for their review in ongoing discussion for future funding of the White River Light Station. Trustee Bard is not in favor of the curator living year round at the museum and would like to follow the deed as it was intended. Trustee Deur stated that he was pleased that the Friends group is willing to coordinate efforts with the township to help fund the White River Light Station. Clerk Rillema stated that she felt this was a timing issue as we do not typically start the budget process for the next year until November/December. Treasurer Wilks was pleased that the Friends were willing to donate money and Trustee Bole felt that the concerns mentioned at the work session were cleaned up in the new proposal prepared by Attorney Eklund. A brief discussion of the board agreed to have Supervisor St. Amour inform the Friends of the White River Light Station that any decision of an agreement going forward would be coordinated with our budget process. Supervisor St. Amour provided a hard copy of the “draft” proposal to Bill Reeves who was in attendance at tonight’s meeting.

**NEW BUSINESS:**

1. Sale of Township Land – Supervisor St. Amour stated that he has not yet been contacted by anyone from the Land Conservancy of West Michigan regarding the possible land sale.

FRUITLAND TOWNSHIP OCTOBER 18, 2010 REGULAR MEETING MINUTES

2. 2<sup>nd</sup> Qtr Budget Amendments –

ACCOUNT NUMBER	DESCRIPTION	AMOUNT	INCREASE/ DECREASE	EXPLANATION OF BUDGET
<b>FUND 101</b>				
<b>REVENUES</b>				
101-000-447.001	State Education Reimbursement Tax	\$ 462.50	increase	under budgeted
101-000-573.000	Liquor Control	\$ 283.85	increase	under budgeted
101-000-621.000	Land Division Fees	\$ 400.00	increase	under budgeted
101-000-622.001	Zoning-ZBA	\$ 350.00	increase	under budgeted
101-000-650.000	Museum Admission Fees	\$ 956.00	increase	under budgeted
101-000-651.000	Museum Gift Shop Receipts	\$ 856.68	increase	under budgeted
101-000-655.000	Museum Grounds Rental Fee	\$ 100.00	increase	under budgeted
101-000-658.000	Court Fines	\$ 154.41	increase	under budgeted
101-000-667.000	Township Park Pavilion Rental	\$ 90.00	increase	under budgeted
101-000-675.000	Reimbursements Other	\$ 410.93	increase	under budgeted
		<b>\$4,064.37</b>		
<b>FUND 101</b>				
<b>APPROPRIATIONS</b>				
101-101-724.000	Postage	\$ 183.92	increase	under budgeted
101-101-956.000	Miscellaneous	\$ 368.77	increase	under budgeted
101-191-801.000	Contracting	\$ 230.50	increase	under budgeted
101-253-956.000	Miscellaneous	\$ 5.21	increase	under budgeted
101-526-956.000	Miscellaneous	\$ 16.42	increase	under budgeted
		<b>\$ 804.82</b>		
<b>FUND 120</b>				
<b>REVENUES</b>				
120-000-664.000	Interest on Deposits	<b>\$1,553.93</b>	increase	under budgeted
<b>FUND 150</b>				
<b>REVENUES</b>				
150-000-664.000	Interest on Deposits	<b>\$ 106.06</b>	increase	under budgeted

Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to instruct Clerk Rillema to make the 2<sup>nd</sup> quarter budget amendments as prepared.

*Upon Voice Vote: 7 AYES*

3. Investment Policy – Treasurer Wilks stated that she would like to add Capitol National Bank to our depositories for Fruitland Township to stay below the threshold of the FDIC amount of \$250,000.00.

Motion by Treasurer Wilks, second by Trustee Deur, **ADOPTED**, to instruct Treasurer Wilks to add Capitol National Bank to our depositories for Township Funds, Resolution 2010-13.

*Upon Voice Vote: 7 AYES*

4. P.I.N.S Property Check Form – Supervisor St. Amour found information that Fruitland Township participates in the program which offers homeowners the ability to complete a form to be given to the Muskegon County Sheriffs Department for household checks while residents are away for extended periods of time. Deputy Ashker was present in the

FRUITLAND TOWNSHIP OCTOBER 18, 2010 REGULAR MEETING MINUTES

audience and confirmed that did exist. Trustee Bard has agreed to help get this program re-implemented in Fruitland Township.

5. Merit Network, Inc. –

Motion by Trustee Deur, second by Trustee Bole, **ADOPTED**, that in accordance with provisions of the METRO Act, he moved to instruct the Clerk to authorize Merit Network, Inc., permission to use the rights-of-way for fiber-optic infrastructure along Whitehall Road, accept the \$500.00 application fee, and at her discretion, to complete either the bilateral form for the permit for review every five (5) years, or the unilateral form for a 15 year term and 3 five year renewals. Such action by the Clerk shall be taken no later than November 6, 2010.

*Upon Voice Vote: 7 AYES*

6. MTA Annual Conference –

Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to authorize Trustee Deur to attend the MTA 58<sup>th</sup> Annual Educational Conference & Expo in January 2011 for all days not to exceed \$310.00. I also move to authorize Treasurer Wilks, Clerk Rillema and Supervisor St. Amour to attend the MTA 58<sup>th</sup> Annual Educational Conference & Expo on January 27, 2011, at a rate not to exceed \$1300.00 which includes room accommodations and meal allowance.

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

7. Building Department – Request for two books

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to authorize the purchase of the 2009 Michigan Plumbing Code and 2009 Michigan Mechanical Code at a cost of \$124.00 for the Building Department of Fruitland Township.

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

8. Board Comments – Clerk Rillema was concerned about Curator McDonnell's mention of a visitor helping hang shutters which was already a dangerous task of our maintenance staff. She also mentioned that the November 2, 2010 Election is approaching.

**ADJOURNMENT:**

Motion by Treasurer Wilks, second by Trustee Bard, **ADOPTED**, to adjourn the October 18, 2010 Regular Meeting of the Township of Fruitland at 8:35 PM.

*Upon Voice Vote: 7 AYES*

FRUITLAND TOWNSHIP OCTOBER 18, 2010 REGULAR MEETING MINUTES

Respectfully Submitted,

Karolyn Rillema, Clerk  
Township of Fruitland