

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
DECEMBER 20, 2010
MINUTES**

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

ALSO PRESENT: Three (3) interested parties.

CALL TO ORDER: Supervisor St. Amour called the Monday, December 20, 2010 Regular Meeting to order at 7:00 PM and welcomed those present, led the pledge of allegiance and asked for a moment of silence.

AGENDA:

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the December 20, 2010 Regular Township Board Meeting Agenda.
Upon Voice Vote: 7 AYES

PUBLIC COMMENT: There was no public comment.

MINUTES:

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to accept the November 8, 2010 Work Session Minutes and the November 15, 2010 Regular Meeting Minutes.
Upon Voice Vote: 7 AYES

RECEIPTS & DISBURSEMENTS:

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to accept the Receipts of \$27,683.70 and Bank Balance and Certificate of Deposits of \$894,097.11 for the period of November 1, 2010 through November 30, 2010 as reported by Melissa Wilks, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$43,107.33 and Fund 150 Disbursements in the amount of \$5,495.00 for the period of November 1, 2010 through November 30, 2010, as reported by Karolyn Rillema, Fruitland Township Clerk.
Upon Voice Vote: 7 AYES

ANNOUNCEMENTS/COMMUNICATIONS:

Supervisor St. Amour stated that e-news continues to grow in number. The Board of Trustees received communication from the State of Michigan regarding Sunday Liquor Sales and agreed to take no action at this time. Supervisor St. Amour informed the Board of Trustees that the swearing in ceremony for the Muskegon County Board of Commissioners will be held on Tuesday, January 4, 2011 at 3:00 PM. Supervisor St. Amour stated that interest from Riverside Exploration for possible land lease for gas/oil exploration has been received. Riverside Exploration will be presenting a lease agreement for review by the Board of Trustees. Attorney Eklund will be reviewing the agreement as well.

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CONSENT AGENDA:

Motion by Trustee Bole, second by Trustee Deur, **ADOPTED**, to approve the consent agenda for the committees and members stated.

Upon Voice Vote: 7 AYES

COMMITTEE/BOARD UPDATES:

- White Lake Ambulance Authority – Trustee Bard reported that 137 calls were received in November and the next meeting is scheduled for January 26, 2011.
- White Lake Fire Authority – Treasurer Wilks reported that there was no meeting in December and that the permits for the dry hydrants were submitted but no response has been received back.
- Parks and Recreation Commission – Trustee Binns reported that Commissioners Urban and Marcinkowski met with Trustee Deur and herself and made the additions/deletions to the Parks & Recreation Commission Master Plan. Clerk Rillema stated that she received emails from all Commissioners stating that they would approve the plan at their January meeting.
 - Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to approve the Parks and Recreation Commission's Master Plan subject upon approval at their next regularly scheduled meeting on January 3, 2011.
 - *Upon Voice Vote: 7 AYES*

Supervisor St. Amour stated that the MCRC continues working on a recommendation for additional parking on Scenic Drive near Marcus Park. Trustee Binns stated that the Parks and Recreation Commission approved the bike time trials hosted by West Michigan Coast Riders and has asked Supervisor St. Amour to approve any paperwork necessary for this event. Trustee Binns stated that the Commissioners would like insight if there is any 40 acre parcel available owned by the township for a possible disc golf recreational site. The Board of Trustees has tasked Trustee Binns to ask the Parks and Recreation Commission for approximate financial investment, usage and management of such site.

- Planning Commission – Trustee Deur stated that a public hearing has been scheduled for the January 5, 2011 meeting regarding an ordinance change to Section 3.23 non-conforming buildings and structures. A subcommittee has been formed to investigate if an ordinance is necessary for use of medical marijuana or a possible moratorium be put into place. Supervisor St. Amour stated that Attorney Eklund will present his recommendation at the January work session to the Board of Trustees.
- Zoning Board of Appeals – Clerk Rillema stated that applicant Norman Dodd's request for variances on Article VIIIa Section 8.02a (1) Front Yard Setback, Residential Uses, Article III, Section 3.31 (B) Front (Lakefront Lots on Arterial Streets) and Article III, Section 3.31 (D) Rear (Shoreline View Protection) were denied for 6198 South Shore Drive, parcel number 61-06-107-100-0001-00 based on the belief this is a created hardship at the December 13, 2010 Zoning Board of Appeals hearing.

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- Citizen's Advisory Wireless Committee – Trustee Deur stated that the committee waits for communication regarding the interest of the last mile providers at this time.
- Citizen's Advisory Residential Rental Committee – Trustee Deur stated that Attorney Eklund will be presenting an ordinance for review by the Board of Trustees at its January work session.
- Citizen's Advisory McMillan Road End Committee – Supervisor St. Amour stated that the Board of Trustees will need to discuss measures to be taken at McMillan Road end at the January work session. Options discussed briefly are do nothing, remove the fence and allow access down the hill or apply for a grant and use what contributions have been received towards the grant. Contributions received to date are \$1450.00. The Ganges Court case has not been ruled on by the Appeals Courts to date.
- Fred Meijer Berry Junction Rail Trail – Supervisor St. Amour stated that the contract will be let in January, award early Spring and will be completed by summer. A grant from the Frey Foundation was awarded in the amount of \$75,000.00.
- White River Light Station – Supervisor St. Amour stated that the Board of Trustees does not wish to make a decision on an agreement with the Friends of the White River Light Station which was requested by the Friends by December 31, 2010 in a letter dated November 24, 2010 as they would like to discuss all options during the budget process. Supervisor St. Amour stated that more conversation with another 501(c)3 organization is taking place with interest of running the museum completely. Curator McDonnell presented her report for involvement of ongoing projects and timelines for such.
 - Motion by Supervisor St. Amour, second by Trustee Bole, **ADOPTED**, to authorize the White River Light Station Curator to order 5000 WRLS pamphlets at a cost of \$531.00, place an ad in the Michigan Historic Travel Guide Book at a cost of \$50.00, place a two year ad in the West Michigan Tourist Association at a cost of \$210.00 and purchase 20 WRLS tour DVD's at a cost of \$60.00. Total not to exceed \$851.00.
 - *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**

OLD BUSINESS:

1. 5623 Murray Road – Supervisor St. Amour stated that he had no report.
2. Ordinance Enforcement – Supervisor St. Amour stated that Mr. Meyers of 1490 W. Duck Lake Road has a court date scheduled December 22, 2010. Deputy Jake Ashker has been tasked to inform Jane Pyle of 3350 Bard Road to remove the boat lifts that were to be removed by November 1, 2010, ticket Mrs. Ball of 4540 Weber Road for a violation of the junk ordinance and Attorney Eklund has been asked to investigate Mr. Burley of 6196 South Shore Drive for a possible violation of a home occupation ordinance violation.

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3. Sale of Township Land – Supervisor St. Amour stated that the tour of township land has been postponed until a break in the weather if favorable for foot/atv travel.

NEW BUSINESS:

1. 2011-12 Proposed Budget Discussion –Supervisor St. Amour lightly touched on all departments in the proposed budget. Any suggestions from the Board should be forwarded to Supervisor St. Amour for the January work session. Under the Elections Department, Supervisor St. Amour stated that a wage for the Clerks involved in the election process has been budgeted for 2011-12. Conversation from both Trustee Bard and Trustee Deur cautioned the Board of Trustees regarding history of the prior clerk and the controversy that surrounded such. Supervisor St. Amour stated that is not pertinent to the current clerk’s work ethic and tasked all the Trustees to research the amount of time and effort that Clerk Rillema devotes to the election process. Supervisor St. Amour stated that serving as the ordinance enforcer, he would like to receive a wage once again as it does require a significant amount of his time. The department for Attorney/Corporation Counsel has been increased significantly due to the unknown potential of two lawsuits: Gardner/Gill (5623 Murray Road) and Marcus Park (agreements). All services were increased 10% and health insurance was increased 15% due to information received from our insurance agent. A 3% increase to staff and elected officials is proposed in the budget also. Trustee Bard is opposed to any increase to staff and elected officials at this time. Supervisor St. Amour tasked Trustee Binns to ask the Parks & Recreation Commission to review their budget for 2011-12. Under the museum, department 746, the Board has asked Supervisor St. Amour to write to the Friends of the White River Light Station stating that no agreement will be accepted until they have done their due diligence through the budget process. They are hopeful that a workable solution between all or part of the groups is attainable. Supervisor St. Amour will ask our insurance carrier for an additional 2 million dollar liability insurance quote.

2. Building Department Request for Books –

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to authorize the Clerk to purchase the 2009 International Fire Code and 2009 International Property Maintenance Code at a cost not to exceed \$100.00.
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**

3. Meritorious Conduct –

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to authorize the Clerk to grant Sally Dion three (3) days of compensation work time to be used by calendar year end 2011.
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**

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4. Cemetery –

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to adopt the language change in the Cemetery Ordinance, Section R 7.05 Markers or Memorials as presented to allow the placement of veteran markers and instruct the Clerk to publish the changes.

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**

Motion by Clerk Rillema, second by Treasurer Wilks, **ADOPTED**, to authorize the Clerk to purchase 150 Veteran Flag Holders from the Memorial Day Committee at a cost not to exceed \$450.00

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

Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to authorize the Clerk to amend Resolution 2004-03 Fee and Escrow Deposit Schedule for Resident Opening & Closing Burial Space from \$250.00 to \$300.00 and change Non-Resident Cremains from \$150.00 to \$100.00.

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

5. West Michigan Strategic Alliance –

Motion by Treasurer Wilks, second by Trustee Binns, **ADOPTED**, to authorize the Clerk to pay \$50.00 to the West Michigan Strategic Alliance for membership.

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

6. Wilson Road Address Change -

Motion by Supervisor St. Amour, second by Clerk Rillema, **ADOPTED**, to authorize the Supervisor to take the steps needed to change addresses on Wilson Road to reflect the correct location for the safety and welfare of these residents.

Upon Voice Vote: **7 AYES**

7. February/March Work Session & Regular Meeting Dates –

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to authorize the Clerk to post the work session and regular meeting date changes for the months of February and March 2011.

Upon Voice Vote: **7 AYES**

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8. 2010 Hydrant District Fee –

Motion by Clerk Rillema, second by Treasurer Wilks, **ADOPTED**, to authorize the clerk to pay the 2010 Hydrant District Fee to the Muskegon County Department of Public Works in the amount of \$2200.00 and make a budget amendment to account #130-536-801.000 in the amount of \$2650.00.

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

9. Township Hall Carpet Cleaning –

Motion by Supervisor St. Amour, second by Trustee Binns, **ADOPTED**, to authorize the Supervisor to hire Hires Cleaning Services, Inc., to clean all carpeted areas of the township hall at a cost not to exceed \$379.00.

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

10. IFC – International Fire Code – Supervisor St. Amour stated that the White Lake Fire Authority would like to adopt the 2009 International Fire Code and would like any additions/deletions to the appendices to be submitted for approval. Supervisor St. Amour has tasked Zoning Administrator Sandel and Zoning Coordinator Dion to review what additions/deletions would be necessary.

11. Board Comments – Trustee Deur inquired if the list of goals presented to the Board of Trustees were for 2011. Supervisor St. Amour stated that those were past goals of the Board just for informational purposes only. Clerk Rillema stated that budget amendments for the 3rd quarter would be presented at the January 2011 work session. Treasurer Wilks reported that the shelf project in the township basement has been completed by Scout Zach Balzer to earn his Eagle Scout Award and that Laura Castonia submitted her resignation on the Board of the White Lake Fire Authority. Supervisor St. Amour asked that if any Board members were interested to contact him or if any ideas for a replacement were available to forward those names to him.

ADJOURNMENT:

Motion by Treasurer Wilks, second by Trustee Bard, **ADOPTED**, to adjourn the December 20, 2010 Regular Meeting of the Township of Fruitland at 8:47 PM.

Upon Voice Vote: **7 AYES**

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland