

**FRUITLAND TOWNSHIP
REGULAR MEETING
FEBRUARY 16, 2016 MINUTES**

PRESENT - Trustee Bard, Trustee Deur, Clerk Rillema, Treasurer Beegle, Trustee Hampel, Supervisor St. Amour

ALSO PRESENT – (9) nine interested parties.

AGENDA –

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the February 16, 2016 Regular Township Board Meeting Agenda.

Upon Voice Vote: **6AYES – motion carried**

PUBLIC COMMENT –

- 1) Herb Huch, 4272 Gibson Rd – Provided the Board of Trustees with three Michigan Attorney General opinions from 1955 & 1956 regarding the purchase and sale of township real estate. Would caution the board from selling the fire barn without investigating procedure.
- 2) Greg Kruse, South Shore Drive, 1973 – Provided the board with a letter to the Board of Trustees regarding the November 16, 2015 minutes being false and December 21, 2015 minutes not available on website.

PUBLIC HEARING – 2016-2017 PROPOSED BUDGET

The public hearing on the proposed 2016-17 Budget was opened at 5:09 PM. Supervisor St. Amour stated that a copy of the budget was available and was posted on the website for review.

PUBLIC COMMENT –

- 1) Greg Kruse, South Shore Drive, 1973 – Inquired about attorney fees being raised from \$35,000.00 to \$50,000.00 and wondered why 4790 Bard Road was not taxed.

Public hearing was closed at 5:12 PM.

Supervisor St. Amour highlighted the Revenues and Appropriations for Fund 101 showing a balanced budget. He has proposed up to a 1.5% wage increase for staff and 1.5% increase for elected officials. The proposed sale of the fire barn for revenues and related appropriations for the Maintenance Barn property improvements have been incorporated also. Attorney fees have been increased to \$50,000.00. Supervisor St. Amour was tasked to ask Attorney Even if the board can bind a future board for services extending beyond our term for auditing services. Proposed capital improvements for the

FRUITLAND TOWNSHIP FEBRUARY 16, 2016 REGULAR MEETING MINUTES

Township hall and township property are Township hall (lot repair/re-pave, parking lot lighting, meeting room microphones, vinyl/carpet replacement) Maintenance building (new driveway, tree removal, parking lot for back acreage). Laketon Township has informed us of our first price increase for Building Official/Inspector Services of \$150.00 more a month. This is the first increase since inception. Supervisor St. Amour will be meeting with the Sheriff's Department to discuss the PINS program and pricing. Talks with Muskegon County to combine both Dalton and Fruitland Township's transfer stations into one facility continue. Supervisor St. Amour has condensed the Parks & Recreation Commission's budget after work session discussions to include R&M projects totaling \$1500.00 and capital improvements to resurface/repair tennis courts at \$16,000.00 and pour a concrete sidewalk to portable restroom near pavilion at Nestrom Park in the amount of \$2,500.00. Additional Funds include proposed Zellar Road Project and election equipment monies set aside for future purchase.

Trustee Bard stated that she cannot accept this budget because of the wage increase. Trustee Hampel agreed with Trustee Bard and feels that wages should be looked at every four years. Trustee Deur is okay with the increase as the State & Federal governments are looking at a 1% increase.

MINUTES –

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to accept the January 11, 2016 Work Session Minutes and January 19, 2016 Regular Meeting Minutes.

*Upon Voice Vote: **6 AYES – motion carried***

RECEIPTS & DISBURSEMENTS –

Motion by Treasurer Beegle, second by Treasurer Beegle, **ADOPTED**, to accept the Receipts of 52,747.48 and Bank Balance and Certificate of Deposits of \$1,284,090.18 for the period of January 1, 2016 through January 31, 2016 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$55,795.97 and Fund 130 Disbursements in the amount of \$641.63 for the period of January 1, 2016 through January 31, 2016 as reported by Karolyn Rillema, Fruitland Township Clerk.

*Upon Voice Vote: **6 AYES – motion carried***

ANNOUNCEMENTS/COMMUNICATIONS – Supervisor St. Amour stated that Michigan Adventure has requested a noise ordinance extension for June 2, 2016 for a high school event. The board okayed verbally.

COMMITTEE/BOARD UPDATES –

FRUITLAND TOWNSHIP FEBRUARY 16, 2016 REGULAR MEETING MINUTES

- Planning Commission – Trustee Deur stated that the Master Plan was approved. Two municipalities commented with grammatical corrections and the addition of the Muskegon County Hazard Mitigation Plan that the township adopted last year.

OLD BUSINESS –

- 1) Zellar Road Project (Proposed Special Assessment –

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, Resolution 2016-01, Zellar Road Improvements 2016 Special Assessment District.

*Vote: **5 AYES, 1 ABSTAIN (Beegle) – motion carried***

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to set a Public Hearing on March 21, 2016 at 5:00 PM for the Zellar Road Special Assessment District informing those residents in the district of the project on Zellar Road.

*Vote: **5 AYES, 1 ABSTAIN (Beegle) – motion carried***

- 2) Dresen Lawsuit – Supervisor St. Amour stated that a motion for dismissal was filed.
- 3) Fire Station #2 Potential Sale – Supervisor St. Amour stated that we are awaiting a survey to be conducted for the proposed building/grounds. Attorney Even prepared a white sheet regarding background and information to be considered by the Board of Trustees. More conversation will take place at the March work session.

NEW BUSINESS –

- 1) Condemnation/4790 Bard Road – Supervisor St. Amour stated that Mr. White, property owner did not comply to remedy a dangerous and unsafe condition of the building by the date ordered by Hearing Officer Val Jensen of January 18, 2016 for the building located at 4790 Bard Road. A public hearing needs to be scheduled for the Board to either approve, disapprove or modify the order for the demolition of the building.

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to set a Public Hearing on March 14, 2016 at 9:30 AM on the findings and order of Val Jensen II dated December 18, 2016 regarding the dangerous and unsafe condition of the building at 4790 Bard Road, Whitehall, MI 49461.

*Upon Voice Vote: **6 AYES – motion carried***

- 2) Trustee Appointment – Supervisor St. Amour stated that Attorney Even suggested holding a special meeting to review a Vacancy Policy for elected or appointed township offices. A special meeting will be held on Tuesday, February 23, 2016 at 10:30 AM to review the Vacancy Policy and possibly entertain nominations for the vacancy.

FRUITLAND TOWNSHIP FEBRUARY 16, 2016 REGULAR MEETING MINUTES

3) January Budget Amendments –

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to authorize Clerk Rillema to make the January 4th Quarter 2015-16 Budget Amendments as presented.

Upon Voice Vote: **6AYES – motion carried**

4) Board of Review Appointments -

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to appoint Kimon Kotos to the Board of Review with term ending December 31, 2016.

Upon Voice Vote: **6AYES – motion carried**

5) Resolution 2016-03, Resolution 2016-04, Resolution 2016-05 & Resolution 2016-06

Motion by Clerk Rillema, second by Treasurer Beegle, **ADOPTED**, Resolution 2016-03 to approve Supervisor Salary for fiscal year 2016-17 at \$34,487.88.

Roll Call Vote: Trustee Bard **NAY**, Trustee Deur **AYE**, Clerk Rillema **AYE**, Treasurer Beegle **AYE**, Trustee Hampel **NAY**, Supervisor St. Amour **AYE – motion carried**

Motion by Supervisor St. Amour, second by Treasurer Beegle, **ADOPTED**, Resolution 2016-04 to approve Clerk Salary for fiscal year 2016-17 at \$34,487.88.

Roll Call Vote: Trustee Hampel **NAY**, Treasurer Beegle **AYE**, Clerk Rillema **AYE**, Trustee Deur **AYE**, Trustee Bard **NAY**, Supervisor St. Amour **AYE – motion carried**

Motion by Supervisor St. Amour, second by Clerk Rillema, **ADOPTED**, Resolution 2016-05 to approve Treasurer Salary for fiscal year 2016-17 at \$34,487.88.

Roll Call Vote: Trustee Hampel **NAY**, Treasurer Beegle **AYE**, Clerk Rillema **AYE**, Trustee Deur **AYE**, Trustee Bard **NAY**, Supervisor St. Amour **AYE – motion carried**

Motion by Supervisor St. Amour, second by Treasurer Beegle, **FAILED**, Resolution 2016-06 to approve Trustee Salary for fiscal year 2016-17 at \$3,883.17.

Roll Call Vote: Trustee Bard **NAY**, Trustee Deur **NAY**, Clerk Rillema **AYE**, Treasurer Beegle **AYE**, Trustee Hampel **NAY**, Supervisor St. Amour **AYE – motion failed**

FRUITLAND TOWNSHIP FEBRUARY 16, 2016 REGULAR MEETING MINUTES

- 6) Board Comments – Trustee Bard would like an agenda item added to the March work session to discuss the Attorney approved call list prepared by Supervisor St. Amour. Clerk Rillema stated that she received the 2015 Annual Report of the West Michigan Shoreline Regional Development Commission and will place on file in her office. She also mentioned that she forwarded the email that contained the agenda, treasurer’s report and November 2015 minutes of the Muskegon County Chapter of Michigan Townships Association meeting scheduled for Monday, February 29, 2015 at Fruitport Charter Township. Treasurer Beegle stated today was the last day for tax collection. She has collected 94% as of tonight’s meeting. Treasurer Beegle stated that the County will be undergoing a Principal Resident (PRE) Audit. The last audit was approximately eight years ago. If anyone hears of someone getting paperwork related to this audit, please suggest that they contact the Township or Muskegon County to get help on completing accurate information. Trustee Deur has concerns on selling the fire barn and inquired if any member of the board had objections to him contacting Mr. Huch to gain additional information he was not able to share due to time constrictions during public comment. No one objected. He wanted to extend a thanks to all applicants for the trustee vacancy and was pleased with the caliber of applicants that are interested. He also mentioned that the Notice of Dangerous Buildings prepared by Attorney Even had two clerical errors (2016 instead of 2015) cited.

Motion by Treasurer Hampel, second by Treasurer Beegle, **ADOPTED**, to adjourn the February 16, 2016 Regular Meeting of the Township of Fruitland at 6:18 PM.

Upon Voice Vote: **6AYES – motion carried**

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland