

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 20, 2012
MINUTES**

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

ABSENT – Clerk Rillema

ALSO PRESENT – Five (5) interested parties.

CALL TO ORDER – Supervisor St. Amour called the Monday, February, 2012 Regular Meeting to order at 7:00 PM, Audience Member Greg Means led the pledge of allegiance and a moment of silence.

AGENDA –

Motion by Trustee Binns, second by Trustee Bard, **ADOPTED**, to accept the February 20, 2012 Regular Township Board Meeting Agenda.

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

PUBLIC COMMENT –

- 1) Marjorie Jones, 3075 Scenic Drive, resides just north of the McMillan Road End, and is requesting a fence to protect neighboring beach boundaries, a sign that no animals are allowed on the beach, to have the place cleaned up and stakes put in the bank with laying boards across at different intervals to keep any fill from rolling down the bank and then have a truck load of sand brought in and dumped with dune grass being planted on top of the fill before the fence is put in place to alleviate erosion.
- 2) Matthew Koppel, 3046 Scenic Drive, states he appreciates the stairs going down to the beach; however, his concerns are of parking along Scenic Drive possibly in front of his home and this being a place for parties to be held.

Supervisor St. Amour states that the marking of the neighboring boundaries will be addressed later in the meeting and that he is sure signs can be implemented as time goes on; however, the concern of parking will be taken under advisement and addressed later if it becomes a problem.

PUBLIC HEARING – PROPOSED 2012-13 FISCAL YEAR BUDGET

Supervisor St. Amour opened the Public Hearing at 7:17 PM on the proposed 2012-2013 Budget with a brief history of accomplishments of the past year, items of increase in the budget such as the proposed wage increase and health insurance premium increase, and explained the process for including those items in the budget.

Trustee Bard opposes any wage increase at this time. Supervisor St. Amour stated that the budget needs to be balanced and adopted by the end of March and closed the Public Hearing at 7:31 PM.

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MINUTES –

Motion by Trustee Bole, second by Trustee Bard, **ADOPTED**, to accept the January 9, 2012 Work Session Minutes and January 17, 2012 Regular Meeting Minutes.

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

RECEIPTS & DISBURSEMENTS –

Motion by Treasurer Beegle, second by Trustee Deur, **ADOPTED**, to accept the Receipts of \$119,189.33 and Bank Balance and Certificate of Deposits of \$1,049,190.84 for the period of January 1, 2012 through January 31, 2012 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$52,707.56 for the period of January 1, 2012 through January 31, 2012 as reported by Karolyn Rillema, Fruitland Township Clerk.

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

ANNOUNCEMENTS/COMMUNICATIONS – Supervisor St. Amour advised that he has not heard any more on the Scenic Drive Dock Grant Request that will be brought forth by the White Lake Group and which will include a potential donation lock box. He thanks resident Kim McGee for the donation of the “Land between the Lakes” book. He advised that Laketon Township is still working on the Tire Grant which we will be participating in. He stated Fruitland Township would host a Town Hall meeting on behalf of the Muskegon Conservation District regarding Mute Swan Cull if necessary. The West Michigan Trails and Greenway Coalition which 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 stated the township can not donate monies; however, there will be a link on the Fruitland Township Website for donations to said project. He advised that Curator Karen McDonnell will be leaving us as she has accepted a job in Northern California to be a curator of a museum there.

CONSENT AGENDA-

Committee Renewals- **Motion Number 2-12-04**

- Board of Review-term ending 12/31/2013, Donald Lundquist, David Reynolds, Kathleen Nearanz, Laura Shields (alt)
- Building Hearing Officer- term ending 12/31/2013, Lester DeHaan
- Planning Commission- term ending 3/31/2013, Jan Deur (ex-officio- Trustee), Donald Sandel (non-voting)
- Planning Commission- term ending 3/31/2014, Leslie Sprott
- Planning Commission- term ending 3/31/2015, John Warner, Mark Dykhouse
- Zoning Board of Appeals, term ending 03/31/2014, Judy Marcinkowski (alt)
- Zoning Board of Appeals, term ending 03/31/2015, Clarence Gaertner II, Penny Larson, and Brian Lernowich
- Construction Board of Appeals, term ending 12/31/2012, Lester DeHaan, Dean Evans, and Don Schmiege

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

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

COMMITTEE/BOARD UPDATES –

- White Lake Ambulance Authority – Trustee Bard reported that the board met on December January 25, 2012. There were 122 calls in January and of those 10 were calls made in Fruitland Township. Phase 1 of the new building has been completed and now waiting to sign the transfer documents. Director Dresen talked to the architect last week and he is now completing his portion for the new building. She has many quotes on masonry work, office carpeting and is waiting for quotes on replacing the lights. All these quotes will be coming from local companies who will do the updating on the new building. She is also working on a rural 0% loan/grant for the updates. The board at this time has not been given any of the quotes, more to come. The 2010-2011 audit should be done by February's meeting. On February 25th, White Lake Ambulance Authority again is sponsoring the Community CPR. This is open to call citizens of our area, there is a limit of 50 people and the cost is \$5.00. This program is through the American Heart Association. Anyone interested should call the Ambulance Garage to get on the list as it fills up fast. The phone # is 894-4306.
- White Lake Fire Authority – Treasurer Beegle reported the board did not meet in February. The committee is still working on the Articles of Incorporation. The Personnel Committee will be meeting with the Chief. The next meeting is March 8th.
- Parks & Recreation Commission – Supervisor St. Amour reported that the Marcus Park Lawsuit is continuing, however, there may be one last step to try which would be to hire a mediator and have that person, him and Attorney Even negotiate an agreement. Trustee Bole states he believes that a member of the Parks and Recreation Commission should also be involved.
- Planning Commission – Trustee Deur reported that five (5) public hearings were held on 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). The following have been recommended for approval.
 - Ordinance #109 – Article III – General Provisions, Section 3.23 Non-Conforming Buildings, Structures, and Uses.

Motion by Trustee Deur, second by Trustee Binns, **ADOPTED**, to approve the Planning Commission Recommendations regarding Article III, General Provisions, Section 3.23 Non-Conforming Buildings, Structures and Uses.

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

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- Ordinance #109 – Article XV – Site Plan Review, Section 15.04 Application and Review and Section 15.07 Review Standards.

Motion by Trustee Deur, second by Trustee Bole, **ADOPTED**, to approve the Planning Commission Recommendations regarding Article XV, Site Plan Review, Section 15.04 Application and Review and Section 15.07 Review Standards.

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

- Ordinance #109 – Article IXa Open Space Planned Unit Development (OSPUD), Section 9.09a Open Space Requirements.

Motion by Trustee Deur, second by Trustee Bole, **ADOPTED**, to approve the Planning Commission Recommendations regarding Article IXa Open Space Planned Unit Development, Section 9.09a Open Space Requirements.

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

- Zoning Board of Appeals – Supervisor St. Amour reported that there was no meeting scheduled for February. There is a meeting scheduled for March.
- Citizens Advisory Wireless Committee – Trustee Deur reported that Agri-Valley Broadband, a company with whom we have discussed possible provisioning of broadband service in Fruitland Township, had advised us that they will be changing their 4G equipment vendor, which means there will be some delay in their 4G rollout, thus also delaying any potential expansion plans on their part.
- Citizens Advisory McMillan Road End Committee –

Motion by Supervisor St. Amour, second by Treasurer Beegle, **ADOPTED**, to authorize Supervisor St. Amour to contract with Vance Brown to install approximately 60' of fencing along top of hillside and install wood posts down both sides of hillside at McMillan Road End at a payment not to exceed \$2,050.00 which includes a survey.

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

- White Lake Public Advisory Committee – Trustee Deur reported that The Muskegon Conservation District is planning to hold a "Governmental Update" meeting sometime in March, at which they will update local government officials on the White Lake habitat restoration and clean-up efforts. Supervisor St. Amour offered the use of the Fruitland Township Hall for that meeting, and Trustee Deur said he would pass along the offer.

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OLD BUSINESS –

1. Ordinance Enforcement –

- River Road Property – Junk violation, Supervisor St. Amour spoke with Deputy Ashker regarding this today.
- 4965 Duck Lake Road – 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, renter has been ticketed two times, Supervisor St. Amour contacted K L B Inc. (Bolema Rental), owner, for help getting this cleaned up.
- 2643 Duck Lake Road – Deputy Ashker will be working on this.

2. Civil Infractions – Ordinance #110, #111, #112

Motion by Trustee Bole, second by Trustee Bard, **ADOPTED**, to accept Article R 11 Municipal Ordinance Violations Bureau Ordinance #110, Article R 12 Ordinance Enforcement Officer Ordinance #111 and Article R 13 Municipal Civil Infractions Procedures Ordinance #112 all to become effective August 1, 2012, and to instruct the Clerk to publish as required.

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

3. SAXE Drain Recommendations – Supervisor St. Amour stated he still has not seen anything from Drain Commissioner Fisher.

4. Sewer Ordinance – Ordinance #113, Resolution 2012-06

Motion by Trustee Bole, second by Trustee Bard, **ADOPTED**, to accept Article R 10 Sewer Connection, Use and Rate Ordinance #113 and instruct the Clerk to publish as required.

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

Motion by Trustee Bard, second by Trustee Binns, **ADOPTED**, Resolution 2012-06 to Establish Sanitary Sewer Usage Charges.

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

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5. 2012-13 Salary – Resolution 2012-02, Resolution 2012-03, Resolution 2012-04, Resolution 2012-05

Motion by Trustee Binns, second by Trustee Bole, **ADOPTED**, Resolution 2012-02 to approve Supervisor Salary for fiscal year 2012 – 2013.

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

Motion by Trustee Bole, second by Trustee Binns, **ADOPTED**, Resolution 2012-03 to approve Clerk Salary for fiscal year 2012 – 2013.

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

Motion by Trustee Bole, second by Trustee Binns, **ADOPTED**, Resolution 2012-04 to approve Treasurer Salary for fiscal year 2012 – 2013.

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

Motion by Treasurer Beegle, second by Supervisor St. Amour, **ADOPTED**, Resolution 2012-05 to approve Trustee Salary for fiscal year 2012 – 2013.

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

NEW BUSINESS –

1. Michigan Adventure Request

Motion by Trustee Bole, second by Treasurer Beegle, **ADOPTED**, to authorize the request of Michigan's Adventure to extend our noise ordinance for a single day of June 3, 2012, until 12:30 AM to accommodate a special event for Vicksburg High School.

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

2. Muskegon County Hydrant Fee

Motion by Treasurer Beegle, second by Trustee Bole, **ADOPTED**, to instruct the Clerk to make payment to Muskegon County for the 2011 Hydrant Fee in the amount of \$2,200.00.

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

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3. January 2011-12 Budget Amendments

Motion by Trustee Bard, second by Trustee Binns, **ADOPTED**, to instruct the Clerk to make the January 2011-12 Budget Amendments as presented.

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

ACCOUNT NUMBER	DESCRIPTION	AMOUNT	INCREASE/ DECREASE	EXPLANATION OF BUDGET AMENDMENT NECESSITY
REVENUES				
FUND 101				
101-000-476.000	Permit Fees	\$ 593.00	increase	under budget
101-000-476.001	Permit-Building	\$ 1,856.40	increase	under budget
101-000-577.000	Elections	\$ 746.27	increase	under budget
101-000-622.002	Zoning-PLZ	\$ 400.00	increase	under budget
101-000-671.000	Other Revenues	\$ 376.70	increase	under budget
101-000-679.000	Harvest Tree Receipts	\$ 9,214.31	increase	under budget
		\$ 13,186.68		
FUND 101				
APPROPRIATIONS				
101-101-956.000	Miscellaneous	\$ 32.98	increase	under budget
101-253-715.000	EMP-ER Soc/Med	\$ 51.70	increase	under budget
101-253-801.001	Contracting-Computer Services	\$ 5.00	increase	under budget
101-265-715.000	EMP-ER Soc/Med	\$ 11.82	increase	under budget
101-526-801.000	Contracting	\$ 2,307.44	increase	under budget
101-746-801.000	Contracting	\$ 70.00	increase	under budget
		\$ 2,478.94		

4. Transfer Station – Chef Container

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to instruct Supervisor St. Amour to contract with Chef Container for Recyclable Materials at the Ecology Station for six (6) months.

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

5. Board Comments

ADJOURNMENT –

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to adjourn the February 20, 2012 Regular Meeting of the Township of Fruitland at 8:40 PM.

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

Respectfully Submitted,

Sally Dion, Recording Secretary
Township of Fruitland