

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
MAY 18, 2015
MINUTES**

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

ALSO PRESENT - (5) Five interested parties

CALL TO ORDER - Supervisor St. Amour called the Monday, May 18, 2015 Regular Meeting to order at 5:00 PM. The pledge of allegiance and a moment of silence was observed.

AGENDA - Motion by Trustee Deur, second by Trustee Bard, to accept the May 18, 2015 Regular Township Board Meeting Agenda.
Upon Voice Vote: 7 AYES – motion carried

PUBLIC COMMENT -

- 1) Greg Kruse, South Shore Drive 1973 – Expressed his concerns of an alleged misappropriation of thousands of dollars from accounts within the township budget and provided a copy of his public comment to all board members.
- 2) Mark Eisenbarth, Muskegon County Administrator – Introduced himself and spoke about the Quality of Life Millage that could be renewed if projects are identified for the County. He welcomed ideas going forward.
- 3) Lynn Knopf, 4382 Mystic Lane/Parks & Recreation Commissioner – Updated the Board of Trustees on Parks & Recreation Commission happenings (updating P&R Master Plan, upcoming survey to residents/property owners, recent contact with DEQ regarding upgrading parking at Marcus Park).

MINUTES - Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to accept the April 13, 2015 Work Session Minutes and April 20, 2015 Regular Meeting Minutes.
Upon Voice Vote: 7 AYES – motion carried

RECEIPTS & DISBURSEMENTS –

Motion by Treasurer Beegle, second by Trustee Bard, **ADOPTED**, to accept Receipts of \$29,192.21 and Bank Balance and Certificate of Deposits of \$1,284,695.80 for the period of April 1, 2015 through April 30, 2015 as reported by Melissa Beegle, Fruitland Township Treasurer and approve Fund 101 Disbursements in the amount of \$47,042.65, Fund 120 Disbursements in the amount of \$162,061.69 and Fund 130 Disbursements in the amount of \$590.40 for the period of April 1, 2015 through April 30, 2015 as

reported by Karolyn Rillema, Fruitland Township Clerk. *Upon Voice Vote: 7 AYES – motion carried*

SPECIAL GUESTS – Motion by Trustee Deur, second by Trustee Bard to suspend for open floor comments from our two special guests at 5:14 PM. *Roll Call Vote: Trustee Hampel AYE, Treasurer Beegle AYE, Clerk Rillema AYE, Trustee Rissi AYE, Trustee Deur AYE, Trustee Bard AYE, Supervisor St. Amour AYE – motion carried*

- 1) Tom Schmiedeknecht of ProMed - Spoke to the Board of Trustees of ProMed's willingness to cover Fruitland Township in the event that White Lake Ambulance Authority was unable with some costs involved. The Board of Trustees would like to have accurate figures to digest. Mr. Schmiedeknecht stated that an ambulance would be placed on the east side of township near Michigan's Adventure for coverage due to already covering the Dalton/Laketon township areas. He also spoke briefly of ProMed's possibility to cover the entire White Lake Area but would involve extensive costs associated with this partnership. The Board of Trustees thanked Tom for his endeavors and is pleased to have the assurity that the health and wellness of our community is in the forefront of ProMed. Several questions of response time, staff qualifications and types of billable services were asked.

- 2) Val Jensen – Zoning Administrator Candidate – Introduced himself and gave a brief history of his employment as a Building Inspector/Official, Planning Commissioner and Zoning Administrator for neighboring townships. Mr. Jensen has been interviewed by Planning Commissioner Roesler and Trustee Deur and fits the needs of our township. The board is supportive of a dual coverage of Mr. Jensen and Zoning Administrator Sandel to wrap up several items in the works before Zoning Administrator Sandel retires at the end of July. One conflict arising if Mr. Jensen is hired is that the Planning Commission regularly scheduled monthly meeting conflicts with another meeting that Mr. Jensen serves on. The Planning Commission will be discussing the rescheduling of its monthly meeting to another night to accommodate Mr. Jensen. The board looks forward to Mr. Jensen being available five days a week by telephone with two one-half days of office hours (Wednesday/Friday). Mr. Jensen will also be taking on some of the ordinance enforcement for the township also.

Motion by Clerk Rillema, second by Trustee Rissi, to close open floor comments at 5:45 PM.

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

ANNOUNCEMENTS – Supervisor St. Amour stated that Heritage Park at Hilt's Landing is holding its ribbon cutting ceremony on Saturday June 27 at noon. The City of Muskegon is hosting a community event called "Watch Muskegon" on Friday May 22, 2015 at 10:00 AM near the Seaway Drive & Shoreline Drive splits. Supervisor St. Amour tasked the front office staff to record number of visits to see when traffic was low and high. Tax

Season and Ballot issuance were the high visit days. Supervisor St. Amour received a call from Frontier regarding potential savings. He will forward on to Clerk Rillema to investigate. Sara Damm of the Muskegon County Sustainability Office is requesting a letter of support for the deep water port in Muskegon. A resident that lives near the Fire Station #2 on Duck Lake Road would like the Board of Trustees to consider allowing them to put up an “Autistic Child in Area” sign. They are concerned about the safety of one of their children. The board okayed Supervisor St. Amour to investigate a little more after his first contact with the Muskegon County Road Commission did not support this additional signage. Supervisor St. Amour stated that the older of the two main mowers has broken down. He would like to purchase another mower to replace this mower but get a repair quote as a backup. Timing is of the essence as Memorial Day is right around the corner. He received some initial quotes but needs to investigate with vendors on extensiveness of equipment.

Motion by Supervisor St. Amour, second by Trustee Bard, **ADOPTED**, to authorize Supervisor St. Amour to spend up to \$7,500.00 to purchase a zero turn mower with bagger.

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

After discussion of quotes, the following motion was put on the floor:

Motion by Trustee Deur, second by Trustee Rissi, **ADOPTED**, to authorize Supervisor St. Amour an additional \$2,500.00 to purchase the commercial grade equipment if necessary.

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

COMMITTEE/BOARD UPDATES –

- White Lake Fire Authority – Treasurer Beegle reported that they met on May 13, 2015. The Fire Detector Program they participated in replaced 84 smoke detectors of which 27 were in Fruitland Township. The quit claim deed regarding Dock Road has been put on hold as another issue has arisen in which Attorney Even and Attorney Bossenbrook are discussing regarding ownership.
- White Lake Ambulance Authority – Supervisor St. Amour stated that no action on the proposed budget has taken place and he reinstated his frustration with the inability of the WLAA board to address serious financial difficulties going forward. He left early from Special Meeting called today of the Authority to attend tonight’s regular township meeting.
- Duck Creek Watershed Assembly – Trustee Hampel stated that the Assembly will be performing creek monitoring and is in the process of selling maps and depth charts. They continue to solicit for membership.
- Parks & Recreation Commission – Trustee Hampel stated that the Little League Waivers are being addressed by Commissioner Urban. Trustee Hampel read a document of her

actions as liaison from the Board of Trustees to the Parks & Recreation Commission and her disappointment of some of the actions of Supervisor St. Amour towards her.

OLD BUSINESS –

1. Community Flood Ordinance – Trustee Deur and Clerk Rillema explained that FEMA requires an ordinance to participate in the Flood Insurance Program and the following Resolution. The Planning Commission reviewed with minor grammatical suggestions at its meeting on May 6.

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to adopt Article XXVII Floodplain Management Ordinance, Article II Definitions, Article XIX Board of Zoning Appeals and Article XX Administration & Enforcement with the minor corrections that were recommended by the Planning Commission and Attorney Even subject to incorporating potential changes from the DEQ and subsequent approval by Attorney Even.

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

Resolution 2015—17 - Fruitland Township Resolution to Manage Floodplain Developments for the National Flood Insurance Program was adopted and placed on file.

2. LSI – Tolling Agreement –

Motion by Supervisor St. Amour, second by Trustee Bard, **ADOPTED**, to authorize the Supervisor to sign the agreement to toll any applicable statute of limitations or any equitable defense of latches between Fruitland Township and Buzz's Lakeside Inn.

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

NEW BUSINESS –

1. Amendment to Fee, Permit, Escrow Schedule –

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to amend Resolution 2015-01(a) to increase the copy machine (8 ½ x 11) – one side copy charge to \$.10 per copy per the new FOIA amendments effective July 6, 2015.

Upon Voice Vote: **7 AYES** – **motion carried**

2. Building Permit Cancellation/Refund Policy – Supervisor St. Amour stated that at the June work session, Attorney Even will provide suggestions on a policy going forward. In

the meantime, Supervisor St. Amour contacted the party requesting the refund and explained what is occurring.

3. Zellar Road Quote – Supervisor St. Amour stated that after review by Attorney Even, no special assessment is possible for the drainage necessary prior to the Zellar Road project. More information is being sought on potential solutions.
4. Partridge Drain – Supervisor St. Amour stated that Attorney Even is consulting with MCRC Attorney Rose for solutions to fix the drainage issue at Lamos Road End and review ownership.
5. FOIA Appeals –
Motion by Supervisor St. Amour, second by Trustee Bard, **ADOPTED**, to deny Mr. Kruse of his six FOIA Appeals dated May 11, 2015 as Public Body Responses were mailed on April 28, 2015 for all requests stating that they were DENIED – does not exist within the records of this agency – Contact Muskegon County Circuit Court.
Upon Voice Vote: 7 AYES – motion carried
6. Board Comments – Clerk Rillema stated that Brickley DeLong will begin field work on our 2014-15 Audit on June 15th and 16th. Trustee Deur had contact with Duke Yeager regarding the Verizon Cell Tower. Work should start this summer and the tower will use the latest Voice Over LTE Technology which may not allow all users coverage. Trustee Hampel inquired about the Tire Recycling Event on May 30. Supervisor St. Amour asked the volunteers (Trustee Deur & Trustee Hampel) to send him an email of time availability for scheduling purposes.

Motion by Trustee Bard, second by Trustee Rissi, **ADOPTED**, to adjourn the May 18, 2015 Regular Meeting of the Township of Fruitland at 6:42 PM.
Upon Voice Vote: 7 AYES – motion carried

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland