

**FRUITLAND TOWNSHIP
REGULAR MEETING
JUNE 20, 2016 MINUTES**

PRESENT - Trustee Bard, Trustee Deur, Trustee Cisneros, Clerk Rillema, Treasurer Beegle, Trustee Hampel

ALSO PRESENT – (10) ten interested parties.

ABSENT: Supervisor St. Amour

Motion by Trustee Deur, second by Trustee Cisneros, **ADOPTED**, to have Clerk Rillema serve as chairman pro-tem due to Supervisor St. Amour's absence.

Upon Voice Vote: **6 AYES, 1 ABSENT – motion carried**

AGENDA –

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the June 20, 2016 Regular Township Board Meeting Agenda.

Upon Voice Vote: **6 AYES, 1 ABSENT – motion carried**

PUBLIC COMMENT –

- 1) David Roesler, Planning Commissioner Chair – Encouraged the board to adopt the Special Land Use Language for Historical Resorts that the Planning Commission was tasked to do. A sub-committee of Planning Commissioners, Township outside Planner Tim Johnson and Attorney Even met several times to develop this language.
- 2) Greg Kruse, 1974 South Shore Drive – Spoke unkind words about Supervisor St. Amour and stated that Mr. White's property would be auctioned off on July 22, 2016 on the steps of Muskegon County Court House.

MINUTES –

Motion by Trustee Bard, second by Trustee Cisneros, **ADOPTED**, to accept the May 9, 2016 Work Session Minutes and May 16, 2016 Regular Meeting Minutes.

Upon Voice Vote: **6 AYES, 1 ABSENT – motion carried**

RECEIPTS & DISBURSEMENTS –

Motion by Treasurer Beegle, second by Trustee Deur, **ADOPTED**, to accept the Receipts of \$23,864.97 and Bank Balance and Certificate of Deposits of \$1,430,558.10 for the period of May 1, 2016 through May 31, 2016 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$62,828.70 and Fund 120 Disbursements of \$86,072.22 for the period of

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May 1, 2016 through May 31, 2016 as reported by Karolyn Rillema, Fruitland Township Clerk.

Upon Voice Vote: **6 AYES, 1 ABSENT – motion carried**

ANNOUNCEMENTS/COMMUNICATIONS – Clerk Rillema stated that Brickley DeLong completed their in-house portion of our audit last Thursday. August 15th is scheduled for our 2015-16 audit presentation. Attorney Even has emailed documentation that the Jean Dresen litigation has been dismissed against the township and that the \$1000.00 deductible for legal counsel through our insurance company is payable to the Insurance Company direct.

Motion by Trustee Cisneros, second by Trustee Bard, **ADOPTED**, to make payment to Tokio Marine HCC – Public Risk Group in the amount of \$1000.00 for our deductible in the litigation of claimant Jean Dresen that she was alleging wrongful termination and defamation from the White Lake Ambulance Authority which has been dismissed.

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

Clerk Rillema also received notification today from the Muskegon County Drain Commissioners' office that a Board of Determination for the Chaddox Drain located now in Laketon Township could be extended into Fruitland Township will be held on July 29, 2016 at 6:30 PM at Laketon Township. Muskegon County Road Commission informed the township that a contractor working for Hollister's Waters Edge Lodge will be placing material temporarily at the end of Dock Road which could obstruct several parking spaces and the turn-around for approximately less than one week.

COMMITTEE/BOARD UPDATES –

- White Lake Fire Authority – Treasurer Beegle reported they met in May and received their audit presentation from Brickley DeLong for year ending December 2015. They received the same write up that we receive because they do not have an individual with the technical skills and experience to review the formal year-end financial statements. Clerk Rillema will place the audit on file in her office. Treasurer Beegle did report that she was questioned heavily about why Fruitland Township would request the WLFA to have a survey completed for the fire station and now pull back on a potential sale. Supervisor St. Amour was not in attendance to update the Board on some information he had received. Clerk Rillema stated that she received a follow up email from Whitehall City Manager Scott Huebler requesting some dates for a potential meeting to discuss the WLFA lease. The board instructed Clerk Rillema to respond that the board would like to postpone any meetings until Supervisor St. Amour can update the Board of Trustees with the information he has.
- Friends of the Fred Meijer Berry Junction Trail Request – Trustee Hampel stated that the parcel number and legal description for the proposed property was emailed to Tom

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Lindrup of the Friends Group. Mr. Lindrup continues conversation with Cumulus Radio on the donation of property.

OLD BUSINESS –

1. Ecology Station Repairs –

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to authorize Clerk Rillema to contract with Muskegon Garage Door Co., to repair the garage door at the Sustainability Center in the amount of \$156.00. I authorize Clerk Rillema to contract with AAA Fence to repair the gate at the Sustainability Center in the amount not to exceed \$2,291.00. Lastly, I authorize Clerk Rillema to contract with A-1 Excavation to repair the driveway at the Sustainability Center in the amount of \$550.00.

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

Clerk Rillema stated that she contacted the insurance company and made a claim for the gate repair. There is a \$500.00 deductible so a check will be issued in the amount of \$1,033.00 and mailed to the township.

2. Nestrom Road Improvements – Treasurer Beegle stated that she is awaiting a rough order of magnitude for the proposed improvement from the Muskegon County Road Commission. This special assessment project could potentially be a 2017 project if approved.

3. Land Conservancy –

Motion by Trustee Deur, second by Trustee Cisneros, **ADOPTED**, to allow Trustee Deur and Trustee Hampel to complete the application for Community Assistance from the National Park Service regarding the Duck Lake Road property for a potential easement from the Land Conservancy naming Clerk Rillema as the primary contact.

Upon Voice Vote: **5 AYES, 1 NAY, 1 ABSENT** – **motion carried**

Trustee Bard is opposed to the easement on the property.

NEW BUSINESS –

1. White Lake Association Proxy –

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Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to authorize Clerk Rillema to sign the White Lake Association Proxy Ballot giving Jeff Auch the authority to vote for Fruitland Township regarding the Articles of Incorporation of the White lake Association to re-designate the corporation as a directorship.

Upon Voice Vote: **6 AYES, 1 ABSENT – motion carried**

2. Historical Resort Language –

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the Planning Commissions' recommendation regarding the Historical Resorts language with the minor changes discussed at the June 13, 2016 work session which will be Ordinance #135 and will be published in the White Lake Beacon effective July 5, 2016.

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

3. Fireworks Contribution –

Motion by Trustee Bard, second by Treasurer Beegle, **ADOPTED**, to authorize Clerk Rillema to make a \$100.00 contribution to the Montague-Whitehall Rotary Club for the 4th of July Fireworks as long as Fruitland Township receives public recognition.

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

4. Culvert Replacements –

Motion by Trustee Cisneros, second by Treasurer Beegle, **ADOPTED**, to authorize Clerk Rillema to contract with the Muskegon County Road Commission to replace two culverts, the first culvert on McMillan Road with our portion to cost of \$2,583.21 and the second culvert on Lamos Road with our portion of cost of \$2,299.67.

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

5. Greg Kruse FOIA Appeals –

Motion by Trustee Bard, second by Trustee Cisneros, **ADOPTED**, to deny Mr. Kruse of his FOIA appeal dated June 14, 2016 stating that the Coordinator is ignoring township procedures and guidelines as

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Coordinator Rillema responded to Mr. Kruse's request dated May 27, 2016 stating that it is available once past due FOIA request outstanding fees from July 1, 2015 in the amount of \$4.36, April 22, 2016 in the amount of \$.67. May 6, 2016 fee of \$10.77 and current FOIA request in the amount of \$.57 are paid in full.

Upon Voice Vote: **6 AYES, 1 ABSENT – motion carried**

6. White River Light Station Bench Request – Clerk Rillema reported that the request has been withdrawn and a memorial plaque would like to be purchased in honor of Peggy Dilley who recently passed and placed on the White River Light Station grounds. She will contact Betsy Grein if the plaque is to be placed on the grounds and report back to the board.

7. Board of Review –

Motion by Trustee Cisneros, second by Trustee Bard, **ADOPTED**, to replace Don Lundquist's position on the Board of Review with David Reynolds with a term ending December 2016.

Upon Voice Vote: **6 AYES, 1 ABSENT – motion carried**

8. Cemetery Tree Removal –

Motion by Trustee Bard, second by Treasurer Beegle, **ADOPTED**, to authorize Clerk Rillema to contract with Advance Tree Service to remove a fallen Sugar Maple tree in the cemetery at a cost of \$950.00.

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

9. Board Comments – Treasurer Beegle stated that summer tax bills will be mailed the end of next week. Clerk Rillema shared a map delivered to the township by Deputy Drain Commissioner Barrett depicting the six drain districts in the township (Fruitland #1, Partridge, Mason, Ackerberg, Saxe and Fred Dow).

Motion by Trustee Cisneros, second by Trustee Bard, **ADOPTED**, to adjourn the June 20, 2016 Regular Meeting of the Township of Fruitland at 5:53 PM.

Upon Voice Vote: **6 AYES, 1 ABSENT – motion carried**

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland