

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
AUGUST 15, 2011
MINUTES**

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

ALSO PRESENT – Two (2) interested parties.

CALL TO ORDER – Supervisor St. Amour called the Monday, August 15, 2011 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 Binns, second by Trustee Bard, **ADOPTED**, to accept the August 15, 2011 Regular Township Board Meeting Agenda.
Upon Voice Vote: 7 AYES

PUBLIC COMMENT –

- 1) **Alan Jager**, 8081 Holton Duck Lake Road – He represents District II for Muskegon County. Enjoys serving as a County Commissioner and stated they continue to work on consolidation issues at the county level.

MINUTES –

Motion by Clerk Rillema, second by Trustee Deur, **ADOPTED**, to accept the July 11, 2011 Work Session Minutes, July 18, 2011 Regular Meeting Minutes and July 25, 2011 Special Meeting Minutes.
Upon Voice Vote: 7 AYES

RECEIPTS & DISBURSEMENTS –

Motion by Treasurer Wilks, second by Trustee Deur, **ADOPTED**, to accept the Receipts of \$17,326.40 and Bank Balance and Certificate of Deposits of \$1,098,555.06 for the period of July 1, 2011 through July 31, 2011 as reported by Melissa Wilks, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$99,710.55 for the period of July 1, 2011 through July 31, 2011 as reported by Karolyn Rillema, Fruitland Township Clerk.
Upon Voice Vote: 7 AYES

ANNOUNCEMENTS/COMMUNICATIONS – Supervisor St. Amour reported that communication received from the Duck Creek Watershed Assembly that they are collaborating with the Michigan Lake & Stream Association and the Cooperative Lakes Monitoring Program to initiate a survey of aquatic plants in Duck Lake. Training on monitoring Duck Lake will take place on August 20 at 10:00 AM at the Duck Lake State Park pavilion. An email from Tanya Cabala of the White Lake Public Advisory Council states interest in presenting to the Board of Trustees a 30

FRUITLAND TOWNSHIP AUGUST 15, 2011 REGULAR MEETING MINUTES

minute habitat project presentation for the White Lake Shoreline Habitat Restoration Project. Interest of the board was favorable and Supervisor St. Amour will schedule for the September 12 work session. A letter was received from the White Lake Ambulance Authority Chairman, Donald Studaven, stating that they are not interested in attending a business meeting to be held at Fruitland Township on August 24, 2011. Trustee Bard stated her concern and reminded the Board of Trustees that the meeting as suggested in the letter was not for the Board of Trustees but participating municipalities of the WLAA. Audience attendee, Eric Van Dop of Brickley DeLong stated that a audit by his firm has not been completed since June 2009. Supervisor St. Amour stated that if the Board of Trustees has any ideas to please forward to him.

SPECIAL GUEST – Eric Van Dop of Brickley DeLong presented the 2010-2011 Fiscal Year Audit to the Board of Trustees. The Township received a favorable audit.

Motion by Trustee Bard, second by Trustee Binns, **ADOPTED**, to receive the 2010-2011 Fiscal Year Audit and place on file.

Upon Voice Vote: 7 AYES

CONSENT AGENDA –

Motion by Trustee Binns, second by Trustee Bard, **ADOPTED**, to appoint Laura Shields as Alternate on the Board of Review with a term 8/1/11 – 12/31/11 and Carol Kooistra as a Representative for the White Lake Community Library with a term ending 12/31/2012.

Upon Voice Vote; 7 AYES

COMMITTEE/BOARD UPDATES –

- White Lake Ambulance Authority – Trustee Bard reported that she was unable to attend the last meeting. She stated concern that financials were not being distributed on a timely fashion.
- White Lake Fire Authority – Treasurer Wilks stated the next meeting of the WLFA is scheduled for September 8, 2011.
- Parks & Recreation Commission – Trustee Binns stated that she attended the August 1, 2011 Parks & Recreation Commission meeting and a five year plan has been developed for improvements to the parks. She will present the plan at the September work session. Supervisor St. Amour updated the Board of Trustees on the Marcus Park Lawsuit that Attorney Even has answered and filed the complaint to the Federal Court. The Federal Court has received and wants to separate the constitutional claim from the state court claim.
- Planning Commission – Trustee Deur reported that no August meeting was held.
- Zoning Board of Appeals – Clerk Rillema reported that no August meeting was held.
- Citizens Advisory Wireless Committee – Trustee Deur reported that Frontier has completed an update to the Dalton Central Office which will now be able to offer DSL coverage to the

FRUITLAND TOWNSHIP AUGUST 15, 2011 REGULAR MEETING MINUTES

easterly 1/3 of Fruitland Township. He will prepare an article to be placed in the E-news for Supervisor St. Amour.

- Citizens Advisory McMillan Road End Committee – Supervisor St. Amour stated that ordinance review for the two proposed ordinances will be reviewed at the September work session.
- White Lake Public Advisory Committee – Trustee Deur reported that the White Lake Shoreline Habitat Restoration Project kickoff on July 20th was attended heavily by volunteers and community leaders.
- Fred Meijer Berry Junction Rail Trail – Supervisor St. Amour reported the ribbon cutting ceremony is scheduled for this Friday, August 19, 2011 @ 10:00 AM at the trail and White Lake Drive. The office will be closed for the office staff to attend the ceremony.
- White River Light Station – Curator McDonnell reported that the memorial tribute of Francis Marshall was held on July 30, 2011. Ms. Marshall was the last female lighthouse keeper in Michigan. She finalized the deeds of donation/items on loan document and has provided a copy for Supervisor St. Amour. Curator McDonnell also has completed her portion of the grant application and forwarded to Clerk Rillema/Treasurer Wilks to complete their necessary information. The grant application is for all the outside painting of the WRLS minus the brick area. Supervisor St. Amour has received several quotes for a replacement flag pole that was damaged during a recent wind storm. Quotes vary from 25' - \$1000.00 to 35' - \$2000.00 with different wind exposure strengths. Our existing flag pole is 35' in height.

Motion by Trustee Bole, second by Trustee Deur, **ADOPTED**, to authorize the purchase of a flag pole for the WRLS at a cost not to exceed \$2000.00.

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**

DISCUSSION: Trustee Binns asked if an insurance claim should be made for the replacement purchase of the flag pole. Supervisor St. Amour will inquire with our insurance agent.

OLD BUSINESS –

1. Ordinance Enforcement – Supervisor St. Amour stated that due to recent health issues he is behind on the follow up for ordinance enforcement.

1490 W. Duck Lake Road – will check with Attorney Stoffan as the owner had until August 1, 2011 to finish siding or was to be jailed.

Multiple Worden St. Properties – needs to be followed up.

2737 Scenic Drive – has until September 1.

2596 Lakewood – one dog has been removed and will refer with Deputy Ashker on barking.

4656 Lorenson – referred to Deputy Ashker for assistance.

5110 Orshal Road – owner was ticketed and needs to be reinspected.

FRUITLAND TOWNSHIP AUGUST 15, 2011 REGULAR MEETING MINUTES

2. WRLS – Sable Point Lighthouse Keeper’s Association – Supervisor St. Amour stated that the concession agreement for the operation of the gift shop has been received back signed by all parties. The concession agreement for operation of the White River Light Station will be discussed with SPLKA’s attorney, Fruitland Township’s attorney, John McGarry III of the Lakeshore Museum Center, Cindy Beth Davis-Dykema of SPLKA and Supervisor St. Amour in the fall once the touring season winds down.
3. Land Conservancy – Supervisor St. Amour stated no rescheduled date at this time.
4. Duck Lake Road Reduce Speed Limit Request – Supervisor St. Amour stated that he will contact the MCRC to quote cutting back the hillside at the corner of Duck Lake Road/Scenic Drive for safety. He will also inquire with the MCRC about quoting costs for a possible special assessment for a sidewalk for those residents on Duck Lake Road between Scenic Drive and Nestrom Road.
5. Forestry Contract – Supervisor St. Amour stated that Attorney Even has reviewed the contract for the forestry on Duck Lake Road but made several notations that required his review of the original contract with Wilson Forestry. Supervisor St. Amour will follow up with Attorney Even for clarification.
6. Chipper – Trustee Bole would like to discuss options at the September Work Session.
7. Mc Millan Road End Ordinance – As stated earlier, the draft ordinance(s) will be reviewed at the September Work Session.

NEW BUSINESS –

1. Muskegon County Equalization – GIS Program –

Motion by Clerk Rillema, second by Trustee Binns, **ADOPTED**, to authorize payment to Muskegon County Equalization in the amount of \$3,934.62 for the GIS Basic Level of Service Program for 10/1/210 – 9/30/2011.

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**

2. Cemetery Tree Damage – Clerk Rillema stated that a request from Judy Hart was received in the amount of \$75.00 for the resealing & straightening of the Kubon Head Stone from the wind storm of a few weeks ago at the Fruitland Township Cemetery. Mrs. Hart provided the township with a copy of the invoice from Muskegon Monument & Stone Co. for the work performed.

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to authorize payment to Judy Hart for resealing and straightening of a headstone disrupted from tree damage at the Fruitland Township Cemetery in the amount of \$75.00.

FRUITLAND TOWNSHIP AUGUST 15, 2011 REGULAR MEETING MINUTES

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**

3. Dry Hydrant Material Reimbursement to WLFA –

Motion by Clerk Rillema, second by Trustee Bole, **ADOPTED**, to authorize payment to the White Lake Fire Authority for the Dry Hydrant materials purchased for the Scenic Drive Road End Dry Hydrant and Marcus Park Dry Hydrant installations in the amount of \$1,463.27.

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**

DISCUSSION: The Board of Trustees discussed this expenditure for the dry hydrants installed, but are disappointed that funds were needed from the township for a fire department use.

4. Resolution Opposed to Incorporation as a Charter Township –

**FRUITLAND TOWNSHIP
RESOLUTION 2011-16
OPPOSED TO INCORPORATION AS A CHARTER TOWNSHIP**

WHEREAS, the Township of Fruitland received certification that the township has a population of 2000 or more according to the most recent United States Census and is therefore eligible to be incorporated as a charter township under the provisions of section 3a of the Charter Township Act, 1947 PA 359 (MCL 42.3a), and;

WHEREAS, the Board of Trustees is opposed to incorporating as a charter township, and;

WHEREAS, a copy of Resolution 2011-16 will be filed for information purposes only with the Department of State stating our opposition, and;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees is opposed to incorporating Fruitland Township as a Charter Township.

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, Resolution 2011-16 Opposed to Incorporation As A Charter Township.

Upon a roll call vote, with all members present, the members voted as follows:

“**AYE**”: Trustee Bole, Treasurer Wilks, Clerk Rillema, Trustee Binns, Trustee Deur, Trustee Bard, Supervisor St. Amour

“**NAY**”: None

“**ABSENT**”: None

BE IT RESOLVED THAT, Resolution 2011-16, Opposed To Incorporation As A Charter Township was adopted at the August 15, 2011 Regular Meeting of the Township of Fruitland.

Karolyn Rillema, Clerk
Township of Fruitland

5. Board Comments – No board comments.

ADJOURNMENT –

Motion by Treasurer Wilks, second by Trustee Bole, **ADOPTED**, to adjourn the August 15, 2011 Regular Meeting of the Township of Fruitland at 7:55 PM.

Upon Voice Vote: **7 AYES**

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland