

**FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
SEPTEMBER 21, 2015
MINUTES**

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

ALSO PRESENT – (3) three interested parties.

CALL TO ORDER – Supervisor St. Amour called the Monday, September 21, 2015 Regular Meeting to order at 5:00 PM. The pledge of allegiance and a moment of silence was observed.

AGENDA –

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the September 21, 2015 Regular Township Board Meeting Agenda.
Upon Voice Vote: 7 AYES – motion carried

PUBLIC COMMENT – There was no public comment.

MINUTES –

Motion by Clerk Rillema, second by Trustee Bard, **ADOPTED**, to accept the August 10, 2015 Work Session Minutes, August 17, 2015 Regular Meeting Minutes and August 26, 2015 Special Meeting Minutes.
Upon Voice Vote: 7 AYES – motion carried

Trustee Hampel requested a clerical correction of the work spoke to spoken in the August 17, 2015 Regular minutes which will be corrected by Clerk Rillema.

RECEIPTS & DISBURSEMENTS –

Motion by Treasurer Beegle, second by Trustee Deur, **ADOPTED**, to accept the Receipts of \$105,213.92 and Bank Balance and Certificate of Deposits of \$1,288,350.24 for the period of August 1, 2015 through August 31, 2015 as reported by Melissa Beegle, Fruitland Township Treasurer and approve General Fund 101 Disbursements in the amount of \$51,358.72, Fund 130 Disbursements in the amount of \$531.37 and Fund 140 in the amount of \$779.99 for the period of August 1, 2015 through August 31, 2015 as reported by Karolyn Rillema, Fruitland Township Clerk.
Upon Voice Vote: 7 AYES – motion carried

ANNOUNCEMENTS/COMMUNICATIONS – Supervisor St. Amour inquired if we are interested in participating again in the five-township tire grant. The Board was favorable. The Muskegon County Board of Commissioners will be hosting their October 15, 2015 meeting here at Fruitland Township at 4:00 PM. Supervisor St. Amour encouraged the Board of Trustees for

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their attendance on the 15th. The Sable Points Light House Keepers Association has requested to update the signage at the White River Light Station to read owned by Fruitland Township and operated by SPLKA. Supervisor St. Amour stated he received communication requesting our support of the Michigan Good Foods Fund by attending an upcoming meeting on the 23rd at the Hilt Building. The water policy potential lawsuit by Muskegon County versus Laketon, Dalton and Fruitland Townships was dropped, however a lawsuit from Muskegon Charter Township versus the County may be forthcoming. The lawsuit of Laketon, Dalton and Fruitland Townships versus Muskegon Charter Township for non-payment of hydrant fees continues. Lynn Knopf contacted Supervisor St. Amour regarding an invasive species known as Oriental Bittersweet growing at the McMillan Road End. She is willing along with volunteers from the Muskegon Conservation District to remove. The board verbally okayed the removal of such.

COMMITTEE/BOARD UPDATES –

- Planning Commission – Trustee Deur reported that the Planning Commission met on 3rd of September. A Public Hearing was heard for a site plan review amendment from Parkland Acquisition Three LLC for a temporary special events tent for the summers of 2016 & 2017. An earlier amendment to the site plan was approved for the special events tent for the summer of 2015 only. No objections were filed and the request was approved. A request from Faulk & Foster on behalf of Verizon Wireless for a 6 month extension for the Special Land Use permit approved August 18, 2014 was granted as time was of the essence for construction of the tower. Trustee Deur reported that the red-line version of the Master Plan will be given to each Board of Trustees and each will be assigned a Planning Commissioner for questions/answers if needed.
- Zoning Board of Appeals – Clerk Rillema reported that the Zoning Board of Appeals met on September 14, 2015 for Applicant Gregory Butzer, 4752 Bluff Road, parcel #61-06-275-000-0014-00 who requested a variance from Article III, General Provisions, Section 3.08 Accessory Buildings and Uses to allow a greater maximum square footage than is allowed. The Zoning Board of Appeals granted the variance with a vote of 4-1.
- White Lake Fire Authority – Treasurer Beegle reported that the Authority met twice this month – the 9th for the Public Hearing on the budget and the 16th in which the budget was approved. Captain McCarthy has been placed on light duty. The White Lake Fire Authority Fire Prevention Annual Open House is scheduled for Saturday, September 26th from 3:00 PM – 6:00 PM at Fruitland Township Hall.
- Parks & Recreation – Supervisor St. Amour stated that the board was tasked to review the Parks & Recreation Master Plan and have their suggestions for tonight's meeting. Trustee Hampel was selected to gather the suggestions and put into one document to present to the Parks & Recreation Commission. The trustees should forward all to her.

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to suspend for open floor comments from audience member Matthew Johnsen, 2936 Nestrom Road at 5:20 PM.

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

Mr. Johnsen wanted to inform the board that the public appreciates and uses the road ends in Fruitland Township.

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to unsuspend from open floor comments at 5:22 PM.

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

OLD BUSINESS –

1. Zellar Road – Quote/Cleanup White Lake Drive to Michillinda – Supervisor St. Amour detailed breakdown from Paul Bouman of the MCRC for the proposed Zellar Road project for 2016. The road work component of this project being funded by Federal monies of \$310,000.00. Culvert replacements/removals, approaches, embankment, excavation, driveway slope restoration, ditch cleanout, mobilization and traffic control are estimated at \$101,330.00 for all culverts and estimated at \$93,470.00 for critical culvert replacement. An additional \$38,250.00 is estimated for the clean out of the ditch along Michillinda Road and south along the drain outlet easement between the Morningstar/St. Amour boundary lines. The board agreed that the cost of the culvert replacement should be funded by the residents in that district at an estimated cost of \$50,980.00 through a potential special assessment district and the balance of \$88,600.00 be funded by Fruitland Township from the Road Fund 120. There are approximately 29 culverts involved in this project. Supervisor St. Amour was tasked to start the process of a Special Assessment District. He will contact Attorney Even for details.

NEW BUSINESS -

1. White Lake Environmental Network (WLEN) – Supervisor St. Amour stated that comments from the work session will result in him writing a letter to the White Lake Environmental Network that we are not interested in joining at this time due to our relationships with other groups in our area that are currently performing some of the same tasks they intend to pursue. Fruitland Township would like to receive the WLEN minutes and evaluate any input on a project by project basis. He will request that should an issue arise that would involve Fruitland Township that we be notified.
2. Lake Michigan Water Trails Network –

Motion by Trustee Rissi, second by Treasurer Beegle, **ADOPTED**, Resolution 2015-21 Lake Michigan Trails Network.

*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***

3. Wastewater Budget – Supervisor St. Amour stated that the local wastewater committee recommended to the Muskegon County Public Works to not increase the wastewater rates

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as proposed at 4.9% as they feel the fund balance level is adequate. The Muskegon County Ways and Means Committee approved the budget at a 3.5% increase unfortunately. There is no recourse.

4. Buoy Ordinance – Trustee Deur stated that this was brought up a while ago about the ownership/liability of the White Lake Association taking responsibility for the “no-wake” buoys near the White Lake Channel and Whitehall/Montague narrows.

Motion by Trustee Deur, second by Supervisor St. Amour, **ADOPTED**, to suspend for open floor comments from audience member Tom Thompson at 5:50 PM.

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

Mr. Thompson gave a brief history of how the placement of the buoys came into existence and the ordinance adopted by the four municipalities regarding the slow-no wake zone on White Lake. The White Lake Association has been performing the replacement of the buoys and installation and takeout each year of them. Due to the cost of liability insurance, the WLA wishes to relinquish ownership/control of the buoys and is asking the four municipalities involved (Fruitland, White River, City of Montague and City of Whitehall) to assume ownership of the buoys.

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to unsuspend from open floor comments at 5:58 PM.

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

A letter will be written to the White Lake Association informing them of our ownership and request their help in the installation and takeout each year of the two buoys in our jurisdiction. Supervisor St. Amour will consult with our insurance carrier regarding our intentions.

5. PINS Invoice – Clerk Rillema stated that after the work session where it was stated that an increase of \$1,614.44 was due from Fruitland Township for an increase of expenses for the PINS contract, she and the Clerk of Whitehall Township scoured the report and contacted Christian Toebe, Administrative Analyst for the Muskegon County Sheriff’s Office regarding a discrepancy in the revenues shown received. A call later informed us that there was an error and a refund would now be owed. No motion at this time was needed.
6. Board Comments – Clerk Rillema stated that the audits of the White Lake Ambulance Authority for fiscal years ending 2014 and 2015 were received today in the mail. Trustee Deur would like to review those documents. Treasurer Beegle stated that summer tax collection was at approximately 94% collected and continue to trickle in. Trustee Hampel stated that at the Duck Creek Watershed meeting on the 15th, Val Rissi was elected secretary and Glen Hayden was replaced as Chair by Lynn Knopf. The Duck Creek water sampling is scheduled for the first two weeks of October. They are awaiting the public hearing date on the Michigan Adventure wastewater permit from the DEQ.

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Trustee Deur inquired if any information had been received from Cindy Larson of the Muskegon Chamber of Commerce on the Muskegon Lakeshore Image Campaign. Supervisor St. Amour, Clerk Rillema and Treasurer Beegle reported no. He will forward the information he received for our review.

ADJOURNMENT –

Motion by Trustee Bard, second by Treasurer Beegle, **ADOPTED**, to adjourn the September 21, 2015 Regular Meeting of the Township of Fruitland at 6:10 PM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland

