

**FRUITLAND TOWNSHIP
WORK SESSION
MARCH 13, 2017 MINUTES**

PRESENT: Trustee Hampel, Trustee Bard, Trustee Holman, Treasurer Beegle, Trustee Cisneros, Clerk Rillema, Supervisor Jeske

ALSO PRESENT: Attorney Even and (2) two interested parties.

CALL TO ORDER: Supervisor Jeske called the Monday, March 13, 2017 Work Session of the Township of Fruitland Board to order at 10:00 AM at the township hall and led the pledge of allegiance.

AGENDA:

Motion by Trustee Bard, second by Trustee Holman, **ADOPTED** to amend the March 13, 2017 work session agenda by changing the date and adding two additional FOIA appeal requests to Old Business D.

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

PUBLIC COMMENT:

- 1) Greg Kruse, 5617 S. Shore Drive – Presented Clerk Rillema with a complaint for prior citations involving Muskegon County Sheriff Department Deputy Ashker and prior Supervisor St. Amour dating back to 2013.

MEDICAL MARIJUANA PRESENTATION – Muskegon County Prosecutor D.J. Hilson was unable to make the meeting due to a mix up on the dates. He will be speaking at the regular meeting on the 20th of March.

ANNOUNCEMENTS/COMMUNICATIONS: There were none.

OLD BUSINESS:

1. Nestrom Road Paving Project – Treasurer Beegle stated that the project is scheduled to begin late April 2017. MCRC since the public meeting in February will be contributing 25% instead of 20% which will lower the % to be paid by the residents of the assessment district. A resolution will be prepared for the Monday regular meeting to set the roll for the assessment district. One additional public hearing will need to be scheduled in April to hear objections on the assessment roll and allocated costs.
2. Ecology Station Committee Report – Trustee Cisneros stated that the committee met again to discuss flow. Conversation regarding whether an additional drive is needed was discussed if an additional seasonal attendant were employed. Treasurer Beegle suggested that the committee speak with Attendant Sorenson to gain further information and his experience of working there.
3. FY 2017-2018 Proposed Budget – Supervisor Jeske asked the board for comments on the proposed budget. Parks & Recreation Commission Dept. 691 was discussed in depth

with concerns about supporting the Sports-n-Shorts program which has been declining over the last few years in participants and the proposed Capital Projects presented to us by the Parks & Recreation Commission last work session. Parks & Recreation Chair Knopf was present and discussed the commission's requests for projects. Supervisor Jeske polled the board for continued support to the Sports-n-Shorts program which failed. Supervisor Jeske will contact White Lake Community Education regarding our decision to drop the program. Discussion on the Repairs and Maintenance will be increased due to withdrawing from Sports-n-Shorts by \$400.00. Supervisor Jeske also polled the board about the proposed disc golf course at Nestrom Park – Four of the seven were in agreement to keep it in the budget but with more information necessary before proceeding (potential agreement with the Whitehall Disc Golf Club, number of hours expected for leagues, maintenance fund and responsible party for monies collected from donation box). The Board of Trustees encouraged the Parks & Recreation Commission to focus on updating the playground equipment and the tennis courts at Nestrom Park for 2018/19. Discussion of the need for better communication was also encouraged between both boards.

4. Greg Kruse FOIA Appeal Requests –

Motion by Trustee Bard, second by Trustee Holman, **ADOPTED**, to deny Mr. Kruse of his FOIA appeal request dated February 22, 2017 stating the Coordinator was ignoring policies and guidelines adopted July 1, 2015 as two responses were emailed to Mr. Kruse. The first response emailed on November 14, 2016 stating that because he had outstanding FOIA fees he would need to advise how he was going to resolve those prior to receiving his latest request and the second email was dated November 21, 2016 for permission to inspect the same documents in person – no response was received from him on either.

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

Motion by Trustee Bard, second by Trustee Holman, to deny Mr. Kruse of his FOIA Appeal for 4058 W. Michillinda Road dated March 7, 2017 stating that the Coordinator has chosen not to furnish requested binding document as Clerk Rillema scheduled a time for Mr. Kruse to review the file on March 7, 2017 in which an additional signed document by Building Official Rod Siegel does not exist after December 17, 2017.

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

Motion by Trustee Bard, second by Trustee Holman, to deny Mr. Kruse of his FOIA Appeal for 1424 Duck Lake Road dated March 7, 2017 stating that the report does not contain requested IPMC required inspection report as Building Official Chris Hall prepared a written document dated December 28, 2016 to Supervisor Jeske with his findings. Building Official

Hall had in his possession the written inspection form he completed on his inspection in which he emailed to Clerk Rillema on March 7, 2017 to put in the file. A scan was emailed to Mr. Kruse for his review.

Upon Voice Vote: 7 AYES – motion carried

NEW BUSINESS:

1. 2017 Road Brine (Muskegon County & D&B Brine, Inc.) – Supervisor Jeske stated that in recent years, D&B Brine completed the brining for the township and the board had opted out of the Muskegon County Road Commission. The board would like to continue with D&B Brine at a cost of \$420.00 per mile and opt out of the MCRC Local Road Brining Program at a cost of \$737.50 per mile.
2. 2017 Local Road Project Contract – Supervisor Jeske received the 2017 road improvement contracts for Worden Road (between Tyler & McMillan Road) and Riley Thompson Road (between Whitehall Road & Gibson Road) for dura patching, hot patching, intermittent ditching, berm removal, shoulder work, sweeping, wedge, chip seal, fog seal and overlay at a total cost to the township of \$56,173.09 which is 50% of the total cost of \$112,346.
3. PINS Agreement Analysis – Supervisor Jeske and Clerk Rillema met with Sheriff Poulin to discuss the 2017/18 PINS agreement. A new vehicle is scheduled to be leased this year for our officer. We will be receiving an increase of approximately \$4000.00 in our contract for this fiscal year. Attorney Even was asked to review and make language changes in the Indemnity and Liability Insurance section of the contract.
4. Township Hall Cleaning Estimates (Hires Cleaning & Batka’s Cleaning Services’) – Supervisor Jeske received three quotes for cleaning of the township hall and offices. Two of the three were \$70.00 per cleaning and the third was \$150.00 per cleaning. The office staff has noticed some complacency in the cleaning and is willing to try a new cleaning service.

BOARD COMMENTS/DISCUSSION:

Supervisor Jeske received an anonymous complaint regarding the yard waste on property lines between 5617 & 5601 S. Shore Drive. Clerk Rillema and Attorney Even explained a past court hearing on this same issue and results from same. Unfortunately, the township cannot do anything about the yard waste/stick fence as it is considered grandfathered. Trustee Holman provided an overview of the last planning commission meeting. Parcel number 61-06-013-100-0008-00, 5333 Scenic Drive, Applicant William Josephson on behalf of owner Dennis Hughes DBA White Duck Market, requested a Site Plan Review according to Article XV Site Plan Review, to construct an addition to existing building for storage in the Neighborhood Commercial District. The site plan was approved by the Commission. Treasurer Beegle reported that 96% of taxes have been collected and settlement with the County has been balanced for 2016. Clerk Rillema stated that Fruitland Township was granted the order on March 3, 2017 by Circuit Court Judge Annette R. Smedley to go onto 4790 Bard Road for the purpose of abating the public nuisance that exists on the Property and to demolish the building and/or structure, haul away

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all debris and parts thereof and level the property. Supervisor Jeske polled the board to see how they wanted to proceed with the cleanup. The board was unanimous that Press's be contacted to do the cleanup. Clerk Rillema stated that Board of Review members, Bob Pachman and Kimon Kotos's appointments would need to be ratified at the regular meeting as their terms expired December 31, 2016 along with members of the Construction Board of Appeals. Clerk Rillema updated the board on the progress of the Duck Creek Natural Area Planning Committee. The survey information was mailed out with the 2017 Assessment notices and is available hard copy in the township hall. Approximately 100 surveys have been submitted to date. Two public meetings have been scheduled at the township hall for public input – April 19, 6:30PM – 8:00 PM (listen to initial proposal, reveal survey results and question & answer) and June 21, 2017, 5:00 PM – 7:00 PM (public to interact with maps which they can place stickers on potential bench placements, trail locations, creek crossing locations, etc). Clerk Rillema also stated that Attorney Even was reviewing the Pro-Med Contract and also the Charter Communications Franchise Agreements. Trustee Hampel stated that the Friends of the Fruitland Township Multipurpose Trail committee will be participating in the Earth Fair Expo at Montague High School on April 22, 2017 and she hopes to gain additional membership which is currently around 25 persons. Attorney Even stated that resident John Ruck, retired Attorney/Judge of Muskegon County is interested in serving the township on a committee/board. Trustee Cisneros stated that he will be absent from Monday's meeting due to a vacation.

Motion by Trustee Holman, second by Trustee Cisneros, ***ADOPTED***, to adjourn the March 13, 2017 work session at noon.

Upon Voice Vote: 7 AYES – motion carried

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland