

**FRUITLAND TOWNSHIP
WORK SESSION
AUGUST 14, 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, August 14, 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** the amended August 14, 2017 work session agenda by adding under Closed Session – White Lake Ambulance Authority update.
Upon Voice Vote: 7 AYES - motion carried

PUBLIC COMMENT:

- 1) Janet Varney, 5144 W. Bard Road – stated that she does not believe the township should sell any of its property without allowing everyone an opportunity to purchase.
- 2) Justin McKee, 2113 Orshal Road – stated that he inquired about the potential purchase of the Nestrom Road Township owned property. He would like to build a single family dwelling on the 20 acres.

ANNOUNCEMENTS/COMMUNICATIONS: Supervisor Jeske stated that she received the July 2017 PINS Stats showing 39 property checks, 103 calls for service, 31 traffic stops, 38 reports and 4 traffic crashes for the month. She also reported that the River Road MCRC project is to commence early September and be completed early November and that they are busy wrapping up their other road projects. All members of the Board of Trustees received a letter sent to their homes from Sheila Cromley regarding the Disc Golf Course. Attorney Even agreed that no response was necessary as it is under the jurisdiction of the Parks & Recreation Commission. A letter was received from Nick Hardy regarding an incident that occurred regarding identification on Saturday, July 22 at the Ecology Station. Supervisor Jeske has spoken to Mr. Hardy and the matter is closed.

OLD BUSINESS:

1. Township Asset Requirements – Supervisor Jeske stated that the Board of Review amended and approved the poverty exemption guidelines by adding (3) Under no circumstances shall a hardship exemption be granted to any applicant who owns any interest in marketable buildable real estate in addition to their principle residence. A motion will be prepared for the Monday Regular meeting.
2. Fire Code Ordinance Amendment – Supervisor Jeske stated that the Planning Commission approved and recommends adoption of the 2015 edition of the

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International Fire Code by the Board of Trustees. A motion will be prepared for the Monday Regular meeting.

3. Proposed Ordinance Amendments – Supervisor Jeske stated that the Planning Commission also approved and recommends adoption of the following zoning ordinance amendments:
 - Article II, Definitions
 - Section 2.07 – Fence Design & Type
 - Article III
 - General Provisions, Section 3.08, Accessory Buildings and Uses – D
 - General Provisions, Section 3.11, Fences, Walls, Hedges, Berms & ScreensA motion will be prepared for the Monday Regular meeting.

NEW BUSINESS:

1. 2016-17 Fiscal Year Audit Report – Supervisor Jeske stated that Eric VanDop of Brickley DeLong, will present the 2016-17 audit report at the Monday Regular meeting.
2. Release & Discharge of Right-of-Way – SAXE Drain – Attorney Even drafted a release and discharge of right-of-way between Charles E. Silky Jr and the Township of Fruitland recorded on June 2, 1987. The ditch is in the SAXE Drain district.
3. Borgman Tree Service Tree Removal Bid – White River Light Station – Supervisor Jeske received a concern regarding a large dead maple on the White River Light Station grounds near the newly renovated outbuilding. Borgman Tree Service provided a quote in the amount of \$1,400.00 to remove, stump and haul away the tree debris. A motion will be prepared for the Monday Regular meeting.
4. Invoice from Rose & Rose – Northside Water Policy Board Appeal – Supervisor Jeske stated that she was anticipating an invoice in the amount of \$13,855.07 for attorney costs for the appeal filed on behalf of the lawsuit against Muskegon Charter Township and Dalton, Laketon and Fruitland Townships'. The Northside Water Policy Board will not approve payment of the attorney costs for the appeal. Supervisor Jeske suggested the invoice be split into thirds – approximately \$4,618.36 per township. Clerk Rillema suggested that the attorney fees be divided by % of hydrants in each township – approximately \$543.34 (Fruitland Township), \$4,988.81 (Dalton Township) and \$8,322.92 (Laketon Township). The board supported the latter payment schedule and tasked Supervisor Jeske and Attorney Even to meet with the other two townships to discuss payment schedule.

CLOSED SESSION –

Motion by Trustee Holman, second by Treasurer Beegle, **ADOPTED**, to go into closed session to consider legal opinion on selling township property and an update on the White Lake Ambulance Authority litigation at 10:30 AM.

Roll Call Vote: Trustee Hampel **AYE**, Trustee Bard **AYE**, Trustee Holman **AYE**, Treasurer Beegle **AYE**, Trustee Cisneros **AYE**, Clerk Rillema **AYE**, Supervisor Jeske **AYE** – **motion carried**

CLOSED SESSION

Motion by Trustee Bard, second by Treasurer Beegle, **ADOPTED**, to come out of closed session at 10:47 AM.

Roll Call Vote: Trustee Hampel **AYE**, Trustee Bard **AYE**, Trustee Holman **AYE**, Treasurer Beegle **AYE**, Trustee Cisneros **AYE**, Clerk Rillema **AYE**, Supervisor Jeske **AYE** – **motion carried**

Supervisor Jeske announced to the audience that the board would be reviewing the history of how vacant property 61-06-132-300-0003-00 was obtained, if any restrictions were placed at the time of acquisition and if the board wished to continue with selling, they would seek a bid process. Treasurer Beegle was tasked with the research of such.

BOARD COMMENTS/DISCUSSION: Treasurer Beegle questioned Attorney Even regarding a question that was asked of her how the Township Board of Trustees could obtain jurisdiction over the Disc Golf Course. Attorney Even responded by stating that the Parks & Recreation Commission would need to rescind jurisdiction to the Township Board and the Township Board would need to accept. Supervisor Jeske suggested that an amendment to the Parks & Recreation Commission's By-laws be recommended to them to add language to be able to remove a chairman, vice-chairman and secretary of the Commission for just cause at any time. The board okayed the language presented. Supervisor Jeske will forward the amended By-laws to the Parks & Recreation Commission for their consideration. Supervisor Jeske also questioned if Fruitland Township is protected from allowing any medical marijuana facilities with the current Article 14 Medical Marijuana Dispensary Ordinance. Attorney Even recommended that she contact Chairman David Roesler of the Planning Commission for his comments. Trustee Hampel shared what she learned at the MTA Trustee Conference last week in Frankenmuth. She left the conference rejuvenated and enthusiastic about continuing to serve the public. Clerk Rillema updated the Board of the Duck Creek Natural Area Steering Committee's progress and that a formal presentation to the Parks & Recreation Commission and Board of Trustees was expected in October. Clerk Rillema also communicated that a letter of receipt for the firework donation was received from the Montague-Whitehall Rotary Club. Trustee Bard inquired if anyone knew why the bodies of water in the North Muskegon Causeway were drained. Supervisor Jeske stated that they were removing invasive species through a grant through the West Michigan Shoreline Regional Development Commission (WMSRDC).

Motion by Trustee Bard, second by Treasurer Beegle, **ADOPTED**, to adjourn the August 14, 2017 work session at 11:07AM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland