

**FRUITLAND TOWNSHIP BOARD
WORK SESSION
SEPTEMBER 13, 2010
MINUTES**

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

ALSO PRESENT: Attorney Eklund and three (3) interested parties.

CALL TO ORDER: Supervisor St. Amour called the Monday, September 13, 2010 Work Session of the Township of Fruitland Board to order at 10:08 AM at the township hall.

AGENDA: Accept or amend the Monday, September 13, 2010 Agenda.

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the September 13, 2010 Work Session Agenda.

*Upon Voice Vote: **7 AYES***

PUBLIC COMMENT:

- 1) Gail Donovan, 5629 Murray Road – Asked the Board to enforce ordinances on the house at 5623 Murray Road as it proceeds to be built not from the original footprint.

SPECIAL GUEST(S): Pam Witherell & Thelma Wolf asked the Board of Trustees to consider renaming Duck Lake State Park to honor former DNRE employee of 38 years to Jack Butterfield Duck Lake State Park. Ms. Witherell explained that Mr. Butterfield was instrumental in the addition of Duck Lake State Park to the Michigan State Park System and in the rebuilding of the Block House in North Muskegon. His leadership and commitment to the natural resources they feel are deserving of honoring him by adding his name to the Duck Lake State Park. Supervisor St. Amour stated that the Board of Trustees would discuss during board comments later in the meeting.

COMMUNICATIONS:

Supervisor St. Amour stated that a report received from MTA stated that the State of Michigan budget calls for a freeze in current total revenue sharing payments but may be contingent on approval of a new state retirement package. Several emails were received pleased with the accomplishment of the Scenic Drive paving work. An order form from the Muskegon Conservation District was received offering native perennials, potted trees, books and many other items for sale. Supervisor St. Amour announced that Trustee Bole resigned from the Zoning Board of Appeals, White Lake Fire Authority and the Citizens Advisory Regulatory Ordinance Committee. Alternate Zoning Board of Appeals member Penny Larson is interested in serving as a regular member if no one is interested from the Board of Trustees. Treasurer Wilks has agreed to serve on the White Lake Fire Authority board and Supervisor St. Amour stated that the Citizens Advisory Regulatory Ordinance Committee will be put on hold until after the first of the year.

OLD BUSINESS:

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1. Marcus Dunes Development – A copy of a letter dated August 20, 2010 to Marcus Dunes Development from Fire Marshal Novak states that the stop work order on Sheltering Way has been removed.
2. 1562 Duck Lake Road – Attorney Eklund stated that he received the signed Restrictive Covenant Agreement and will take care of getting it recorded on file and will dismiss the lawsuit with the court.
3. 5623 Murray Road – Attorney Eklund stated that no information has been received from the Michigan Court of Appeals at this time.
4. Condemnation Hearings – Supervisor St. Amour stated that 6168 & 6188 Murray Road has been sold and permits have been issued for the two buildings to be torn down. The properties on Nord Road have now complied with the necessary repairs but unfortunately a letter written by Supervisor St. Amour has been written because of a violation of the junk ordinance.
5. Township Property – Attorney Eklund has prepared a contract with Wilson Forestry for the harvesting of some of the township property. A motion will be prepared for the Monday Regular meeting for approval to contract with Wilson Forestry.
6. Moratorium for the Sale or Dispensation of Medical Marijuana – Discussion led to task the Planning Commission to work on regulations to ensure that medical marijuana is controlled in some fashion.
7. Ordinance Enforcement – Supervisor St. Amour stated that the property owner of 1490 W. Duck Lake Road plead guilty. The court ordered 60 days to cleanup. The next scheduled court date is November 2, 2010.
8. Secretary/Receptionist Position – Treasurer Wilks stated that Clerk Rillema, Trustee Bard and herself will be interviewing six candidates on Wednesday, September 15, 2010.
9. Camera/Recording System – Trustee Bole will forward the information he has gathered to Supervisor St. Amour to include with the Monday Regular meeting packet.
10. White River Light Station – Supervisor St. Amour stated that the gutter/sidewalk repair work will be coordinated through Morden Construction. A motion will be prepared to approve the gutter repair from A-1 Gutter Co., LLC in the amount of \$837.00 and sidewalk repair from Morden Construction in the amount of \$1,035.00. Supervisor St. Amour will work with Curator McDonnell in the off season to update the deeds of donation and loan agreement forms for artifacts at the White River Light Station. Treasurer Wilks will schedule a time to review the WASP software program used at the museum with Curator McDonnell. Reports provided from the Curator do not balance with the general ledger. Treasurer Wilks will report at the October work session. The Friends of the White River Light Station are willing to negotiate a contract to help fund the White River Light Station. Supervisor St. Amour will collaborate with Betsy Grein to discuss a proposal for review.
11. Uniform Traffic Code Enforcement Status – Attorney Eklund stated that letters were sent to the Muskegon County Sheriff and to the courts stating that Fruitland Township has adopted

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the uniform traffic code effective August 24, 2010. Attorney Eklund has the documents nearly completed that need to be on file in the office at Fruitland Township.

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to suspend for a break at 11:25 AM.

Upon Voice Vote: 7 AYES

Motion by Trustee Bard, second by Trustee Binns, **ADOPTED**, to unsuspend from the break at 11:30 AM.

Upon Voice Vote: 7 AYES

NEW BUSINESS:

1. Hazard Mitigation Plan for Muskegon County and Constituent Local Governments – Supervisor St. Amour stated he received a letter from the Muskegon County Sheriff's Office asking Fruitland Township to send a letter to the Emergency Management and Homeland Security Division of the Michigan Department of State Police stating that it intends to participate in the County Hazard Mitigation Plan Update being prepared by the West Michigan Shoreline Regional Development Commission. Fruitland Township will work with the Muskegon County's Emergency Management Director and WMSRDC to provide guidance and input during the plan update. A motion will be prepared for Monday's Regular meeting for approval to send such letter.
2. Sale of Township Land – Trustee Deur stated that the Land Conservancy of West Michigan is seeking to acquire land in Fruitland Township. Discussion led to tasking Supervisor St. Amour to research the property on Duck Lake Road behind the Maintenance/Fire Station buildings.
3. McMillan Road End – Supervisor St. Amour has received an inquiry about illegal dumping at the road end. He and Clerk Rillema walked the road end and found no evidence of any illegal dumping. Supervisor St. Amour provided pictures of the hillside and fence that has been broken in areas due to climbing over by the public.
4. Parks & Recreation Commission – Trustee Binns stated that a copy of the additions/deletions that Trustee Deur and she worked on for the draft Parks & Recreation Master Plan will be forwarded to Supervisor St. Amour for the Monday Regular meeting packet. Supervisor St. Amour has been given authorization to dispose of the old playground equipment. A request for additional parking at Marcus Park along Scenic Drive has been asked of the Board of Trustees. Supervisor St. Amour was tasked to investigate with the proper agencies if this is possible. Supervisor St. Amour stated that the Parks & Recreation Commission is working on agreements with the Marcus Dunes and Winterwood Shores property owners for use of Duck Lake at Marcus Park Supervisor St. Amour also stated conversation of disbanding the commission have been considered. A special meeting of the commission to discuss the Marcus Park agreements is scheduled for September 22, 2010 at 6:00 PM.
- 4.5 Citizens Advisory Residential Rental Committee – Trustee Deur stated that he would like to have Attorney Eklund discuss his opinion with the State Building Official's office regarding adopting or not adopting the International Property Maintenance Code. Discussion agreed to task Attorney Eklund to have a conversation with the State Building Official's office.

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5. Board Comments – Supervisor St. Amour received an email on how local governments are responding to fiscal, service and staffing pressures. Another report from the MTA states that because the House of Representatives may withhold the last revenue sharing payment to help close the current fiscal year shortfall. A viewpoint from Mlive of gubernatorial candidates Snyder and Bernero on transportation funding was also received. Discussion regarding the request of the name change for Duck Lake State Park to Jack Butterfield Duck Lake State Park did not have support from the Board of Trustees. Treasurer Wilks stated that 55% of the summer taxes were collected to date.

ADJOURNMENT:

Motion by Trustee Bard, second by Trustee Deur, ***ADOPTED***, to adjourn the Monday, September 13, 2010 Work Session of the Township of Fruitland at 12:14 PM.

Upon Voice Vote: 7 AYES

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland