

**FRUITLAND TOWNSHIP BOARD
WORK SESSION
APRIL 11, 2011
MINUTES**

PRESENT: Trustee Bard, Trustee Binns, Trustee Deur, Clerk Rillema, Treasurer Wilks, Supervisor St. Amour, Trustee Bole arrived at 10:20 AM.

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

CALL TO ORDER: Supervisor St. Amour called the Monday, April 11, 2011 Work Session of the Township of Fruitland Board to order at 10:00 AM at the township hall.

AGENDA:

Motion by Trustee Bard, second by Trustee Deur, ***ADOPTED***, to accept the April 11, 2011 Work Session Agenda.

Upon Voice Vote: **6 AYES 1 ABSENT**

PUBLIC COMMENT:

- 1) Doug Zwemer, 6335 Sheltering Way – Spoke to the Board of Trustees about the disappointment of the Parks & Recreation Commission’s unwillingness to continue talks about the issues with the agreement. Was concerned with the thought of the commission researching eminent domain because of the cost factor and is in hopes the Board will be able to weigh in on a solution.
- 2) Lee Holly, 6520 South Shore Drive – Spoke to the Board and Mr. Zwemer that he is currently working on developing a neighborhood partnership for the future of Duck Lake and would be willing to speak with Mr. Zwemer after the meeting.
- 3) Bill Traynor, 6305 Sheltering Way – Spoke to the Board of Trustees also about his concern of the behavior of a Commissioner at the last Parks & Recreation Meeting and also concerned with the eminent domain research. Mr. Traynor would like to see an agreement between all parties and feels with some communication between the Parks & Recreation Commission and Marcus Dunes, one could be reached.

ANNOUNCEMENTS/COMMUNICATIONS: Supervisor St. Amour stated that a pre-construction meeting for the Fred Meijer Berry Junction Rail Trail was going to be held on Wednesday, April 13, 2011 at the Muskegon County Road Commission. Fruitland Township Assessor Sue Bowen will be in the field reviewing and making corrections to Sections 1 – 10 of the township. Supervisor St. Amour also stated that Laketon Township is hosting a free electronics recycling event open to all on June 4, 2011 at Mullally Park.

OLD BUSINESS:

1. 5623 Murray Road – Attorney Eklund stated no information has been received for an appeal of the State Court of Appeals ruling.

FRUITLAND TOWNSHIP APRIL 11, 2011 WORK SESSION MINUTES

2. Ordinance Enforcement – Attorney Eklund stated that a motion was filed with the court to speak to the judge regarding his ruling. Supervisor St. Amour stated that the owner has taken out a permit to reside the home at the present time but has not completed the project. Supervisor St. Amour stated that a registered letter was sent to Mrs. Pyle of 3350 Bard Road allowing her until May 1, 2011 to have the boat removed. Mrs. Ball of 4540 Weber Road has been placed in assisted living and the home has been deemed unsafe. A condemnation hearing is set for April 25, 2011.
3. Rental Property Ordinance – Supervisor St. Amour stated that counsel advised him to abstain as he has rental property in the township. Trustee Bard stated that she is not for this ordinance and would like to see complaints handled through our current ordinances on a complaint only process. Trustee Deur stated that we are under State Law to enforce compliance with rental property conditions and is mainly concerned with whom is the responsible party to enforce and collection of any civil fines. Clerk Rillema questioned Attorney Eklund on Trustee Deur's concern of responsible party if a motion or resolution adopted by the Board of Trustees would suffice. Attorney Eklund's response was that it would be acceptable but is not so sure that the Building Code isn't already enforced by the Building Official/Inspector. Clerk Rillema also stated that she too would like to see the complaints handled through our current ordinances. Trustee Binns and Treasurer Wilks also feel that the few complaints received can be handled with our current ordinances. Trustee Bole arrived at 10:20 AM and stated that he did not feel it was necessary to adopt such ordinance.
4. McMillan Road End – Supervisor St. Amour stated Jeff Auch of the Muskegon Conservation District has not received any word from Alcoa regarding the grant.

NEW BUSINESS:

1. Muskegon County Wastewater System Master Contract – Supervisor St. Amour stated additional information or communication from developer Brad VanBergen has not been received to date.
2. WRLS – Sable Point Lighthouse Keeper's Association – Supervisor St. Amour stated that a meeting with Lakeshore Museum Center Director John McGarry, SPLKA Director Cindy Beth Davis-Dykema, and he would likely not take place until early May. Supervisor St. Amour stated that Director Cindy Beth Davis-Dykema of Sable Point Lighthouse Keeper's Association suggested a possible short term agreement to have the gift shop up and running for season 2011. Concerns and comments from the Board of Trustees were to keep revenues from WRLS Admissions and Gift Shop Revenue separate, time frame – this season only,
3. Muskegon Conservation District – Land Proposal – Supervisor St. Amour received parcel information from Jeff Auch of the Muskegon Conservation District. The two parcels of interest to purchase by the Conservation District are 3.5 acres on Lake Michigan with 75 ft of frontage Park and .5 acres on White Lake with 85 ft of frontage. The Board of Trustees is not interested in any donated property at this time and directed Supervisor St. Amour to inform Mr. Auch of this decision.

FRUITLAND TOWNSHIP APRIL 11, 2011 WORK SESSION MINUTES

4. Reduced or Free Dump Day 2011 – The Board of Trustees verbally okayed to host Discount Dump Day for the month of June 2011. Treasurer Wilks will oversee that the postcard is updated and mailed out to all property owners in Fruitland Township mid-May.
5. 61-06-545-000-006-00 River Road Property – Supervisor St. Amour stated that this parcel cannot be sold as it was given to us by the State of Michigan. He has informed the interested party.
6. Marcus Park – Supervisor St. Amour stated that the Parks & Recreation Commission will be presenting to the Board of Trustees an outline of scenarios with approximate costs of options for consideration on the Marcus Park-Marcus Dunes-Winterwood Shores dilemma..
7. Township Hall Cleaning – Clerk Rillema stated that she felt it was not in the best interest for her and Fruitland Township to continue cleaning the hall and would be requesting quotes for this cleaning.
8. Pier/Beach Area Request – Supervisor St. Amour received a request from resident Theresa Rowerdink for consideration of plastic baggies for dog waste, dogs on leash signage and designated fire pits on the beach south of the pier. An ordinance is in place for dogs to be on a leash in Fruitland Township. Fires/fire pits are permitted by White Lake Fire Authority. Consideration of placing plastic baggies for dog waste was discussed but because we don't patrol the beach for garbage, whose responsibility would it become to check and refill such baggies?
9. Forestry Update – Supervisor St. Amour stated that communication from forester David Wilson provided two options for payment of forestry to be scheduled in the fall or winter of 2011-12. The first quote is a lump sum of \$18,064.50.00 with ½ payment now or \$55.00 per ton for all the trees as they are cut and removed. Supervisor St. Amour will present a motion at the Monday Regular meeting for the option of \$55.00 per ton.
10. Proposed JPC Grant – Supervisor St. Amour stated that a request from the North Central Muskegon County Joint Planning Commission for a project cost of \$20,000.00 with grant monies of ½, along with ¼ from the five member municipalities and ¼ from JPC was received. The project consists of updating the Master Plan (\$7000.00), Combining Zoning Definition Development (\$10,000.00) and Combined Zoning District Development (\$3,000.00). Supervisor St. Amour stated that he received no support from our Planning Commission and no support from our Zoning Administrator. The Board of Trustees did not offer any support and directed Supervisor St. Amour to inform the JPC of the decision.
11. Maintenance/Grounds – Additional Help – Supervisor St. Amour asked the Board of Trustees to consider hiring an additional employee versus the seasonal help for the summer season to help perform duties if employee Don Underwood is off for an extended time again in the future. Supervisor St. Amour stated that he has spoken to Mr. Underwood about his absenteeism and that 30 day reviews will be conducted over the next several months to evaluate continued employment. Supervisor St. Amour tasked the Board of Trustees to consider options and forward on to him.
12. Board Comments – Clerk Rillema stated that a May 3, 2011 Election will be held and informed the Board of Trustees that the township hall will be closed for a two hour period

FRUITLAND TOWNSHIP APRIL 11, 2011 WORK SESSION MINUTES

on Tuesday, April 12, 2011 to attend the funeral of staff member Sally Dion's brother. A notice will be placed immediately after the meeting in the display case stating the closure. Trustee Deur inquired what the results of the straw vote on the Residential Rental Ordinance decision was and what steps would be taken to find out who is to enforce any future complaints. Supervisor St. Amour will research and advise the Board of Trustees at the Monday Regular meeting.

ADJOURNMENT:

Motion by Treasurer Wilks, second by Trustee Bard, **ADOPTED**, to adjourn the Monday, April 11, 2011 Work Session of the Township of Fruitland at 11:15 AM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland