

**FRUITLAND TOWNSHIP BOARD  
WORK SESSION  
MAY 9, 2011  
MINUTES**

**PRESENT:** Trustee Bard, Trustee Deur, Clerk Rillema, Supervisor St. Amour, Trustee Bole.

**ABSENT:** Trustee Binns, Treasurer Wilks – both excused.

**ALSO PRESENT:** Attorney Eklund and zero (0) interested parties.

**CALL TO ORDER:** Supervisor St. Amour called the Monday, May 9, 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: 5 AYES 2 ABSENT*

**PUBLIC COMMENT:** There was no public comment.

**ANNOUNCEMENTS/COMMUNICATIONS:** Supervisor St. Amour stated that communications received would be stated under New Business 8 – Board Comments.

**OLD BUSINESS:**

1. Ordinance Enforcement –
  - *1490 Duck Lake Road* – Attorney Eklund stated that the hearing was adjourned without a date due to the property owner's attempt to side his home as requested by a letter written by Supervisor St. Amour.
  - *3350 Bard Road* – After several attempts to contact property owner, Deputy Ashker was contacted to issue a ticket. Deputy Ashker reported that the owner was attempting to move the boat at his arrival. No ticket was issued. Supervisor St. Amour will follow up and report at the Monday Regular meeting.
  - *4540 Weber Road* – Supervisor St. Amour stated that the 2<sup>nd</sup> condemnation hearing is scheduled May 25, 2011 at 10:00 AM at the township hall. After this hearing and any decisions made, the property could be in violation of the accessory building ordinance. Supervisor St. Amour will keep the board abreast of the happenings of this hearing.
  - *4965 Duck Lake Road* – Supervisor St. Amour stated that Deputy Ashker ticketed the property owner prior and that it appears that cleanup is occurring.
  - *3043 Worden* – Supervisor St. Amour spoke to the property owner and gave him to the end of June to get the property cleaned up due to his recovering from surgery.
  - *2737 Scenic Drive* – Supervisor St. Amour stated that the property owner is working with the WLFA for a potential training scenario of the home removal. The WLFA will not burn the structure do to its proximity to an existing home and surrounding wooded area. Supervisor St. Amour will report any findings on the progression of such training.
  - Trustee Bard reported that the property of 1424 W. Duck Lake Road should be reviewed again for violation of the junk ordinance.

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### NEW BUSINESS:

1. Township Hall Cleaning – Clerk Rillema stated that three of four vendors solicited for quotes of cleaning the township hall were received. Quotes ranged from \$50.00 – 80.00 a week. A motion will be prepared for the Monday Regular Meeting.
2. Attorney Counsel – Supervisor St. Amour stated that the Board of Trustees should authorize through motion the services of Attorney Merica Stoffan whom has provided some legal assistance to the township this fiscal year. A motion will be prepared for the Monday Regular Meeting. Supervisor St. Amour stated that he has solicited for Request For Proposal for legal services from Attorney Eklund, Even & Franks, Attorney Bossenbrook and Attorney Cliff Bloom. Discussion of the proposals will take place at the Monday Regular Meeting.
3. Land Conservancy – Sale of Township Land – Supervisor St. Amour stated that it was not a good time for the lending of Windy Ridge’s equipment. Any suggestions from the Board of Trustees regarding the means of transportation for viewing the property off Orshal & Duck Lake Roads that is of interest by the Land Conservancy would be discussed at the Monday Regular Meeting.
4. Building Department – Request for Book Purchase – Clerk Rillema stated that a request from the Building Department for the purchase of the Michigan Uniform Energy Code 2009 was received. The cost is \$38.00. A motion for the purchase of such book will be presented at the Monday Regular Meeting.
5. Insurance Quotes – Supervisor St. Amour stated that the premium for our current insurance coverage will be increased by 28.9%. Several agencies have been solicited to quote our health insurance. Several agencies have also been solicited to quote our liability insurance. Our current agent stated that the liability insurance premium may be decreasing. Meetings are scheduled to review quotes.
6. Tire Disposal – Supervisor St. Amour stated that Dalton Township will no longer take our tires from the Ecology Station. Supervisor St. Amour asked if the Board would okay him to investigate other means of tire disposal and report back his findings. All in attendance were okay with his investigation and research.
7. Medical Marihuana Moratorium Ordinance 104 – Extension Request – Supervisor St. Amour stated that the Planning Commission has unanimously voted to ask the Board of Trustees for a six month extension of the Medical Marihuana Moratorium Ordinance 104. Trustee Deur stated that the moratorium expires in July 2011.
8. Board Comments – Supervisor St. Amour stated that a bridge near Simonelli Road & Todd Road was selected for repair using Federal grant dollars per the MCRC. Supervisor St. Amour responded to a question from Trustee Bole regarding if all Inspectors of Fruitland Township were up to date on their certificates from the March 31, 2011 Special Meeting by informing that copies of their up-to-date certificates are displayed in the front office. An email received from a resident regarding Discount Dump Day not benefiting those residents who do not qualify if there load is less than \$5.00. Supervisor St. Amour asked the Board to comment at the Monday Regular Meeting. A FOIA request was received and forwarded to

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Attorney Eklund to respond to. An individual requested all emails sent to the Supervisor for a time period of April 20 – April 27 and be sent electronically to him. Attorney Eklund has responded to the individual of the arrangement of delivery and costs associated with such. Supervisor St. Amour stated that our FOIA policy should be reviewed and updated to refer to electronic requests. Attorney Eklund further researched if any restrictions would be evident regarding Muskegon Conservation District obtaining property for the public's use. Language pertaining to public parks states a minimum of three (3) acres. A Special Use Permit or ordinance amendment would need to be adopted by the township for such use. Supervisor St. Amour stated that resident Mr. Al McCabe is questioning the lawfulness of language contained on our Homeowners Affidavit. Supervisor St. Amour contacted Attorney Eklund because of the extreme number of phone calls to various township staff and officials regarding such matter and has informed Mr. McCabe to contact Attorney Eklund who will be handling this matter on our behalf. Supervisor St. Amour explained the process of electronically emailing future agendas and contents related to upcoming meetings. This electronic agenda will be tried for efficiency and cost saving measures. Any suggestions are welcome. Supervisor St. Amour handed Attorney Eklund the forestry contract for his review prior to the Supervisor signing such contract.

Trustee Deur asked Attorney Eklund the steps to put forth a sewer ordinance because the Planning Commission heard from Developer Brad VanBergen on proposed site plans at its May meeting. Attorney Eklund and Supervisor St. Amour stated that it would be a Regulatory Ordinance and drafting such ordinance would require gathering information from Muskegon County Public Works Director John Warner and ACI Finance, Inc.

Clerk Rillema stated that the Supervisor and she attended the Muskegon County Apportionment Committee meeting on Wednesday, May 4, 2011. To view the plans for County Commission Districts visit [www.co.muskegon.mi.us/clerk/apportionment.htm](http://www.co.muskegon.mi.us/clerk/apportionment.htm). Clerk Rillema also stated that the fee schedule should be updated to reflect all fees for the township. The Treasurer and she will be working together on this fee schedule and present to the board at a future date.

### **ADJOURNMENT:**

Motion by Trustee Deur, second by Trustee Bard, ***ADOPTED***, to adjourn the Monday, May 9, 2011 Work Session of the Township of Fruitland at 10:45 AM.

*Upon Voice Vote: **5 AYES 2 ABSENT***

Respectfully Submitted,

Karolyn Rillema, Clerk  
Township of Fruitland