

**FRUITLAND TOWNSHIP BOARD
WORK SESSION
JULY 12, 2010
MINUTES**

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

ALSO PRESENT: Zero (0) interested parties.

CALL TO ORDER: Supervisor St. Amour called the Monday, July 12, 2010 Work Session of the Township of Fruitland Board to order at 10:02 AM at the township hall.

AGENDA: Accept or amend the Monday, July 12, 2010 Agenda. Supervisor St. Amour asked for the following additions: NB #9 Parks & Recreation Commission – Master Plan, NB#10 Planning Commission – Driveway Standards and NB#4 – add employee, porta-jon and move Board Comments to NB #11.

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to amend the July 12, 2010 Work Session Agenda.

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

PUBLIC COMMENT: There was no public comment.

OLD BUSINESS -

1. 1562 Duck Lake Road – Supervisor St. Amour stated that Attorney Eklund has received communication from the property owner that they would like to avoid litigation and move forward on a restrictive covenant agreement.
2. 5623 Murray Road – Supervisor St. Amour stated that no communication has been received back from the Appellate Court.
3. Condemnation Hearings – Supervisor St. Amour stated that a potential buyer for 6168 & 6188 Murray Road could detain the final hearing date if the purchase is completed by July 16, 2010. An extension of fifteen days would be granted to submit plans for the back house if such sale is completed to avoid tear down. All other hearings are on schedule.
4. Township Property – Supervisor St. Amour stated that Attorney Eklund responded by email early this morning but he has not had a chance to look it over.

Supervisor St. Amour suggested asking Attorney Eklund to attend the Monday, July 19, 2010 Regular Meeting due to his absence today at the work session. All were in agreement.

5. Community Building Drain – Supervisor St. Amour spoke to Paul Bowman of MCRC and they are aware of the repair and will hopefully get it repaired soon.
6. Moratorium for the Sale or Dispensation of Medical Marijuana – Supervisor St. Amour stated that a recommendation from Attorney Eklund is do nothing at this time.

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7. Citizen's Advisory Regulatory Ordinance Committee – Two regulatory ordinances received back from the group are the Cemetery and Nestrom Road Park Ordinance. Discussion of those two ordinances occurred and will be presented in a motion at Monday's regular meeting. Supervisor St. Amour encouraged Trustee Bole to gather any additional ordinances that are ready to be reviewed by the Board of Trustees and pass them on to him for dispersing.
8. Adoption of Uniform Traffic Code – Supervisor St. Amour stated that he will ask Attorney Eklund to report his findings at the Monday regular meeting.

NEW BUSINESS –

1. Policies & Procedures – Clerk Rillema provided language to update the public comment section of our policies and procedures. She attended a seminar and received information that public comment should allow the public to comment on anything whether it is an agenda item or not to not discriminate. Attorney Eklund will be consulted for his comments. Supervisor St. Amour stated that the interview process was questioned in recent employment as to who appoints the interview committee and who can serve on the interview committee. Language will be developed and presented in a motion at the Monday regular meeting.
2. Ordinance Enforcement – Supervisor St. Amour stated that the ordinance violation ticket issued for 4540 Weber Road was removed by a Motion/Order of Nolle Prosequi due to extenuating circumstances involving other units of police enforcement. The address of 1490 W. Duck Lake Road was issued a junk ordinance violation ticket and the property is still not in compliance. The address of 1424 W. Duck Lake Road also was issued a junk ordinance violation ticket and is temporarily in compliance and has until September 1, 2010 to comply fully.
3. Plaques at Channel – Supervisor St. Amour talked with several members of the Corp. of Engineers and there is an application form, fee and other paperwork to be completed if such a request is granted by the township for the applicant to comply with. The Board of Trustees has concern with liability, responsibility of damage, placement of such plaques and setting precedent for future request.
4. White River Light Station – Supervisor St. Amour stated that a letter was sent to Fruitland Township from the Friends of the White River Light Station with a list of items that are on loan at the museum. Supervisor St. Amour tasked Curator McDonnell to sort through this list as these items were believed to have been “deeds of donation” to Fruitland Township from the Friends group. At this time, the free admission that the Friends of the White River Light Station granted certain levels of donations has been stopped. Attorney Eklund stated in an email that the general rule for townships is that they are not authorized to donate money to charities but can contract for services to provide services to the township. At this time, there is no contract in place. With the uncertainty of the future funding of the White River Light Station, no action on granting such donations will be done at this time. Clerk Rillema stated that the Parks & Recreation Commission is requesting budget amendments in account #'s 101-691-724.000 Postage for an increase of \$.61, #101-691-900.000 Printing & Publishing for an increase of \$89.75 and account #101-691-910.001 Health Insurance for a decrease of (\$545.60). Those will be added to the budget amendment listing for the Monday

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- regular meeting. Supervisor St. Amour stated that he continues to receive complaints about the overuse of the porta-jon at the White River Light Station parking lot. The Board of Trustees agreed to have an additional porta-jon delivered with an extra cleaning each week. Clerk Rillema will take care of scheduling the porta-jon for delivery. Supervisor St. Amour stated that since the jurisdiction turnover of the WRLS, he and Laura Shields met with Curator McDonnell. All communications between all parties will be done via email and will include all three of them. The matter of reimbursement for internet service at the WRLS was discussed, and the investigation continues.
5. Dock Request at Marcus Park – Supervisor St. Amour received a letter requesting a dock at Marcus Park to be placed on the agenda. The Board of Trustees did not feel such request should be granted as an agenda item at this time and that Public Comment is the appropriate area for this request.
 6. Secretary/Receptionist Position – Treasurer Wilks stated that an ad will go into the paper advertising for a replacement for Ericka DeCair whose last day of employment was on Friday, July 9, 2010.
 7. Budget Amendments – Clerk Rillema provided the Board with a spreadsheet of budget amendments necessary to make for first quarter. The list of amendments is largely due to the health insurance coverage premiums being lowered with the new insurance coverage. A motion will be presented at the Monday regular meeting to accept the budget amendments.
 8. Camera/Recording System – Supervisor St. Amour asked Attorney Eklund to review legalities if a camera/recording system were installed at the counter of the township hall. In a conversation that Supervisor St. Amour had with the Whitehall Police Department, it appears that it would be lawful to do one or both. The Board of Trustees will await Attorney Eklund's opinion.
 9. Parks & Recreation – Master Plan – Supervisor St. Amour stated that the Parks & Recreation Commission has re-sent their Master Plan for our approval. At first glance, changes regarding status of jurisdiction over the White River Light Station needs to be addressed and names in the organization chart needs updating. Both Trustee Deur and Trustee Binns will work on the language and present changes at the Monday regular meeting.
 10. Planning Commission – Trustee Deur stated that the Planning Commission approved new language on driveway standards and the commission has forwarded to the Board of Trustees for approval. Concerns were voiced on the width, materials required for the driveway and that it still does not comply with the WLFA standards which a pending case in Fruitland Township is still not settled. A motion will be presented at the Monday regular meeting.
 11. Board Comments – Supervisor St. Amour stated that he received communication from Michillinda Beach Lodge with their outdoor wedding schedule. There are five outdoor weddings scheduled for season 2010. Supervisor St. Amour asked if any one was interested in attending a wind turbine tour with Scandia Wind Offshore, LLC. No one was interested at this time. Clerk Rillema stated that she received one additional request for a budget amendment from the Parks & Recreation Commission for consideration of increasing account 101-746-900.000 Printing & Publishing in the amount of \$29.00 to order 1000

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WRLS brochures rather than 500. Clerk Rillema will add to the budget amendment spreadsheet. Trustee Binns mentioned that at Plumbs, Fruitland Township has a charge account with prior administration. Trustee Binns will obtain a new form to be completed. Treasurer Wilks reported that 2010 summer tax bills were sent out. Trustee Bole inquired about the status of maintenance employee Don Underwood. Supervisor St. Amour reported that Don is currently hospitalized and underwent an additional two stents. His return back to employment is unknown at this time. Trustee Deur stated that he and Steve Nagengast have been researching the property maintenance code and have had talks with the State of Michigan Building Inspection Department but has nothing to report at this time.

ADJOURNMENT –

Motion by Trustee Bard, second by Treasurer Wilks, ***ADOPTED***, to adjourn the Monday, July 12, 2010 Work Session of the Township of Fruitland at 11:50 AM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland