

**FRUITLAND TOWNSHIP BOARD
WORK SESSION
AUGUST 11, 2014
MINUTES**

PRESENT: Trustee Rissi, Trustee Bard, Trustee Deur, Treasurer Beegle, Clerk Rillema, Supervisor St. Amour, Trustee Hampel

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

CALL TO ORDER: Supervisor St. Amour called the Monday, August 11, 2014 Work Session of the Township of Fruitland Board to order at 10:00 AM at the township hall.

AGENDA: Supervisor St. Amour asked to amend the agenda by adding under New Business (5) Verizon Wireless Special Land Use and (5.1) Request Verizon Wireless to perform recordable land Survey.

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the amended August 11, 2014 Work Session Agenda.

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

PUBLIC COMMENT: There was no public comment.

SPECIAL GUEST – Tanya Cabala requested the Board of Trustees to consider making a voluntary commitment to not use Coal Tar Seal Coat and potentially consider an ordinance prohibiting the use of Coal Tar Seal Coat in the township. She is representing Freshwater Future which does not support Coal Tar Seal Coat because it has been shown to cause a rise in PAH levels in lake sediment. PAHs are a probable human carcinogen. Trustee Hampel was tasked to contact the Duck Creek Watershed for their input and reach out for past testing on White Lake PAH levels.

ANNOUNCEMENTS: Supervisor St. Amour stated he received a thank you from the Sports-n-shorts program. He will forward on to the Parks & Recreation Commission. The Citizen Planner grant was approved through the Michigan Township Participating Plan. Trustee Deur is coordinating the enrollees for registration. Supervisor St. Amour reported that there is funding available for future maintenance of the Fred Meijer Berry Junction Rail Trail and an effort to create Friends of the FMBJRT committee is in the works in neighboring municipalities. Consumers Energy representatives are surveying our township street lights to change over from Mercury to Sodium at no charge. An adjustment may be forthcoming on a future invoice.

OLD BUSINESS:

1. Buzz's Lakeside Inn – Supervisor St. Amour stated that he recently visited with Sheriff Roesler to observe parking issues at the Inn. They were able to speak to Mr. Kaehler, owner and discuss with him the concerns of parking. Continued serving on the outdoor patio was observed also. Zoning Administrator Sandel contacted Lakeside Inn last week regarding an illegal sign at the corner of South Shore Drive/Scenic Drive that needed to be removed.
2. McMillan Road End Stairway – Supervisor St. Amour reported that the stairway was reopened and all paperwork was sent to the State of Michigan for their files.

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3. Cemetery Ordinance – Clerk Rillema stated that Attorney Even reviewed and suggested several language additions/deletions to the ordinance. She shared news of an upcoming burial style known as columbarium. (Cremains placed in the headstone). The ordinance currently allows for up to two burials in one gravesite at this time and will continue going forward. A motion to adopt the changes in the Cemetery Ordinance will be presented at the Monday Regular meeting.
4. Right of Way Encroachment – Supervisor St. Amour reported that the bollards at Nestrom Road End were removed. A witness observed and reported to him. Deputy Ashker has located the individual but no action was taken. Muskegon County Road Commission has replaced the bollards. The White Lake Association installed a donation box at Scenic Drive Road End this past week for their collection for future repairs to the dock. Attorney Even stated that a future bill at the legislative level is forthcoming regarding adverse possession of property.
5. Verizon Wireless Special Land Use – Trustee Deur stated that the Planning Commission approved the recommendation for the Special Land Use for the cell tower on Nestrom/Wabaningo Roads. (5.1) Verizon Wireless Recordable Land Survey – Zoning Administrator Sandel recommends that as a condition of approval, Verizon perform a recordable Land Survey and be recorded at the Muskegon County Register of Deeds by Verizon. This will be added to the motion to accept the recommendation of the Special Land Use at the Regular Meeting on Monday.

NEW BUSINESS:

1. White Lake Fire Authority Station #2 Sale – Supervisor St. Amour stated that the WLFA is interested in purchasing Station #2 on Duck Lake Road if their future millage is passed. First steps for the township is to have WLFA pay for a survey after Zoning Administrator Sandel, Assessor Bowen, Parks & Recreation Representative, Attorney Even, Fire Chief Holman and himself meet at the site to determine what land is to be included with the building. Attorney Even has started on a draft sale agreement. Trustee Bard inquired about the future use of an ambulance service to stage an ambulance or use the building. Attorney Even will incorporate such language into the agreement.
2. Regional Water System Contract – Supervisor St. Amour stated that Fruitland Township has never signed the amended contract in 2009. Attorney Even recommended that the motion include language to be retroactive to April 2009. A motion will be prepared for the Monday Regular meeting.
3. Partridge Drain, Mason Drain & Saxe Drain – Supervisor St. Amour stated his frustration with the movement of several drain issues in the township with Muskegon County Drain Commissioner Moore. He recently met with Drain Commissioner Moore and Muskegon County Road Commission Engineer Bouman to discuss the Partridge Drain. The meeting was not successful. Supervisor St. Amour will continue his efforts with the Deputy Drain Commissioner as Drain Commissioner Moore is on vacation at this time. Clerk Rillema received an email regarding a Mason Drain update to the White Lake Golf Course stating that Mr. Schultz was in the midst of his design work for the Mason Drain. He is currently making contact with several contractors to explore options that are both less intrusive and

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less expensive. Clerk Rillema intervened questioning if any costs were available that would affect Fruitland Township. An email was received from Drain Commissioner Moore stating that the county and township also pay a portion of the assessment (typically 20% and 10%, respectively). Assessments don't come until the work is complete we won't see anything until this fall at the earliest. Drain Commissioner Moore will be keeping the township informed of milestones as it progresses and to the extent possible, may be asking the Board to participate in the decision process with respect to options.

4. White Lake Community Library Representative – A letter was received from the White Lake Community Library stating that our representative Ruth Duncan resigned. They are recommending resident Tom Grein as her replacement. A motion will be prepared for the Monday Regular meeting.
5. White River Light Station Tree Quote – Supervisor St. Amour stated that he received another quote in the amount of \$3,650.00 along with the prior quote of \$2,290.00 for tree trimming and removal at the White River Light Station. No quote was received from Stafford Tree Service as they were another no-show. A motion will be prepared for the Monday Regular meeting.
6. Incident at Michigan Adventure – Supervisor St. Amour shared a letter received from the Muskegon County Sheriff's Department regarding a recent incident at Michigan Adventure in which the Sheriff's department representative released a media statement that was premature. An apology letter was sent from Sheriff Roesler. Another concern was that the White Lake Ambulance Authority did not complete all parts of the Response for Incident Command System. Director Dresen has reported that all areas were complete but other sources report differently. Supervisor St. Amour has written a letter to Dr. Jerry Evans of West Michigan Emergency Services requesting answers. No response has been received to date. Should another catastrophe occur and lack of areas of the Response For Incident Command System being fulfilled was a concern for the Board of Trustees.
7. Board Comments - None

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to adjourn the Monday, August 11, 2014 Work Session of the Township of Fruitland at 11:30 AM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland