

**FRUITLAND TOWNSHIP BOARD
WORK SESSION MEETING
March 11, 2009
MINUTES**

PRESENT –

Supervisor Sam St. Amour, Clerk Karolyn Rillema, Trustee Mary Ann Bard,
Trustee Norma Binns, Trustee Gary Bole and Trustee Jan Deur

NOT PRESENT –

Treasurer Debbie Boyer

ALSO PRESENT –

Attorney Robert Eklund and three (3) interested parties

CALL TO ORDER –

Supervisor St. Amour called the Wednesday, March 11, 2009, Work Session of the
Fruitland Township Board to order at 4:03 PM.

ACCEPT AGENDA –

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to accept the
March 11, 2009 Work Session Meeting Agenda as submitted.

*Upon Voice Vote: **6 AYES***

OLD BUSINESS –

1. Lamos Road End –

Supervisor St. Amour refreshed the Board about the requests of Mr. Joe Vihtelic at last
month's meeting.

Motion by Trustee Binns, second by Trustee Bard, **ADOPTED**, to suspend open
floor discussion to allow Mr. Joe Vihtelic to speak about the Lamos Road End
and his three (3) requests.

*Upon Voice Vote: **6 AYES***

Mr. Vihtelic asked the Board to (1) Replace three No-Trespassing Signs that were
removed; (2) Inform the Public about the State of Michigan Court of Appeals
Ruling; (3) Construct a fence on property to prevent further trespassing and vandalism.

Motion by Trustee Bole, second by Trustee Bard, **ADOPTED**, to close open floor
discussion.

*Upon Voice Vote: **6 AYES***

Supervisor St. Amour asked the Board their thoughts about the requests. Supervisor St.
Amour stated that he will be asking for a motion at the Monday Regular Board Meeting
to replace the no-trespassing signs and inform the immediate adjoining property owners.
Supervisor St. Amour will speak with the Muskegon County Road Commission to review
the status of the drain and will check the direction of pathway.

2. Marcus Park –

Supervisor St. Amour stated that the next meeting is scheduled for Thursday, March 12, 2009 at 7:00 PM.

3. Policies & Procedures Handbook –

Clerk Rillema stated that Trustee Deur, Treasurer Boyer and she are still working on sections 4.0 – 4.11. Those sections should be ready for review by the Board at the April Work Session.

4. Nord Road –

No report at this time.

5. Nestrom Road –

No report at this time.

6. 1562 Duck Lake Road –

No report necessary until April 16, 2009.

7. 5623 Murray Road –

Supervisor St. Amour stated that the construction is still on hold at this point and that the Muskegon Conservation District is now involved along with the DNR.

8. 1994 Truck Status –

No report at this time.

9. Maintenance – Ecology Station – Punch Card –

Supervisor stated that the Don Fowlers last day will be March 28, 2009. John Miller will be taking over the responsibilities at the Ecology Station. Supervisor St. Amour stated that he was unable to find an ordinance stating that the Ecology Station was for residents only.

10. Blank Road Culvert –

Supervisor St. Amour stated that repair work on the culvert could begin as early as next week – weather pending.

11. Fruitland Township Representation –

- Muskegon Area First
- Muskegon Area Chamber of Commerce
Supervisor St. Amour stated that he awaiting a response back from Ed Garner of Muskegon Area First regarding the fee for joining the organization with a complimentary Muskegon Area Chamber of Commerce membership.
- Joint Planning Commission
Supervisor St. Amour and Trustee Deur will be attending the next meeting in April and will report back to the Board information regarding WMSRDC's intent with Act 226.
- West Michigan Shoreline Regional Development Commission

12. Scenic Drive Stimulus –

Supervisor St. Amour stated that an additional \$700,000.00 was received from the Stimulus package which would increase the Scenic Drive Road Fund to approximately

1.2 million dollars. Fruitland Township will host a joint informational meeting with Laketon Township on Tuesday, March 17, 2009 at 7:00 PM. Members of the Muskegon County Road Commission will be present to provide information and answer questions.

13. West Michigan Coast Riders –

No report at this time.

14. Passport Training –

Clerk Rillema stated that Sally Garvey and Ericka DeCair did not attend the passport training due to Ms. Garvey having a family emergency. Clerk Rillema is checking into upcoming class training and/or online training. She will report to the Board when information is available.

15. Simonelli/Dame/Nestrom/Simonelli Roads –

Supervisor St. Amour stated that he has sent Muskegon County Road Commission a letter requesting an estimate on rough order of magnitude pricing to get these roads up to grade. Supervisor St. Amour would like this board to think about cost sharing for secondary roads involving the Muskegon County Road Commission, residents and Fruitland Township. These estimates are for informational purposes only at this time.

16. 2745 Lorensen Road –

Attorney Eklund stated that a District Court case is scheduled for April 30, 2009. Supervisor St. Amour asked Attorney Eklund to keep him abreast of the hearings.

17. Parks & Recreation Jurisdiction –

Supervisor St. Amour provided the Board with a listing of properties he would like the Board to approve at the Monday Regular Board Meeting. The Parks and Recreation Commission approved a motion to have jurisdiction over all road ends and additional properties owned by Fruitland Township at its March 2, 2009 meeting. Discussion of who owns road ends resulted in Supervisor St. Amour to have a future discussion with the Muskegon County Road Commission to determine responsibility of ownership, repair and maintenance, and possible liability issues for this Board to consider.

18. McMillan Road End –

Supervisor St. Amour sent the application for Permit 91 to the Muskegon County Department of Public Works. The proposed ordinance for McMillan Road End will be presented at the Monday Regular Board Meeting and a decision regarding future dollars spent at this property through grants or general fund needs to be decided.

19. Brine –

Supervisor St. Amour stated that he had received a letter from the Muskegon County Road Commission informing us of a price increase in brine for 2009. Supervisor St. Amour has requested an approximate cost to us for the brining in 2009 from MCRC.

NEW BUSINESS –

1. Planning Commission – Wind Energy Systems Ordinance –

Based on concerns about application fees and public hearing requirements, Trustee Deur asked the Board to send the Wind Energy System Ordinance back to the Planning

Commission for possible changes. Supervisor St. Amour will ask for a motion to do so at the Monday Regular Board Meeting.

2. Plastic Shredder –

Treasurer Boyer will report the value at the Monday Regular Board Meeting.

3. White Lake Fire Authority –

- **Resignation** – Jeff Goss has resigned as representative for Fruitland Township.
- **Review Articles of Incorporation & Review Lease** – Supervisor St. Amour stated that the WLFA approved a motion to review both the Articles of Incorporation & Lease between the City of Whitehall and Fruitland Township at its last meeting.
- **5425 Whitehall Road** – WLFA visited this address and issued four corrections in order to comply with the fire code in regards to the flammable and combustible liquids being stored on the property. Items addressed were to install a portable fire extinguisher, labeling & signage, spill control and secondary containment, and installing guard posts to protect from vehicular damage.
- **Warrant** – A firefighter has been issued a warrant for charges relating to a Criminal Sexual Conduct 4th Degree charge. Supervisor St. Amour asked Attorney Eklund to review and let us know our involvement if any with this court case.

4. Hydrant District Fee –

Supervisor St. Amour received our invoice for the hydrant district fee for Fruitland Township for 2008. We currently have 11 hydrants in our township. Each hydrant is invoiced \$200.00 with total invoice amount of \$2200.00. Supervisor St. Amour will ask for a motion at the Monday Regular Board Meeting for approval of this expenditure.

5. County Drain Spray Program –

Supervisor St. Amour received our invoice for the 2009 County Drain Spray Program in the amount of \$300.00. Supervisor St. Amour will ask for a motion at the Monday Regular Board Meeting for approval of this expenditure.

6. Township Liability –

Attorney Eklund provided the Board with a brief summary about township liability issues, including governmental immunity. Supervisor St. Amour asked Attorney Eklund to provide the township with a policy and also a release and waiver of liability to be signed by volunteers for Fruitland Township for our consideration.

7. MTA Magazines –

Clerk Rillema stated that she had received 11 invoices for magazines received by various members of committees. Clerk Rillema will inform the department heads of their needs and report back to the board the total number of magazines requested for approval at the April Regular Board Meeting.

8. Fruitland Township Open Permits –

Supervisor St. Amour stated that a number of permits are still open and need final inspection for properties of Fruitland Township. The total dollar amount to be paid out for these inspections to both our building inspector and mechanical inspector is \$320.00.

Supervisor St. Amour will ask for a motion at the Monday Regular Board Meeting for approval of this expenditure.

9. 5617 South Shore Drive –

Supervisor St. Amour stated that a Police report had been filed regarding an incident at 5617 South Shore Drive involving a firearm and a dog. Supervisor St. Amour had been called to the scene. Supervisor St. Amour provided documentation on State Law regarding firearm discharge and stated that Fruitland Township currently does not have any ordinances regarding firearms. Supervisor St. Amour will keep the board abreast of the situation.

ADJOURNMENT –

Motion by Clerk Rillema, second by Trustee Deur, ***ADOPTED***, to adjourn the Wednesday, March 11, 2009 Work Session of the Fruitland Township Board at 6:12 PM.

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

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland