

**FRUITLAND TOWNSHIP BOARD
WORK SESSION
JULY 14, 2009
MINUTES**

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

ALSO PRESENT: Attorney Robert Eklund and four (4) interested parties.

CALL TO ORDER: Supervisor St. Amour called the Tuesday, July 14, 2009 Work Session of Township of Fruitland Board to order at 4:02 PM.

AGENDA: Accept or amend the Tuesday, July 14, 2009 Agenda. Supervisor St. Amour asked the Board to amend the following on the agenda: add under New Business, items #17 Back Up, #18 Treasurer Hours and #19 Monies for Tax Season.

Motion by Trustee Bard, second by Trustee Binns, **ADOPTED**, to accept the amended July 14, 2009 Work Session agenda.

Upon Voice Vote: **7AYES**

OLD BUSINESS:

Supervisor asked the board to move New Business item #15 up to New Business .5 due to residents in the audience. No board objections were heard.

- .5 Parks & Recreation (Budget Amendments) – Supervisor St. Amour stated that the desire of the Parks & Recreation Commission is unknown. Supervisor St. Amour tasked Treasurer Boyer to work with the Parks & Recreation Commission to develop a procedure of making budget amendments or budget reallocations motions. Supervisor St. Amour also asked Attorney Eklund if there are any penalties if they go over their budget. Attorney Eklund replied that they would be responsible personally. Trustee Bole questioned Supervisor St. Amour if maintenance/repair requests were being directed to him only. Supervisor St. Amour stated that he had not received any additional requests at this time.

Motion by Trustee Bole, second by Trustee Deur, **ADOPTED**, to suspend open floor discussion.

Upon Voice Vote: **7AYES**

Audience member Jim Schweigert asked if New Item #6 – Parks & Recreation would involve any discussion regarding Marcus Park. Supervisor St. Amour replied no that it only involved our reviewing their Master Plan. Audience member Bill Traynor thanked the Board of Trustees for their continued hard work on behalf of Fruitland Township.

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

Upon Voice Vote: **7AYES**

1. Policies & Procedures (Sections 4.0 – 4.12, Sections 5.0 – 6.7, Appendix A) – Clerk Rillema stated that comments received back by Brickley Delong on Sections 4.0 – 4.12

FRUITLAND TOWNSHIP JULY 14, 2009 WORK SESSION MINUTES

will be reviewed by Trustee Deur and herself on Thursday, July 16, 2009 and that a draft of those changes or additions will be discussed at the August work session. Supervisor St. Amour stated that the draft of Sections 5.0 – 6.7 along with Appendix A have been reviewed by Clerk Rillema and himself. If anyone has changes or additions, to please forward them to Clerk Rillema and another draft would be available at the August work session for discussion.

2. 1562 Duck Lake Road – Supervisor St. Amour stated that the garage is in violation of our ordinances. After recommendation from Attorney Eklund, before a decision can be made, Supervisor St. Amour will ask at Monday’s regular meeting a motion to approve \$40.00 to have our Building Inspector inspect the garage and report back to himself the report.
3. 5623 Murray Road – Supervisor St. Amour provided the Board with a copy of the email sent by Maryl Hook dated July 14, 2009. Supervisor St. Amour and Attorney Eklund both spoke about the mediation which did not work between the two parties. The oral arguments on the appeal is scheduled for August 17, 2009. Fruitland Township’s brief is due by July 31, 2009. There is no scheduled court case on the second law suit as of today’s date.
4. Cemetery Sexton – Clerk Rillema stated that two interested parties quoted the Cemetery Sexton position. Clerk Rillema prepared a spreadsheet comparing the ordinance fees compared to the two interested parties quoted fees. A question from Trustee Bard regarding services rendered if selected parties were unable to perform service due to illness or vacation prompted a motion to suspend open floor discussion.

Motion by Trustee Deur, second by Trustee Bard, **ADOPTED**, to suspend the rules to allow open floor discussion.

Upon Voice Vote: 7AYES

Trustee Bard asked Mr. Burns who is one of the parties quoting this service if he had arrangements for services to be rendered if he was unable to perform. Mr. Burns answered that he had a couple of people in mind but no one that had experience.

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

Upon Voice Vote: 7AYES

5. Fruitland Township Representation (Joint Planning Commission/West Michigan Shoreline Regional Development Commission) – Attorney Eklund stated that he was in the process of completing his recommendations and would be forwarding them on to Supervisor St. Amour and Trustee Deur for review before the next JPC meeting.
6. Road Improvements – Supervisor St. Amour stated that the previous administration had discussed the chip sealing of Lakewood Road east of Nestrom, but did not approve by by motion form. A motion will be presented to the Board at the Monday Regular meeting. As for other roads for consideration, Supervisor St. Amour stated that the request of Trustee Deur for traffic counts had not been received by Muskegon County Road

FRUITLAND TOWNSHIP JULY 14, 2009 WORK SESSION MINUTES

Commission, but he would make another request before Monday's regular board meeting.

7. 2745 Lorensen Road – Attorney Eklund reported that we lost the first case to have continued cleanup because of the current case of Hitsman vs Cooper. The second case is scheduled for August.
8. McMillan Road End (Ordinance/Grants) –Trustee Bard reported that the committee met on July 2 and is requesting that this Board give a time frame for consideration of the ordinance and would like an answer if the Board of Trustees would commit any funds towards the building of the stairway and deck. Supervisor St. Amour stated that no funds have been budgeted for this fiscal year.

Motion by Trustee Bard, second by Treasurer Boyer, **ADOPTED**, to suspend the rules to allow open floor discussion for Al VandeVusse, member of McMillan Road End Committee to speak.

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

Al VandeVusse asked if anyone has ever consider private donations to complete any of the work at this site.

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

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

Supervisor St. Amour will contact the McMillan Road End Committee to gather additional information.

9. Plastic Shredder – Treasurer Boyer placed the ad in the MTA magazine but no offer to purchase has been received at this time.
10. Township Liability – No report at this time
11. Prein & Newhof – No report at this time.
12. 3350 Bard Road – Attorney Eklund reported that Mrs. Pyle was ticketed and she plead not guilty. An August 4, 2009 pretrial hearing date has been filed.
13. Community Building (Grants/Foundation Repair) – Clerk Rillema stated that paperwork has been submitted for both the 2008 grant completion and 2009 grant application. She is awaiting response back from the State of Michigan on reimbursement and acceptance.
14. White Lake Fire Authority – Dry Hydrants/Cistern – Treasurer Boyer reported that the request for the dry hydrants and cistern will be at the next meeting scheduled July 17, 2009.

NEW BUSINESS –

FRUITLAND TOWNSHIP JULY 14, 2009 WORK SESSION MINUTES

1. Health Insurance – Supervisor St. Amour and Trustee Deur will be meeting with an agent on July 16, 2009. No additional information at this time, other than continued coverage with current insurance company is effective.
2. White Lake Fire Authority - (Drain Field) – Trustee Bole reported that he received two quotes, but would be seeking additional quotes and report at the Monday Regular meeting.
3. Copier Lease – Treasurer Boyer reported that we now own the copier. Current maintenance monthly cost will remain the same price. Supervisor St. Amour requested Treasurer Boyer to further investigate potential cost savings.
4. Planning Commission – Clerk Rillema stated that the Planning Commission would like to purchase four (4) books called Township Planning & Zoning Decision Making at a price of \$32.00 each. A motion will be prepared for Monday’s Regular Meeting. Also Trustee Deur stated that the approval of a Special Land Use Permit for McCormick LLC was overlooked and was approved by the Planning Commission but would also need to be approved by the township board. A motion will be prepared for Monday’s Regular Meeting.
5. Fruitland Township Hall – Air Conditioning Repair – Supervisor St. Amour reported that the air conditioning unit in the meeting room was in need of replacement. Two quotes were received and a motion will be prepared for Monday’s Regular Meeting for consideration.
6. Parks & Recreation – Master Plan – Supervisor St. Amour asked the board to review this plan and give additions/deletions to Trustee Binns before the August work session.
7. Ordinance Enforcer – Supervisor St. Amour would like to speak to Herb Huch (member of the Citizens Advisory Law Enforcement Committee) to talk about the process going forward. Supervisor St. Amour would also like to place an ad in the Beacon for the position of Ordinance Enforcer.
8. Scenic Drive/Nestrom Road Ends –Supervisor St. Amour stated that he signed the applications to place the porta-jon, trash barrel and dock at Scenic Drive and trash barrel at Nestrom Road End and the Muskegon County Road Commission approved.
9. 5617 South Shore Drive – Supervisor St. Amour that this property owner has called the Sheriff’s department and filed a complaint regarding his neighbor’s dog. Supervisor St. Amour will keep the board abreast of the situation.
10. Muskegon County Drain Commission – Supervisor St. Amour stated that the Board of Determination met at Laketon Township on July 13, 2009 in regards to the Fred Dow Drain that is on River Road. It needs to be extended.

FRUITLAND TOWNSHIP JULY 14, 2009 WORK SESSION MINUTES

11. Minimum Square Footage Request – Supervisor St. Amour stated that a letter was written to Mr. McCabe instructing him to attend a planning commission meeting or steps to pursue an ordinance change.
12. Liquor License Approval – Supervisor St. Amour stated that our ordinances do not match state law. Supervisor St. Amour would like to form an ordinance advisory committee to look over our ordinances.
13. Elks Lodge – Fireworks – Attorney Eklund stated that it would be okay to fund the fireworks as services rendered. Supervisor St. Amour will prepare a motion for Mondays Regular Meeting.
14. Noise Ordinance – Supervisor St. Amour will prepare a motion for Monday’s Regular Meeting to approve an Advisory Committee for Noise consisting of the two parties involved in the noise dispute on Scenic Drive.
17. Back Up – Clerk Rillema and Trustee Deur will contact IT Right on procedures and calendar of backups of the server and report back at the August work session.
18. Treasurer Hours – Supervisor St. Amour stated that an email had been received by Treasurer Boyer in regards to her new hours. Questions arose from the Board as to why, how long and timing of such. Treasurer Boyer stated that family issues arose and it was necessary for her to have flexibility. Concerns of the board were voiced because of tax season, small staff and no prior knowledge before now.
19. Monies for Tax Season – Clerk Rillema and Supervisor St. Amour stated that the staff often does not have enough money in the change fund during tax season. A motion will be prepared for Monday’s Regular Meeting to increase the fund during tax seasons.
16. Trustee Comments – Supervisor St Amour stated that additional signage for the Community Building and Cemetery would be prepared in a motion for Monday’s Regular Meeting.

ADJOURNMENT: Motion by Trustee Deur, second by Trustee Binns, ***ADOPTED***, to adjourn the Tuesday, July 14, 2009 Work Session of the Township of Fruitland at 6:53 PM.

Upon Voice Vote: 7AYES

Respectfully submitted,

Karolyn Rillema, Clerk
Township of Fruitland