

**FRUITLAND TOWNSHIP BOARD
WORK SESSION
NOVEMBER 9, 2009
MINUTES**

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

ALSO PRESENT: Attorney Eklund and zero interested parties.

CALL TO ORDER: Supervisor St. Amour called the Monday, November 9, 2009 Work Session of the Township of Fruitland Board to order at 4:00 PM.

AGENDA: Accept or amend the Monday, November 9, 2009 Agenda. Supervisor St. Amour asked the Board to amend the following on the agenda: New Business items #6, #7, #8 and #9 and delete New Business items #5.

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept the amended November 9, 2009 Work Session Agenda.

Upon Voice Vote: **7 AYES**

PUBLIC COMMENT: There was no public comment.

ANNOUNCEMENT:

- Clerk Rillema stated that she is keeping a list of items for future discussion which the Board will take action when all information is received and appropriate.
- Supervisor St. Amour received correspondence back from Mr. Ed Garner of Muskegon Area First regarding the decision of Fruitland Township not to continue with membership for 2009-10. Mr. Garner is willing to discuss Muskegon Area First with the Board of Trustees. But the Board is not interested at this time as it has made its decision.

OLD BUSINESS:

1. 1562 Duck Lake Road – Supervisor St. Amour has sent the letter out, but unfortunately it was returned for additional postage. The letter was resent on November 9, 2009.
2. 5623 Murray Road – Supervisor St. Amour and Attorney Eklund attended court this morning for clarification to the Gardner's' on the Nuisance Case. The Judge ruled that it is dismissed with prejudice and does not need clarification. Attorney Eklund stated that the Gardner's are appealing the Zoning Board of Appeals decisions of October 12 and October 14, 2009 and the Motion After Remand is scheduled for Monday, November 16, 2009 at 10:00 AM.
3. Fruitland Township Representation (Joint Planning Commission/West Michigan Shoreline Regional Development Commission) – Supervisor St. Amour and Trustee Deur will be attending the rescheduled meeting of the JPC this Friday at 1:00 PM at Laketon Township Hall.
4. Road Improvements – MCRC Strategy – Supervisor St. Amour is still waiting for correspondence back from the MCRC but received word that the Supervisor for the Whitehall Road Commission Garage had been asked for information regarding the condition

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- of several roads in Fruitland Township. Supervisor St. Amour will inform the Board when information is received.
5. 2745 Lorenson Road – Attorney Eklund received word from that the pending case between Hitsman vs. Cooper was dismissed. Attorney Eklund wrote a letter to both Debra Cooper and Jack Hitsman requesting what their plans are for the property before filing another motion to Judge Graves.
 6. McMillan Road End – Pledges – Supervisor St. Amour has informed the Citizen’s Advisory McMillan Road End Committee to proceed with seeking pledges to enhance the road end and has advised them of the status of the court case in Ganges Township. Supervisor St. Amour received an inquiry from a neighboring parcel to the road end regarding dead branches overhanging their home from trees on the road end. Attorney Eklund stated that the neighbor has the right to trim those branches and it should not be at the expense of the township. Attorney Eklund will send written communication to Supervisor St. Amour with his opinion.
 7. 3350 Bard Road – Supervisor St. Amour stated that the court case is scheduled for December 2, 2009 and it appears that no additional cleanup has taken place at the property. Supervisor St. Amour stated that Building Official DeBrot inspected the home on this property and did not deem it to be an unsafe structure.
 8. Community Building (Ramp – Tree Service) – Supervisor St. Amour stated that the ramp is nearing completion by DeRose Builders. There is a large tree limb hanging over the building that is dead. He consulted with the insurance carrier but no coverage for preventative measures is covered. Supervisor St. Amour has received one bid for the limb removal but will be seeking additional. Supervisor St. Amour will prepare a motion for the Monday Regular meeting to remove the limb.
 9. White Lake Fire Authority – Dry Hydrants/Cistern/Lease/Fire Code – Supervisor St. Amour stated that he has received no word on the dry hydrants grant acceptance. This cistern is still on hold due to circumstances. Trustee Bole presented the revised lease agreement and proposed rent increase for 2010 to the WLFA and no action was taken. An appeal to both the White Lake Fire Authority and Fruitland Township Board of Trustees has been received from Jerry Henning regarding the “Stop Work Order” issued at the Marcus Dunes Subdivision. The White Lake Fire Authority has scheduled an appeal hearing on Thursday, November 12, 2009. Supervisor St. Amour will advise the Board of Trustees the ruling at the Monday Regular Meeting on November 16, 2009.
 10. Parks & Recreation – Supervisor St. Amour stated that a joint meeting with the Board of Trustees and Parks & Recreation Commission is scheduled for tomorrow, November 10, 2009. An agenda has been prepared on various topics of discussion. Trustee Deur has worked with staff member Ericka DeCair to incorporate the Board of Trustee’s changes and/or additions to the Parks & Recreation Master Plan and that will be presented to them at the joint meeting.
 12. 5601 South Shore Drive – Treasurer Hepler along with Supervisor St. Amour and Attorney Eklund attended the sentencing of Mr. Kruse for the dog shooting incident and reported that

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he was sentenced to seven months in jail, 200 hours of community service, restitution, attend anger management class and five years probation.

13. Condemnation Hearings – Supervisor St. Amour stated that the next scheduled hearing date for parcel number 6106-245-003-0003-00 (6168 & 6188 Murray Road) is on Thursday, November 12, 2009 at which time the bank will inform Hearing Officer Duncan of its plans. Supervisor St. Amour also stated that four homes on Nord Road will also be forthcoming as potential condemnations. No date has been scheduled with the Hearing Officer Duncan at this time for those homes on Nord Road.
14. Township Property – Hunting – Trustee Deur reported that he had received a quote for the additional \$3 million liability coverage (currently at \$2 million) which would be an approximately \$3500.00 for the balance of the premium year. Supervisor St. Amour has received numerous complaints regarding unsafe hunting practices and resident's questioning if hunting is permitted on Township property. Clerk Rillema along with Supervisor St. Amour will continue to gather information for Monday's Regular Meeting.
15. Adopt-A-Road Program – Supervisor St. Amour will seek interest of interested residents by an article in the enews. Treasurer Hepler agreed to oversee this program if enough interest is gained.
16. 2009-10 Budget Amendments – Clerk Rillema and Treasurer Hepler prepared a listing of budget amendments for both revenue and disbursements through October 31, 2009. A motion will be prepared for the Monday Regular Meeting to accept these amendments.
17. Marcus Dunes Development – Appeal – Supervisor St. Amour stated that the White Lake Fire Authority has an appeal scheduled for Thursday, November 12, 2009. Supervisor St. Amour will present the WLFA's appeals decision at the Monday Regular Meeting.
18. Private Road Agreement – Attorney Eklund stated that signing the agreement would be in the best interest of the Township. It involves property owned by the Township on Scenic Drive that adjoins Nestrom Road. This agreement would not allow the extension of Nestrom Road to be connected to Scenic Drive. A motion will be prepared for Monday's Regular Meeting.

NEW BUSINESS:

1. Over-Eaters Anonymous – Supervisor St. Amour received a phone call from a resident requesting permission to use the Township Hall for Over-Eaters Anonymous. The Board agreed that use of the Township Hall at this time for non-township business would set a precedent for any/all outside organizations to use the Township Hall for free, and would be in conflict with our charging rent for the Community Building for its use.
2. Friends of Fruitland Township – Supervisor St. Amour stated that because State laws for Township's are very restrictive on what can be spent on employees and others associated with the Township, no tax dollars are allowed to pay for anything recognizing people's efforts. A possible solution to recognize staff and committee members would be to establish a group called Friends of Fruitland Township. Both Supervisor St. Amour and Clerk

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Rillema will gather additional information and report back to the Board at the next work session.

3. Ecology Station Review – Supervisor St. Amour prepared a handout showing revenues and expenses at the Ecology Station. At this time, a loss is still recorded at the Ecology Station but significantly lower than one year ago. Additional review of this department will take place to determine if and any additional changes will need to be made.
4. Contracted vs. Employee – Supervisor St. Amour referred this to Attorney Eklund and will await a written response back.
6. MTA 57th Annual Education Conference & Expo – January 26, 27, 28 & 29, 2010 – Grand Rapids (DeVos Center) – Supervisor St. Amour stated that last year no one attended the conference because of being newly elected but felt at this time, it would be beneficial for the Supervisor, Clerk and Treasurer to attend. If any Trustees are interested in attending, please contact the Clerk before Thursday close of business. A motion will be prepared for Monday's Regular Meeting.
7. Citizens Advisory Wireless Committee Request – Treasurer Hepler received a request from the Citizen's Advisory Wireless Committee to provide copies of a petition for interest in expanding broadband usage in Fruitland Township to be sent with the winter tax bills. The Board okayed the copying of the petition. Members of the CAWC are willing to donate time to help with the mailing of the tax bills. Treasurer Hepler will coordinate timing with those members.
8. Leaf Removal Equipment – Supervisor St. Amour stated that our current leaf removal equipment engine has been exhausted. Quotes for rebuilding the engine and replacement leaf removal equipment is being sought by staff member Don Underwood. Supervisor St. Amour asked Trustee Bole if he would help seek quotes and provide his knowledge on this equipment. Trustee Bole agreed.
9. Board Comments – Treasurer Hepler reported that she recently deposited a state shared revenue payment of \$57,633.00.

ADJOURNMENT:

Motion by Treasurer Hepler, second by Trustee Bard, **ADOPTED**, to adjourn the Monday, November 9, 2009 Work Session of the Township of Fruitland at 5:46 PM.
Upon Voice Vote: 7 AYES

Respectfully submitted,

Karolyn Rillema, Clerk
Township of Fruitland