

**FRUITLAND TOWNSHIP BOARD
WORK SESSION
DECEMBER 15, 2009
MINUTES**

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

ALSO PRESENT: Attorney Eklund and (1) one interested party.

CALL TO ORDER: Supervisor St. Amour called the Tuesday, December 15, 2009 Work Session of the Township of Fruitland Board to order at 4:05 PM.

AGENDA: Accept or amend the Tuesday, December 15, 2009 Agenda. Supervisor St. Amour asked the Board to amend the following on the agenda: Add Old Business #.5 McMillan Road End (Funds/Trees).

Motion by Trustee Bard, second by Trustee Deur, ***ADOPTED***, to accept the amended December 15, 2009 Work Session Agenda.
Upon Voice Vote: 7 AYES

PUBLIC COMMENT: There was no public comment.

SPECIAL GUEST: Carol Kooistra, Planning Commission Chair – Master Plan

Planning Commission Chair Kooistra presented the Board of Trustees with a copy of the Master Plan which is ready to be sent out for review by neighboring townships and Muskegon County. She asked each of the Board of Trustees to review and contact her if errors were found. Many hours have been spent by the Planning Commission and she feels this Master Plan is superb. Chair Kooistra would like to set a date for a public hearing in February with final adoption in March to complete the process.

OLD BUSINESS:

- .5 McMillan Road End (Funds, Trees) – Supervisor St. Amour asked Citizen Advisory Committee member Al VandeVusse to update the Board on what the committee is currently working on. Mr. VandeVusse stated that Will Clark, Nancy Johnson, Kathy West and himself are volunteering to remain on this committee for 2010, requests that this Board take action on the proposed Ordinance from November 2008 before any access to the waters of Lake Michigan be provided and Jeff Auch of the Muskegon Conservation District is working on obtaining grant monies providing the Township can provide public funding. A request or the Board to assist the committee with a post card mailing to 241 interested parties for donations was asked. This would include the paper, printing and mailing costs. A motion for this request will be brought forth at Monday's Regular Meeting. Attorney Eklund will write a letter regarding the tree limbs overhanging on the adjoining property's home stating that Fruitland Township will not be removing any branches and that the neighbor has the right to cut the portion of the branch in question.

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1. 1562 Duck Lake Road – Supervisor St. Amour has not received any communication back from Ms. Stewart regarding the existing non-conforming structure. Attorney Eklund will draft a letter to be sent on action to be taken by Fruitland Township.
2. 5623 Murray Road – Attorney Eklund stated that the tapes of the October ZBA Meeting are currently getting transcribed by a court reporter at the expense of the Gardner's. Once the transcribing is complete, steps for the new trial will start.
3. Fruitland Township Representation (Joint Planning Commission/West Michigan Shoreline Regional Development Commission) – Trustee Deur stated that the next meeting of the JPC is scheduled for Wednesday, December 16, 2009. Discussion amongst the board regarding the organization choices going forward to be part of a JPC did not result in any decision other than to task Supervisor St. Amour and Trustee Deur to inform the JPC that we are interested in joining but not confident in having West Michigan Shoreline Regional Development Commission involved.
4. Road Improvements (MCRC Strategy, Bard Road Culvert) – Supervisor St. Amour stated that information is forthcoming by the first of next year for a plan going forward on road improvements. MCRC sent a letter explaining the concepts they will use to keep roads clear this winter. Supervisor St. Amour received an email from Laurie Peterson, Maintenance Superintendent that the repairs to the Bard Road Culvert were less than \$5000.00 and the township is not obligated to share any costs.
5. 2745 Lorenson Road – Attorney Eklund stated that the sentencing date is scheduled for January 4, 2010. Supervisor St. Amour stated that it appears that cleanup is continuing at this property and that he may ask to adjourn the sentencing date if continued cleanup occurs.
6. 3350 Bard Road – Attorney Eklund stated that the sentencing date is scheduled for February 2, 2010. Supervisor St. Amour will visit the property to see if any cleanup is occurring. If cleanup is continuing he may ask to adjourn the sentencing date.
7. Community Building Limb Removal – Supervisor St. Amour stated that the limb(s) in questions have been removed along with some additional branches.
8. White Lake Fire Authority –
 - Dry Hydrants/Cistern – Supervisor St. Amour stated that the dry hydrant application was received but rejected for approval. The material cost for these two hydrants is approximately \$3000.00. Volunteer labor could be supplied by the WLFA and/or National Guard Armory. Supervisor St. Amour may ask for a motion to approve this expense for the dry hydrants at the Monday Regular Meeting. The ISO rating for the City of Whitehall has been received. Fruitland Township's ISO rating is forthcoming and the timing of these dry hydrants is now.
 - Lease – Supervisor St. Amour and Trustee Bole stated that the WLFA approved the lease rate increase to match the City of Whitehall square footage rate.
 - Fire Code/Marcus Dunes Development – Correspondence to the WLFA from Mr. Henning regarding Marcus Dunes Development states that considerable progress in resolving the stop work order that is in process. The WLFA does not acknowledge our amended Fire Code Ordinance.

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9. Parks & Recreation Commission –
 - Joint Meeting – Supervisor St. Amour stated that he has set another joint meeting with the Parks & Recreation Commission on January 12, 2010 after our work session. Clerk Rillema questioned when and who approves the minutes of the joint meeting in November. She will call MTA for guidance.
 - Storage Ordinance Request – Supervisor St. Amour stated that he received a request to develop a storage ordinance on township property as part of the resolution with Marcus Dunes, Winterwood and Duck Lake Association (docks, boat lifts, etc). Supervisor St. Amour recommends that at the next joint meeting we need clarification of the proposed resolution and discuss the storage ordinance request.
10. Condemnation Hearings –
 - 6106-245-003-0003-00 – 6168 & 6188 Murray Road – Supervisor St. Amour stated that the bank has secured the homes as requested. Building Official DeBrot will be asked to inspect them to make sure they meet our satisfaction.
 - Nord Road – Supervisor St. Amour stated that several of the homes deemed condemnable are being fixed unfortunately without permits but have been informed.
 - Scenic Drive – Supervisor St. Amour stated that one of the homes has been demolished and the other will most likely be demolished before a condemnation hearing can be scheduled.
11. Township Property (Hunting) – Discussion continues on whether to allow or not allow hunting on township property.
12. Adopt-A-Road Program – Treasurer Hepler stated that she has received one interested party. Supervisor St. Amour will solicit another article in e-news.
13. Friends of Fruitland Township – Clerk Rillema stated that she has received one interested party.
14. Contracted vs. Employee – Attorney Eklund stated that we should add our assessor to our payroll as an employee to sign the tax roll for a nominal fee and contract with her firm for the remainder of the contracted amount. Supervisor St. Amour tasked Attorney Eklund to contact Laketon Township’s Attorney and our auditor, Brickley DeLong, regarding the IRS language containing fines for past practice.

NEW BUSINESS:

1. Wood Cutting on Township Property (Liability) – Supervisor St. Amour advised the Board of the current policy and agreement form. The Board of Trustees would like “residents only” added to this agreement form. A motion will be prepared for the Monday Regular Meeting.
2. Risk Assessment Insurance Report – Supervisor St. Amour and Clerk Rillema met with Cindy White, Risk Control Representative of Michigan Township Participating Plan to discuss the operations of Fruitland Township. Many areas of existing and/or potential liability exposures were presented in letter form along with suggestions and/or paperwork to help alleviate the exposure present in day-to-day operations. Supervisor St. Amour and

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- Clerk Rillema will work together to follow up on the comments and/or recommendations when necessary.
3. 2009 Hydrant District Fee – Supervisor St. Amour received the letter/invoice for Fruitland Township’s 2009 Hydrant District Fee for the Regional Water System in the amount \$2200.00 for the eleven hydrants. A motion will be prepared for Monday’s Regular Meeting.
 4. Resident Concern (Petition) – Supervisor St. Amour stated that he had received only one complaint regarding the Verizon High Speed Internet Petition that was included in the winter tax bill mailing. Many petitions returned were pleased for the efforts of the Committee and Board of Trustees for the efforts to obtain high speed internet in the township.
 5. West Michigan Strategic Alliance Membership – Supervisor St. Amour received an invoice for membership for 2010 in the amount of \$50.00. A motion will be prepared for Monday’s Regular Meeting.
 6. Fred Meijer Berry Junction Rail Trail – Supervisor St. Amour had no report at this time.
 7. Muskegon Area Chamber of Commerce Membership – Supervisor St. Amour stated that because we did not join Muskegon Area First, our membership to the chamber was not current. He will seek membership price and prepare a motion for Monday’s Regular Meeting.
 8. Planning Commission – Michigan Citizen Planner Attendance – Clerk Rillema received from Planning Commission Chairperson Kooistra a request to enroll interested members of the Planning Commission in an online training for the Michigan Citizen Planner. A limited time special discount savings of \$150.00 per person for enrollment is valid only until December 31, 2009. A motion will be prepared for Monday’s Regular Meeting.
 9. Employee Vehicle Damage – Supervisor St. Amour stated that two accidents involving our 2009 GMC Truck took place the week of December 7th, 2009. One of the incidents took place at the Ecology Station. The taillights were damaged but can be replaced by our Maintenance staff member. No claim will be made on that incident. The other incident involved our employee Erica DeCair’s vehicle which was backed into while snowplowing with the truck. The deductible of our insurance coverage is \$500.00. Supervisor St. Amour has asked Ms. DeCair to get two quotes for repair and forward to him to supply the insurance company with.
 10. 2010-2011 Proposed Budget Review – Supervisor St. Amour, Clerk Rillema and Treasurer Hepler have prepared a preliminary proposed 2010-2011 Budget for review. Supervisor St. Amour tasked each Trustee to review and make comments at the Monday Regular Meeting. A salary/wage allocation of each employee including elected officials was also presented to each. Supervisor St. Amour also made mention that the Board of Review met earlier today and Muskegon County estimates that we will receive approximately \$3000.00 less revenue for 2010-2011.

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11. Board Comment – Trustee Binns asked if the new Ordinance Enforcer was on board. Supervisor St. Amour answered yes. Ordinance Enforcer Grasmeyer will be invited to a work session so all can meet him formally. Clerk Rillema made mention that several breaking and enterings have been occurring in the area. Trustee Deur tasked Supervisor St. Amour to ask the PINS officer for a report of incidents for the year. Trustee Bole commented that for next year’s budget we should review the health care coverage. Supervisor St. Amour acknowledged that he has a list of items to be reviewed for next year.

ADJOURNMENT:

Motion by Treasurer Hepler, second by Trustee Bole, ***ADOPTED***, to adjourn the Tuesday, December 15, 2009 Work Session of the Township of Fruitland at 6:37 PM.

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

Respectfully submitted,

Karolyn Rillema, Clerk
Township of Fruitland