

**FRUITLAND TOWNSHIP BOARD
RESCHEDULED REGULAR MEETING
WEDNESDAY, FEBRUARY 20, 2008
MINUTES**

PRESENT: Supervisor Gregory R Boughton, Treasurer Debbie Boyer, Trustee Norma Binns, Trustee Mary Eley, Trustee Mary Ann Bard, Trustee Gary Bole, and Clerk Janell Beard.

ALSO PRESENT: Township Attorney Robert Eklund and 4 interested parties.

CALL TO ORDER -

Supervisor Boughton called the meeting to order at 7:00 p.m.; welcomed those in attendance who braved the weather, and led the Pledge of Allegiance.

PUBLIC COMMENT –

1. Jan Deur 2761 Scenic Drive, Muskegon, MI 494445 referenced his November 16, 2007 email regarding his 2008 / 2009 proposed budget concerns: road repairs, fund balances, health insurance savings account plan, ordinance enforcement, building inspection and permit fees, assessment, Clerk's per-election bonus, and Policies and Procedures manual. Mr. Deur stated he had determined when Township Board terms are about to expire, the Board can't engage in a contract for multiple years for government services.

Attorney Eklund stated there is no statute, case cited references City Manager; statutes reference Township Attorney and Township Auditor that may be considered "governmental services."

MINUTES -

Motion by Trustee Binns, second from Trustee Bard, **ADOPTED**, to accept the January 16, 2008 and January 21, 2008 Regular Meeting Minutes.

Upon Voice Vote: **7 AYES.**

RECEIPTS and DISBURSEMENTS –

Motion by Trustee Bard, second from Trustee Binns, **ADOPTED**, to accept report of receipts in the amount of \$9,017.76 for Fund 101, for a General Fund Balance (Funds 101, 120, 130, 140, 145, 470 and 812), for a Total Balance of \$272,793.26 (liquid balance), and Total Bank Balances and Certificate of Deposits in the amount of \$1,154,389.59 as of February 15, 2008, as reported by Debbie Boyer, Fruitland Township Treasurer CPFA; and approve or amend for Total General Fund Disbursements the amount of \$36,223.44 for the period of January 22, 2008 through February 18, 2008 as reported by Janell Beard, Fruitland Township Clerk CMC.

Upon Voice Vote: **7 AYES.**

NEW BUSINESS -

1. Item Number: 02-08-01
Water System Resolution

Motion by Trustee Eley, second from Trustee Binns, **ADOPTED**, to enact Resolution 2008 – 01 and deem it necessary for public health, safety and welfare to acquire and construct water supply system improvements to service the Townships of Fruitland, Dalton, Laketon, and Muskegon Charter Township, and recognize the

extensive study that it is not desirable for the Local Units to finance the project alone and cooperate with the Muskegon County of Public Works in the acquisition of County bond not to exceed \$10,000,000, and other commitments as assigned by the Resolution.

ROLL CALL VOTE:

Trustee Bard AYE, Trustee Bole AYE, Trustee Binns AYE
Trustee Eley AYE, Treasurer Boyer AYE, Clerk Beard AYE,
Supervisor Boughton AYE
Supervisor Boughton declared Resolution 2008 – 01 Public Water System Bonding duly adopted.

Treasurer Boyer to confirm with Township Auditor if Fruitland Township Budget needs to reflect collection of water system payments by the County on behalf of Fruitland Township, and the liability incurred with the participation in the bonding.

2. Item Number: 02-08-02

Terms of Settlement Resolution

Case 06-44788 CH, *Maciejewski v. Muskegon Couty Road Commission*

Motion by Trustee Eley, second from Treasurer Boyer, **ADOPTED**, to enact Resolution 2008 – 02 for the Conditional Settlement regarding litigation of Charles and Betty Maciejewski and the Muskegon County Road Commission for Simonelli Road, north of Duck Lake Road right-of-way, Case 06-44788 CH.

ROLL CALL VOTE:

Trustee Bard AYE, Trustee Bole NAY, Trustee Binns AYE
Trustee Eley AYE, Treasurer Boyer AYE, Clerk Beard AYE,
Supervisor Boughton AYE

Supervisor Boughton declared Resolution 2008 – 02 duly adopted at the February 20, 2008 Rescheduled Regular meeting of the Fruitland Township Board.

3. Item Number: 02-08-03

North Central Muskegon County Joint Planning Commission

Motion by Trustee Eley, second from Trustee Binns, **ADOPTED**, to enact Resolution of 2008 – 03, under Public Act 226 of 2003, and agree to contribute 1000.00 per calendar year to continue the implementation of the comprehensive plan and participate in the North Central Muskegon County Joint Planning Commission.

Upon Voice Vote: **7 AYES.**

4. Item Number: 02-08-04

Farm Land Resolution

Motion by Trustee Eley, second from Trustee Bole, **ADOPTED**, to enact Resolution 2008 – 03 Farm Land Resolution as presented by the Muskegon County Soil Conservation District.

Upon Voice Vote: **7 AYES.**

5. Item Number: 02-08-05

2008 Salary Resolutions

- a. Resolution 2008 – 04 Establish Fruitland Township Trustee Salary for Fiscal Year 2008 / 2009

Motion offered by Treasurer Boyer, second from Trustee Binns, **ADOPTED**, to establish the salary of each of the Trustees, as of April 1, 2007, for the Township of Fruitland at a proper level of 3,660.38 for the Fiscal Year of April 01, 2008 through March 31, 2009.

ROLL CALL VOTE:

Trustee Bard AYE, Trustee Bole AYE, Trustee Binns AYE
Trustee Eley AYE, Treasurer Boyer AYE, Clerk Beard NAY,
Supervisor Boughton AYE

- b. Resolution 2008 - 05 Establish Fruitland Township Supervisor Salary for Fiscal Year 2008 / 2009

Motion by Trustee Binns, second from Trustee Eley, **ADOPTED**, to establish the salary of the Supervisor of the Township of Fruitland at a proper level of 31,314.19 for the Fiscal Year of April 01, 2008 through March 31, 2009.

ROLL CALL VOTE:

Trustee Bole AYE, Trustee Binns AYE Trustee Eley AYE,
Treasurer Boyer AYE, Clerk Beard NAY,
Trustee Bard AYE, Supervisor Boughton AYE

- c. Resolution 2008 – 06 Establish Clerk Salary for Fiscal Year 2008 / 2009

Motion by Trustee Eley, second from Treasurer Boyer, **ADOPTED**, to establish the salary of the Clerk of the Township of Fruitland at a proper level of 31,314.19 as a base salary for the Fiscal Year of April 01, 2008 through March 31, 2009, and 1,500 per election, excluding the August 2008 Primary Election and the November 2008 General Election, only through to November 04, 2008. This 1,500 provision shall expire on November 04, 2008.

ROLL CALL VOTE:

Trustee Bard AYE, Trustee Bole AYE, Trustee Binns AYE
Trustee Eley AYE, Treasurer Boyer AYE, Clerk Beard NAY,
Supervisor Boughton AYE

Trustee Eley stated the Salary of the Clerk can not be decreased unless the official agrees in writing, and requested Clerk Beard submit written consent to forgo election portion of the Clerk's Salary; Clerk Beard decline request.

- d. Resolution 2008-07 Establish Treasurer Salary for Fiscal Year 2008 / 2009

Motion by Trustee Eley, second from Trustee Binns, **ADOPTED**, to establish the salary of the Treasurer of the Township of Fruitland at a proper level of 31,314.19 for base salary with both winter and summer tax collection, for the Fiscal Year of April 01, 2008 through March 31, 2009.

ROLL CALL VOTE:

Trustee Bole AYE, Trustee Binns AYE Trustee Eley AYE,
Treasurer Boyer AYE, Clerk Beard NAY, Trustee Bard AYE,
Supervisor Boughton AYE

- 6. Life Insurance
Building, Electrical, and Mechanical Inspector

Motion, by Treasurer Boyer, second from Trustee Eley, **ADOPTED AS AMENDED**, to reinstate life insurance benefit for the positions

of the Building Official, Electrical Inspector and Mechanical Inspector, and *amended to include* reinstatement of life insurance for the Ordinance Enforcer and Zoning Administrator.

Upon Voice Vote:

6 AYES (*Bard, Binns, Boyer, Eley, Boughton, Beard*)

1 NAY (*Bole*)

Treasurer Boyer stated the pay for the Code Enforcement Inspectors is being restructured to eliminate phone reimbursement, mileage, and education, and that reinstating the life insurance benefit keeps Fruitland Township eligible as a policy holder with 10 participants. Treasurer Boyer stated that the Ordinance Enforcer and Zoning Administrator opted to participate in payroll deduction to continue life insurance benefit that was revoked by the vote of the Fruitland Township Board. Treasurer Boyer said consideration to restructure pay for Electrical and Mechanical Inspector would be based on a percentage and not a set salary, and the Building Official proposal includes a reduction in monthly base salary (1,000.00) plus 40.00 per permit.

7. Item Number: 02-08-06
Truck Repair/Purchase

Motion by Trustee Bard, second from Trustee Eley, ***ADOPTED***, to appoint Trustee Bole and Supervisor Boughton to look into and purchase a 1 ton, 4 wheel drive maintenance truck for the township.

Upon Voice Vote:

6 AYES (*Bard, Bole, Binns, Boughton, Boyer, Eley*)

1 NAY (*Beard*)

Supervisor Boughton reported Fruitland Township purchased the 1994 Ford 1 ton truck used 15 years ago for 15,500.00 and the 3 year prior repair expense as Dale's 2,425.81, Twin Cities 129.27, Carr's 609.02 for the purchase of 1 set of tires, a water pump, fuel pump, gas tank, and rear end; the vehicle is in need of a transmission projected to cost from 2,000 to 3,000. Supervisor Boughton stated he has investigated, with the assistance of John Miller, Fruitland Township Maintenance, 2 programs for municipal purchase of vehicles: 1.) MI BID; and 2.) General Motors Government Assistance; both programs were ¾ ton trucks.

Motion by Treasurer Boyer, second from Trustee Binns, ***ADOPTED***, to have an evaluation of the present 1 ton truck performed by certified mechanic and repair the transmission if it is practical and the truck is deemed to have remaining useful life, not to exceed 3,000.00.

Upon Voice Vote: **7 AYES.**

8. Adjournment

Motion by Clerk Beard, second from Treasurer Boyer, ***ADOPTED***, to adjourn the Wednesday, February 20, 2008 Rescheduled Regular Meeting of the Fruitland Township Board at 8:25 p.m.

Upon Voice Vote: **7 AYES.**

Respectfully Submitted,

Janell Beard, Certified Municipal Clerk
Fruitland Township Clerk