

**Fruitland Township Board
(Rescheduled) Regular Meeting
Minutes
April 22, 2008**

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

ALSO PRESENT: Recording Secretary Sally Garvey, Township Attorney Robert Eklund and 7 interested parties.

CALL TO ORDER: Supervisor Boughton called the Tuesday, April 22, 2008 Rescheduled Regular Meeting of the Fruitland Township Board to order at 7:00 p.m.; and led those in attendance in the Pledge of Allegiance.

PUBLIC COMMENT –

1. Chuck Peabody, 6083 South Shore Drive, questioned 1) when the boat ramp at Lakeside Inn would be put in. Supervisor Boughton advised the dock was put in today, 2) if it had been dredged. Clerk Beard stated the Muskegon County Road Commission believes their money is for roads only and they leave dredging up to the township now. 3) will the Nestrom Road launch will ever be usable again. Supervisor Boughton asked the Parks and Recreation Liaison, Trustee Binns to bring this question to that board.

Motion by Trustee Eley, second from Trustee Binns, **ADOPTED**, to direct Supervisor Boughton to contact the Muskegon County Road Commission to schedule a meeting regarding the Scenic Drive Road End/Lakeside Inn.

Upon Voice Vote: 7 **AYES**

MINUTES -

Motion by Treasurer Boyer, second from Trustee Bard, **ADOPTED**, to accept the March 12, 2008 and March 17, 2008 Regular Meeting Minutes.

Upon Voice Vote: 7 **AYES**

RECEIPTS and DISBURSEMENTS –

Motion by Trustee Bole, second from Trustee Bard, **ADOPTED**, to accept the report of receipts in the amount of \$5,978.62 for Fiscal Year 07/08, and \$13,239.34 for Fiscal year 08/09 with a transfer to designated funds of \$150,000 for Fund 101, for a General Fund Balance (Funds 101, 120, 130, 140, 145, 470 and 812), for a Total Balance of \$951,868.47 for Fiscal Year 07/08 and \$13,239.34 for Fiscal year 08/09 (liquid balance), and Total Bank Balances and Certificate of Deposits in the amount of \$1,244,873.38 as of April 21, 2008, as reported by Debbie Boyer, Fruitland Township Treasurer CPFA; and approve Total General Fund Disbursements in the amount of \$48,153.52 for the period

of March 18, 2008 through April 22, 2008 as reported by Janell Beard, Fruitland Township Clerk CMC.

Upon Voice Vote: 7 AYES

NEW BUSINESS –

1. Item Number: 04-08-01
Lakewood Lot Sales

Motion by Trustee Eley, second from Trustee Binns, **ADOPTED**, to accept the offer from Leonard and Vivienne Zaug to purchase Lots 17-40 of the Lakewood Addition No. 4 with a restrictive covenant permanently binding these lots to their property (Lots 1-16 and 41-48) and to direct Attorney Eklund to handle said sale for the Township.

Upon Voice Vote: 7 AYES

2. Item Number 04-08-02
Maciejewski v.MCRC

Motion by Trustee Eley, second from Trustee Bole, **ADOPTED**, to approve the legal description as presented by the Muskegon County Road Commission and Charles and Betty Maciejewski which satisfies Resolution 2008-02.

Upon Voice Vote: 7 AYES

3. Item Number 04-08-03
Grover Resignation

Motion by Trustee Eley, second from Trustee Bard, **ADOPTED**, to accept the resignation of Bryan Grover from the Planning Commission whose term expires March 2009, and direct Supervisor Boughton to send a letter of appreciation and to publish a request for a replacement.

Upon Voice Vote: 7 AYES

4. Item Number 04-08-04
Senior Citizen Request

Motion by Treasurer Boyer, second from Trustee Bole, **ADOPTED**, to continue to contract with the White Lake Senior Center for services for Fruitland Township and direct Clerk Beard and Supervisor Boughton to sign said contract (\$1,500) that goes from May 2008 to May 2009.

Upon Voice Vote: 7 AYES

5. Item Number 04-08-05
Request to MCRC RE: Porta-Jon, Trash Barrel, Dock-Scenic Drive

Motion by Treasurer Boyer, second from Trustee Eley, **ADOPTED**, to direct Supervisor Boughton to make application to the Muskegon County Road Commission for placement of dock, porta-jon and trash barrel at Scenic Drive Road End/Lakeside Inn.

7 AYES

6. Item Number 04-08-06
Mason Drain Progress Report

Muskegon County Drain Commissioner Marty Hulka, Peter Jonker, Jack and Todd Groessl, Dale Augustin from the White Lake Golf Club, Supervisor Boughton and Trustee Bole met today, Tuesday April 22, to discuss the issue. The best way to resolve the issue would be to redirect the drain. Both the Groessls and Jonkers would need to give thirty (30) foot easement. The Groessls are willing to but the Jonkers are not. This project will be costly and before we can get an estimate it needs to be determined how much of the drain will be redirected and where the drain will be put. The Drain Commission has no money so the project will need to be assessed. Some discussion was held on whether the Drain Commission or the Township would do the assessment. Attorney Eklund asks why we wouldn't want the Drain Commission to do assessments. Trustee Bole states that if the Drain Commission does the assessment the State gets involved and it could take 1 ½ - 2 years and would be more costly. The White Lake Golf Course and Groessls are willing to help with funding. The township Drain Fund in the past has been used for repairs of drains; however, Supervisor Boughton said maybe the township could help also. Attorney Eklund will check statutes to see if the township could do the assessment. If the easement is not granted the drain will have to be repaired and remain in the same location as it is now. Attorney Eklund states again he believes it would be better to have the Drain Commission do the assessment, if we do it we will need to obtain 50% of the owners on the drain to agree. Supervisor Boughton and Trustee Bole will continue to work on this issue, if needed a special meeting will be called.

Adjournment

Motion by Trustee Eley, second from Trustee Boles, **ADOPTED**, to adjourn the Tuesday, April 22, 2008 Rescheduled Regular Meeting of the Fruitland Township Board at 8:00 p.m.

Respectfully Submitted,

Sally Garvey
Recording Secretary