

FRUITLAND TOWNSHIP BOARD
REGULAR MEETING
SEPTEMBER 15, 2008
MINUTES

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

ALSO PRESENT: Township Attorney Robert Eklund and 15 interested parties.

NOT PRESENT: Clerk Janell Beard.

CALL TO ORDER: Supervisor Boughton called the Monday, September 15, 2008, Regular Meeting of the Fruitland Township Board to order at 7:00 p.m. and welcomed those in attendance and led the Pledge of Allegiance.

PUBLIC COMMENT –

1. Alan McCabe, didn't provide address, hands out copies to the board members of the 2008 summer tax bill for 3740 W. River Road and demands an explanation of why it shows a balance due of 467.88 but the copy of the check written by David L. Spyke was for 944.29. He believes it's something the assessor has done because she was at this property in January and he would not let her in; he said he showed her where the road was.

Treasurer Boyer states she can not give an explanation tonight but she assumes that the 944.29 is payment for more than that one (1) parcel. She will investigate and notify Mr. McCabe on Tuesday September 16, 2008.

2. Denise Irely, 2290 Nestrom Road, thanks the township for getting the road blocking done and asks about the speed limit sign that was requested.

Supervisor Boughton states the request for the speed limit sign was made to the Muskegon County Road Commission.

3. Nancy Johnson, 2995 Scenic Drive, questions why the McMillan Road End is still being considered in the proposed Parks & Recreation Master Plan, she understood it was to stay under the Township Board jurisdiction.

Supervisor Boughton explains that it will stay under the Township Board jurisdiction until all improvements have been completed.

Condemnation update – Supervisor Boughton advises Attorney Eklund will be drawing up language to post at the Bard Road and Duck Lake Road properties giving the owners until the October 20, 2008 Township Board meeting time to address the issue.

Supervisor Boughton advises the Township has been approved for a grant to bring the Community Building into compliance with handicap access requirements.

MINUTES - Accept or amend the August 13, 2008 and August 18, 2008 Regular Meeting Minutes.

Motion by Treasurer Boyer, second from Trustee Bole, **ADOPTED**, to approve the August 13, 2008 and August 18, 2008 Regular Meeting Minutes as submitted.

Upon Voice Vote: **5 AYES 1 NAY (Eley) 1 ABSENT**

According to Trustee Eley she did not receive these meeting minutes so could not consciously vote on them. Other board members received them; she will go back and check but will not vote on them.

RECEIPTS and DISBURSEMENTS –

Accept or amend report of receipts in the amount of \$91,183.72 for Fiscal Year 08/09, for the period of August 16, 2008 through September 12, 2008 for a General Fund Balance (Funds 101, 120, 130, 140, 145, 470 and 812), for a Total Balance of \$361,716.25 for Fiscal Year 08/09 (liquid balance), and Total Bank Balances and Certificate of Deposits in the amount of \$1,236,091.65 as of September 12, 2008, as reported by Debbie Boyer, Fruitland Township Treasurer CPFA; and approve or amend for Total General Fund Disbursements in the amount of \$33,667.18 for the period of August 16, 2008 through September 12, 2008 as reported by Debbie Boyer, Fruitland Township Treasurer CPFA.

Motion by Trustee Bole, second from Trustee Eley, **ADOPTED**, to accept the report of receipts in the amount of \$91,183.72 for Fiscal Year 08/09, for the period of August 16, 2008 through September 12, 2008 for a General Fund Balance (Funds 101, 120, 130, 140, 145, 470 and 812), for a Total Balance of \$361,716.25 for Fiscal Year 08/09 (liquid balance), and Total Bank Balances and Certificate of Deposits in the amount of \$1,236,091.65 as of September 12, 2008, as reported by Debbie Boyer, Fruitland Township Treasurer CPFA; and approve or amend for Total General Fund Disbursements in the amount of \$33,667.18 for the period of August 16, 2008 through September 12, 2008 as reported by Debbie Boyer, Fruitland Township Treasurer CPFA.

Upon Voice Vote: **6 AYES 1 ABSENT**

NEW BUSINESS:

1. TRUCK BID ACCEPTANCE

Motion by Trustee Bole, second from Trustee Bard, **ADOPTED**, to accept the low bid of \$36,589.00 from Don Rypma for one (1) G.M.C. Sierra Model 3500 and direct Supervisor Boughton to place the order for such.

ROLL CALL VOTE:

Trustee Bard **AYE**, Trustee Bole **AYE**, Trustee Binns **AYE**, Trustee Eley **AYE**, Treasurer Boyer **AYE**, Supervisor Boughton **AYE**.

2. REQUEST FOR PROPOSALS – SEWER STUDY

Motion by Trustee Bole, second from Trustee Eley, **ADOPTED**, to direct Supervisor Boughton to work with John Warner, Deputy Director of Muskegon County Public Works to write a request for engineering

proposals for the Whitehall Road Corridor, solicit proposals, which shall be submitted to the Township Board.

Upon Voice Vote: **6 AYES 1 ABSENT**

3. PARKS & RECREATION PLAN

Motion by Treasurer Boyer, second from Trustee Eley, **FAILED**, to accept the Recreation Plan as submitted by the Parks and Recreation Commission and to send this approved plan to the Muskegon Department of Natural Resources, Laketon, Dalton, and Whitehall Townships, and the West Michigan Regional Shoreline Development Commission.

ROLL CALL VOTE:

Trustee Bole **NAY**, Trustee Binns **NAY**, Trustee Eley **NAY**, Treasurer Boyer **AYE**, Trustee Bard **NAY**, Supervisor Boughton **AYE**.

DISCUSSION

Trustee Bole advises on the 1st page of the submitted plan the date needs to be changed from September 2007 to September 2008.

John Noling, Parks and Recreation Commissioner explains that the Parks Commission feels that when complete the McMillan Road End should be under the Parks and Recreation Commission jurisdiction like the other parks in the township, the reason for the budgeted \$50,000.00 is because the Parks and Recreation Commission believe monies to improve the Road End should be coming from them and not the Township Board.

Trustee Binns believes McMillan Road End should be left out of this five (5) year plan, at the next review it could be added if it is indeed a park at that time.

Trustee Bard agrees with Trustee Binns and would like the adoption of the plan be tabled until the new board takes over.

Trustee Eley agrees with Trustee Binns and Trustee Bard and will vote **NAY** for adoption.

John Noling, Parks and Recreation Commissioner explains the Parks and Recreation Commission want the McMillan Road End to remain open for public access, he supports the submitted document with the understanding it is a work in progress.

Supervisor Boughton explains the Parks and Recreation Plan expired two (2) years ago and without the plan no grants can be applied for.

4. MEINERT PARK EXPANSION RESOLUTION

Motion by Trustee Bole, second from Trustee Eley, **ADOPTED**, to adopt the Resolution of support for the acquisition of land for the Meinert Park expansion.

ROLL CALL VOTE:

Trustee Binns **AYE**, Trustee Eley **AYE**, Treasurer Boyer **AYE**, Trustee Bard **AYE**, Trustee Bole **AYE**, Supervisor Boughton **AYE**.

5. WATER RATE APPENDIX B

Motion by Trustee Eley, second from Trustee Bole, **ADOPTED**, to adopt "Appendix B – Rates and Charges" effective December 1, 2008 for the Muskegon County Regional Water System per resolution.

ROLL CALL VOTE:

Trustee Eley **AYE**, Treasurer Boyer **AYE**, Trustee Bard **AYE**, Trustee Bole **AYE**, Trustee Binns **AYE**, Supervisor Boughton **AYE**.

6. LAND SALE

Motion by Trustee Binns, second from Treasurer Boyer, **ADOPTED**, to accept the public notice prepared by Attorney Eklund for parcel "B" from 61-06-131-400-0026-20 with amendment to change the minimum bid from \$7,500.00 to \$5,000.00 and to direct Supervisor Boughton to place said ad in the White Lake Beacon for opening at the October 15, 2008 board meeting.

Upon Voice Vote: **6 AYES 1 ABSENT**

DISCUSSION

Some trustees felt that the minimum bid of \$7,500.00 was too much and they would like to see the adjacent property owner be able to purchase it. Supervisor Boughton agrees he would like to sell it to the adjacent property owner also but by law it must be offered to all. Treasurer Boyer states the township will be taking a greater loss if the minimum bid is changed to \$5,000.00.

7. ADJOURNMENT

Motion by Trustee Bard, second from Trustee Eley, **ADOPTED**, to adjourn the Monday September 15, 2008 Regular Meeting of the Fruitland Township Board at 8:15 p.m.

Upon Voice Vote: **6 AYES 1 ABSENT**

Respectfully Submitted,

Sally Garvey, Deputy Clerk
Township of Fruitland