

**FRUITLAND TOWNSHIP BOARD
WORK SESSION
March 25, 2009
MINUTES**

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

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

CALLED TO ORDER: Supervisor St. Amour called the Wednesday, March 25, 2009, Work Session Meeting of the Township of Fruitland Board to order at 1:00 PM. Supervisor St. Amour thanked the board for its understanding and acceptance to meet today.

AGENDA: Accept or amend the Monday, March 25, 2009 Agenda. Supervisor St. Amour asked the board to amend the following on the agenda: add item #6 Wages.

Motion by Trustee Deur, second by Trustee Binns, **ADOPTED**, to accept the March 25, 2009 Work Session Agenda.

Upon Voice Vote: 7AYES

1. Planning Commission – Brian Lernowich (3 year term – April 1, 2009 – Marc 31, 2012)

Motion by Trustee Bard, second by Trustee Deur, **ADOPTED**, to accept Brian Lernowich as a member on the Planning Commission for a 3 year term beginning April 1, 2009 – March 31, 2012.

Upon Voice Vote: 7AYES

2. Maintenance/Ecology Station – Supervisor St. Amour stated that Mr. Miller announced on Monday, March 23, 2009 that he would be retiring effective that day. Mr. Fowler had agreed to continue his employment through the end of this month so the Ecology Station is staffed through this weekend. Supervisor St. Amour would like to follow the policies and procedures on hiring a new employee and asked the board to look over and make any additions/corrections to the classified ad which he would like to place in the weekend's paper. The deadline for the advertisement is Thursday at 3:00 PM. Supervisor St. Amour asked Attorney Eklund to state his findings on public officials serving in other paid positions at this time. Attorney Eklund stated several cases and stated that it may be non-compatible. Supervisor St. Amour asked Attorney Eklund to provide written communication to the board stating that language.

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3. Proposed 2009-2010 Wages – Supervisor St. Amour stated that he felt there was enough push back from this board in the proposed 1% cost of living and up to 2% merit for the three office staff in the upcoming budget. He asked each member their thoughts and will take into consideration for the Public Budget Hearing scheduled on March 30, 2009. Trustee Deur questioned whether the Building Inspection Department needed to breakeven or not. Supervisor St. Amour asked Attorney Eklund to review and report his findings. Treasurer Boyer stated that this department has a continuing rolling effect from year to year. Some years it covers itself and other years it does not.

4. Road Ends – Supervisor St. Amour pleaded with the board to try to make a decision on road ends for the Parks and Recreation Commission consideration of jurisdiction. Attorney Eklund provided the board with clarification of authority which Supervisor St. Amour agreed was better terminology than jurisdiction. Supervisor St. Amour asked the board for all their questions, concerns and thoughts about road ends. After much discussion about liability, road maintenance, usage and consideration of authority to the Parks and Recreation Commission, the board agreed to have Supervisor St. Amour research road ends titles and start discussions with the Muskegon County Road Commission to gather information on possible road end ownership. Attorney Eklund stated that all road ends must allow public to have access to the water. Attorney Eklund will review the status of the agreement between Lakeside Inn and Fruitland Township in regards to the Porta-jon and trash receptacle. Attorney Eklund will also consult with MTA as to the language of constructing boat docks and having to be authorized by 3/5 of the registered voters at a general or special election.

Supervisor St. Amour asked for a five minute break. All were in favor.

5. Scenic Drive – Supervisor St. Amour gave the board a quick synopsis of the informational meeting with both Laketon and Fruitland Township residents and the Muskegon County Road Commission. The road commission has budgeted approximately 1.2 million dollars to Scenic Drive and has marked approximately 300 trees for removal from Memorial Drive to South Shore Drive. Not budgeted into the road repair are shoulders. At the informational meeting, a show of hands showed some support to have a special assessment to residents along Scenic Drive to pay for the paving of shoulders. Supervisor St. Amour would like to discuss at the next work session a policy going forward to possibly get more road repairs completed by sharing the costs between MCRC, Fruitland Township and its residents not only for Secondary but also Primary Roads such as Scenic. Attorney Eklund handed out information on procedures to initiate the assessment by the township or by citizens.
6. 2008 Hydrant Spray Program – Clerk Rillema reported back to the board her findings on the invoice for hydrant spraying. The Muskegon County Department of Public Works invoices at the end of the previous year for work completed. This invoice is for 2008-09 budget.

Motion by Trustee Bole, second by Trustee Binns, ***ADOPTED***, to approve the \$2200.00 invoice to Muskegon County Department of Public Works for 2008 hydrant spraying.

Upon Voice Vote: **7AYES**

7. Trustee Deur introduced Steve Nagengast of the Citizen’s Advisory Wireless Committee seated in the audience and stated that AT & T was interested in leasing property and installing a potential cell tower on a property owned by Fruitland Township between Todd Road & Simonelli Road. Trustee Deur anticipates that additional revenue to the township would be paid at a fair market value – which was undetermined at this time of conversation. Treasurer Boyer cautioned that our property status now is non-exempt and by entering into a lease agreement could change that status and we may have to pay property tax. Trustee Deur asked Treasurer Boyer if she would get clarification on that matter from Assessor Sue Bowen and report back to him.

ADJOURNMENT:

Motion by Trustee Bole, second by Trustee Deur, ***ADOPTED***, to adjourn the Wednesday, March 25, 2009 Work Session Meeting of Fruitland Township at 3:25 PM.

Upon Voice Vote: **7AYES**

Respectfully submitted,

Karolyn Rillema, Clerk
Township of Fruitland