

**Minutes of a Regular Meeting of the  
Spring Lake Township Board of Trustees  
December 13, 2010**

A meeting of the Spring Lake Township Board of Trustees was held at the Spring Lake Township Hall at 106 S. Buchanan, Spring Lake, MI 49456.

At the 6:00pm workshop, the sewer upgrade and various options to fund the project was discussed; as well as, an update on the status of the 2011 Strategic Plan.

**1. Call to Order/Roll Call of the Board:**

Supervisor Nash called the meeting to order at 7:08pm.

Present John Nash, Carolyn Boersma, Jim Koster, Ron Lindquist, Larry Mierle, Judy Miljan, Bob Shay

Absent: None

Participants: Gordon Gallagher, Spring Lake Township Manager, Ron Bultje, Spring Lake Township Attorney

**2. Invocation and Pledge:**

Supervisor Nash opened the meeting with a spiritual reading and the pledge of allegiance.

**3. Public Comment:**

Public comment was opened at 7:04 pm and closed at 7:16pm. Two comments were offered at this time.

**4. Approval of Agenda:**

**Motion** by Lindquist, support by Shay to approve the agenda with the addition of 10a Sewer Fund Rate Increase, 10b Water Fund Rate Increase and 11a Sunday Liquor Sales.

With a unanimous vote the motion carried.

**5. Approval of Consent Agenda:**

**Motion** by Shay, support by Lindquist to approve the consent agenda.

With a unanimous vote the motion carried.

- a. Approve November 8, 2010 Minutes
- b. Approve payment of all fund bills
- c. Receive November 30, 2010 Financials
- d. Cemetery Board Appointment – John Buikema
- e. Approval of 2011 Holiday Schedule
- f. Approval of 2011 Township Board Regular Meeting Schedule

**6. Heritage Festival Representative – Michelle Yasnik:**

The Heritage Festival Committee is going to give the Cemetery \$500.00 each year to purchase veteran plaques for the gravesites of those that served our country.

This is a generous gift and the Board is appreciative of the thoughtfulness.

## **7. Tyke Liquor License Request Public Hearing:**

At the November 8 meeting, the Board scheduled a public hearing to hear comment on the request by Susan Tyke for a Class C liquor license. Ed Grafton, attorney for Susan Tyke and Mark Frifeldt, owners of the proposed tiki bar, presented the request.

Supervisor Nash opened the public hearing at 7:38pm. 12 comments were offered as follows:

- 1) Jason Van Ittersum (no address given) – shared 4 issues against granting the license over traffic, noise, light pollution, and environmental concerns.
- 2) Carrie Larks (no address given) – does not want a bar in the back yard where young children reside, concerns over the sounds from the bar that amplify over the water, concerns for pedestrian safety issues.
- 3) James Quick (no address given) – stated that there were many traffic accidents when the site had a bar in years past, would like an extra traffic lane and reduced speed limit.
- 4) Jerry Akers, 15390 Mcleans - was concerned that if the license request was approved, would there be other public comment opportunities available; also stated that code enforcement is more difficult after the fact.
- 5) Carol Johnson, 16773 Mcleans – stated that in the past, bands had practiced in one of the existing buildings and could be heard very clearly across the Bayou.
- 6) Susan Strobel, 15388 Oak Ridge – concerns over parking in M104 right-of-way and speed
- 7) Richard Brown, 808 River – Inquired if an analysis was conducted on the decibels of traffic and people noise; stated that there is no control over behavior of the patrons who drink too much, there would be an increased level of disturbances in that area.
- 8) Wally Obits, 818 River – mentioned that the over growth of an invasive species called phragmites would disturb the view from the proposed deck.
- 9) Scott Kotrch, 18151 Fruitport Rd (Realtor of the property) - noted that atmospheric conditions control noise traveling over water; the kitchen should filter some of the noise; inside music would be acoustic; the bar may be a catalyst for changing the speed limit; the property had been on the market for over 3 years; the new owners will abide by State rules.
- 10) Jared Van Ittersum (no address given) – stated that a bar is not an appropriate business for an area that has young families.
- 11) Lance Lemmen, 15495 Oak Ridge Dr. – Reiterated a previous comment about the band that was playing in that area that could be heard inside the house with the windows shut and the air conditioning running.
- 12) Elliot Van Ittersum (no address given) – On record as agreeing with statements against approving the liquor license.

**Motion** by Shay, support by Lindquist to close the public hearing at 8:08pm.

The Board also shared all of the concerns mentioned but also wanted a more definitive reply from MDOT as to right-of-way and traffic safety issues.

**Motion** by Boersma, support by Shay to table the issue. With a unanimous vote the motion carried.

## **8. Library Board Appointment**

Spring Lake Township can appoint 5 people to the Spring Lake District Library Board. These are staggered 4-year terms. As of December 31, 2010 there will be two vacancies. Three applications have been received to fill the positions; Margaret Shay, Adrienne Johns, and Jane King. Margaret Shay and Jane King were present to introduce themselves to the Board.

**Motion** by Boersma, support by Lindquist to appoint Margaret Shay to the Spring Lake District Library Board term ending 12/31/2014. With 6 yes votes and 1 abstaining vote from Bob Shay (due to perceived conflict of interest) the motion carried.

**Motion** by Mierle, support by Lindquist to appoint Jane King to the Spring Lake District Library Board term ending 12/31/2014. With a unanimous vote the motion carried.

### **9. Fire Department LOSAP Policy:**

For many years the Fire Department has had in place a Length of Service Awards Program (LOSAP). The idea behind the program was to encourage longevity of volunteers by providing life insurance and a retirement-type benefit that increases with years of service. During the review of LOSAP it was determined that the insurance products that are being used to administer the program are more expensive than necessary to provide the benefits that are included. The following recommendations were presented to the Board for approval:

1. Terminate the VFIS LOSAP retroactively effective 10/1/2010.
2. Distribute the proceeds of the LOSAP to the vested firefighters on a net present value of accrued benefit basis.
3. Set up individual accounts in our existing ICMA-RC 457 plan for the current firefighters.
4. Authorize the distribution of proceeds to be either paid directly to firefighters or deposited into a 457 account.
5. Authorize the Township Manager to set up a new "Service Award" program using the existing 457 plan. This program should be tiered in such a way as to encourage longevity of service as well as active participation in the Fire Department.

**Motion** by Shay, support by Lindquist to approve 1 thru 4 as presented and revise 5 to include Board approval of new program. [RC] The motion carried unanimously.

### **10. Engineering Grant Submittal Authorization:**

Legislation has been recently passed that will provide for design and engineering grants for wastewater collection system improvements. The actual process has not yet been put in place by administrators of Michigan Department of Natural Resources and Environment (MDNRE). It is anticipated that the program will be identical to the program that was put in place several years back. Staff requested authorization to submit a grant request for up to 90% of the cost of design engineering for the proposed State Revolving Fund (SRF) lift station improvement project.

**Motion** by Shay, support by Lindquist to authorize the submission as requested. The motion carried unanimously.

### **10a. Sewer Fund Rate Increase:**

The Township has applied for and received a grant and low interest loan opportunities to repair or replace most of the sewer lift stations. The Board had been presented with different options from staff as to how to repay the loans. The options are a rate increase, a debt service charge, or a combination of both.

**Motion** by Shay, support by Lindquist to impose a 7% increase on the commodity rate and all sewer charges and to add a \$10.00 per quarter debt service charge.

**Motion** by Boersma, support by Shay to table the issue until a Resolution with the rate changes can be brought to the Board for approval. The motion carried unanimously.

**10b. Water Fund Rate Increase:**

This issue will be discussed at the January Board meeting when a Resolution can be brought before the Board for discussion and/or action.

**11. Authorization to Exercise Glafke Purchase Option:**

In April of this past year the Township applied for a grant from the Michigan Natural Resources Trust Fund (MNRTF) for funding to purchase the Glafke property on Leonard Road. Along with this grant request the Township received an Option to Purchase from the Glafke family. The Township was awarded the grant in the amount of \$61,000.00.

**Motion** by Shay, support by Mierle to authorize the Manager to extend the purchase option for 6 months per paragraph 1 of the purchase option agreement. The motion carried unanimously.

**11a. Sunday Liquor Sales:**

As of 12/20/2010 Sunday alcohol sales will be permissible. Many communities have passed Resolutions to opt out of Sunday morning sales of alcohol before noon. The Board will take no action on this issue.

**12. Reports:**

A time of information sharing was given to certain Board members and the Manager.

**13. Adjourn:**

The meeting adjourned at 11:02pm.

Respectfully submitted,

H. Carolyn Boersma, CMC  
Spring Lake Township Clerk