

**Minutes of a Regular Meeting of the
Spring Lake Township Board of Trustees
July 9, 2012**

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

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

Supervisor Nash called the meeting to order at 7:00 p.m.

Present: John Nash, Jim Koster, Ron Lindquist, Larry Mierle, Judy Miljan.

Absent: Carolyn Boersma and Bob Shay.

Participants: Gordon Gallagher, Spring Lake Township Manager; Ronald A. 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 7:05 p.m. and closed at 7:25 p.m.

- a. Jan Sluka, 16218 Highland Drive, spoke in favor of a bike path along 168th Avenue to Taft. She indicated that she had 47 signatures in favor of the bike path.
- b. Jane Ackerman, 15166 Krueger, asked the Township Board to consider a fireworks ordinance.
- c. Norm Herrema, 16380 Hemlock Drive, stated his support for a bike path on 168th Avenue.
- d. Stephany Perrotta of Creekside Estates stated her support for a bike path on 168th Avenue.
- e. Kathy Parmer, 16706 Taft, spoke in favor of regulating the discharge of fireworks.

Bultje advised that the State law, allowing the sale of higher powered fireworks, does not preempt local units from regulating their discharge. He indicated that a local unit of government can still encounter difficulty enforcing such a regulatory ordinance.

Nash suggested that he and Gallagher do some research on what other local units do concerning the regulation of fireworks and then report to the Township Board. By consensus the Board agreed.

4. Approval of Agenda:

Motion by Mierle, support by Lindquist, to approve the agenda as written, with the addition of "David Bos and Land Exchange" as an additional item after Item 10. With a unanimous vote the motion carried.

5. Approval of Consent Agenda:

Motion by Lindquist, support by Miljan, to approve the consent agenda. With a unanimous vote the motion carried.

- a. Approved June 11, 2012 minutes (regular and closed sessions).
- b. Approve payment of all fund bills.
- c. Receive June 2012 financials.

6. Waste Hauler Agreements:

In answer to a question, Gallagher advised that the fee quotes have been received from all four waste hauler carriers. Nash indicated that the fees had not changed.

Motion by Mierle, support by Miljan, to authorize the Supervisor and the Clerk to execute the June 28, 2012 drafts of the Township of Spring Lake, Michigan Residential Refuse and Garbage Removal Service License Agreement with Lake Effect Disposal Services, LLC; with RMS Recycling & Disposal, Inc.; with Republic Services (formerly known as Allied Waste Service and Sunset Waste Services); and with Waste Management, Inc. The motion passed unanimously with a roll call vote.

7. Review of Zoning Ordinance Amendment - Tent Structures:

Gallagher indicated there were 16 tent-like structures in the Township. He said the Township had actually permitted two of them. He said of the 14 unpermitted structures, five of them have already been removed. He said Township staff will pursue the removal of the other nine unless the Board directs otherwise.

In answer to a question, Bultje advised that the Zoning Ordinance Amendment is consistent with what several other local units have done.

Gallagher stated that of the two tent-like structures for which the Township issued permits, the Township will monitor their useful life.

By consensus, the Board agreed with the overall approach outlined by Gallagher.

8. Independent Contractor Agreement With the City of Grand Haven for a Financial Employee:

The Board considered a proposed Independent Contractor Agreement with a draft date of July 6, 2012, between the Township and the City of Grand Haven.

Nash said he would like some indication of what hours the employee would be at the City, and what hours the person would be at the Township. Gallagher agreed with that comment. He said

a structured schedule is needed. He said that both local units could extend flexibility to the other during the other's fiscal yearend.

Koster wondered about the possibility of the employee working at the City for three days and at the Township for two days, rather than a 50/50 split.

Gallagher indicated that the City's wage schedule is virtually identical to the Township's wage schedule.

By consensus, the Board agreed with the concept of an Independent Contractor Agreement for a City employee who would work at both the City and the Township.

Gallagher indicated that the employee in question would work full days for the City or for the Township. He said the person would not split days between the two local units.

Motion by Lindquist, support by Mierle, to authorize the Supervisor and the Clerk to sign the Independent Contractor Agreement, with the draft date of July 6, 2012, with the understanding that the Township Manager will agree with the City on a specific schedule for the employee, and he will ask the City about a 60/40 split of the employee between the City and the Township. If the City is not willing to do the 60/40 split, the Township Board is willing to do a 50/50 split. The motion passed unanimously with a roll call vote.

9. Budget Amendment - Lovell Park Property Tax Sale Purchase:

Motion by Lindquist, support by Mierle, to adopt budget amendment (1) on the July 9, 2012 budget amendment sheet, increasing the Parks Account by \$7,600.00 and decreasing the Fund Balance-General Fund account by \$7,600.00, to accomplish the Lovell Park property tax sale purchase. The motion passed unanimously by roll call vote.

10. Budget Amendment - Road Resurfacing:

Motion by Nash, support by Mierle, to approve budget amendment (2) on the July 9, 2012 budget amendment sheet, increasing the Road Construction Fund by \$95,000.00 and decreasing the Fund Balance-General Fund by \$95,000.00, to complete the roads in North Holiday Hills; and to authorize the Supervisor and the Clerk to execute a contract with Terry Asphalt to accomplish that work. The motion passed unanimously with a roll call vote

11. David Bos and Land Exchange:

David Bos reviewed a proposed land exchange which was originally negotiated in 2005, was renewed in 2009, and expired on April 30, 2012. Bos said that he's been meeting regularly with Nash, Gallagher, and Lukas Hill. He said that preliminarily, when his company constructs the residential project on the property in question, the result will be approximately 450 dwellings in approximately seven separate neighborhoods. Bos estimates that this project will begin in the next 24 to 36 months. He asked for an extension of 36 months, to April 30, 2015.

Motion by Mierle, support by Miljan, to authorize the Supervisor and the Clerk to sign an extension agreement to April 30, 2015. The motion passed unanimously by roll call vote.

12. Fire Station Maintenance - Authorization to Paint Fire Station 2:

Gallagher indicated that up to \$12,000.00 may be necessary to paint discolored concrete and the outdoor brick at the VanCura building, purchased by the Township as Fire Station 2. Koster said there is money available for this project.

Motion by Lindquist, support by Mierle, to bid this painting project and to authorize the approval of a contract for the performance of the work, up to \$12,000.00. The motion passed unanimously by roll call vote.

13. DeWitt School Improvements:

Nash stated that Chuck Michaels of Shape Corporation indicated a willingness to help with this improvement project for DeWitt School. Originally the project was for painting, but Nash noted that the roof needs repair as does the bell tower. Nash stated that the Tri-Cities Historical Museum and the North Bank Community Foundation are willing to assist in this project as well.

Tentatively, the Museum will contribute \$450.00 for the paint, the Township will contribute \$1,250.00 for the roof repair, and the Foundation will contribute \$500.00 for the bell tower repair. The entire project should not exceed \$2,200.00.

Mierle stated this is routine maintenance which simply needs to be done.

Motion by Mierle, support by Miljan, to proceed with this maintenance project, with the collaboration of the North Bank Community Foundation and the Museum, to obtain estimates for the work, and to split the expense as conceptually described above. The motion passed unanimously.

[Miljan left the meeting at 8:55 p.m.]

14. Harbor Transit Resolution:

Motion by Lindquist, support by Mierle, to adopt the Harbor Transit Multi-Modal Transportation System Service Resolution, with a draft date of July 6, 2012. The motion passed unanimously with a roll call vote.

15. Reports:

- a. Gallagher presented a Manager's Report. He indicated that the burn day scheduled for a week from Saturday will probably be cancelled. An alternative date will be established when feasible. He indicated that discussions are being

held with the City of Grand Haven to formalize an arrangement whereby the Township will share in the usage of the City's aerial truck.

- b. As part of the Treasurer's Report, Gallagher noted that to increase the Township's police protection, discussions were ongoing with the Ottawa County Sheriff for an EMT Unit which would respond to medical calls and also provide an additional police presence in the Township.
- c. Mierle stated that there was no report from the Zoning Board of Appeals.
- d. Lindquist stated there was no report from the Planning Commission.
- e. Nash presented the Supervisor's Report.

16. Adjourn:

Motion by Mierle, support by Lindquist, to adjourn the meeting at 9:30 p.m. The motion passed unanimously.

Respectfully submitted,



Ronald A. Bultje,
Spring Lake Township Attorney and
Recording Secretary