

LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
SPECIAL NOON MEETING
February 9, 2010

A SPECIAL MEETING OF THE LINCOLN CHARTER TOWNSHIP BOARD OF TRUSTEES WAS CALLED BY SUPERVISOR DICK STAUFFER FOR THE PURPOSE OF REVIEWING THE AGENDA OF THE REGULAR MEETING OF FEBRUARY 9, 2010.

Notice was posted February 3, 2010.

THE SPECIAL MEETING of the Lincoln Charter Township Board of Trustees was called to order by Supervisor Dick Stauffer on February 9, 2010 at 11:33 a.m. at the Municipal Building, 2055 W. John Beers Road, Stevensville.

BOARD MEMBERS PRESENT: Florian, Gillette (arrived at 1:20 p.m), Loar-Porter, Norbey, Peterson (arrived at 11:50 a.m.), Smith, and Stauffer.

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Attorney Dienes and Engineer Austin.

Audit Request for Proposal presentation. Gerbel & Company, P.C., Bob Gerbel made a presentation of their services to the board.

Request for Liquor License. Owners from the Greek Island Restaurant, 4296 Red Arrow Hwy, came before the Board of Trustee to request approval for a Class C Liquor License. Lincoln Charter Township has one Class C license available for use. They cited that the license would increase their revenue, there are no plans to add a bar or extend their hours, and the environment will continue to be family friendly. They stated they are aware of the previous owner's situation and the liquor license associated with the previous business is being held in bankruptcy court. They felt not having a license has hindered business. The restaurant has a banquet room available and having a license would add to the number of uses.

Request for Charitable Gaming License. Lake Michigan Land Sharks requested approval for a resolution for a charitable gaming license. The group whose motto is 'Party with a Purpose' host fundraisers throughout the year for local charities. They are requesting approval to hold a raffle to be held at 5 O'Clock Sports Bar.

Resolution for Charitable Gaming License. Motion Carried. Stauffer moved, seconded by Smith, to approve the Resolution for Charitable Gaming License for the Lake Michigan Land Sharks. *Resolution # 10-02. Attachment A.* Roll Call Vote: Ayes: Florian, Loar-Porter, Norbey, Peterson, Smith and Stauffer. Nays: None.

Meijers. Austin presented the request for payment to Meijer through the MDEQ Brownfield Loan made by Meijer. The request was for expenses incurred for removing soils over the 50 mg/kg of PCBs. All backup materials have been reviewed and approved by Dave Austin. The quarterly report to the MDEQ has been filed. Attorney Dienes agrees with the request and payment.

Approval of payment to Meijer. Motion Carried. Stauffer moved, seconded by Peterson, to approve the \$413,744.35 payment to Meijer from the Revitalization Revolving Loan.

Approval of payment for loan administration fees. Motion Carried. Loar-Porter moved, seconded by Stauffer to approve payment of administration fees associated with the review of the documents for the Revitalization Revolving Loan.

Austin stated that Williams & Works has received the final plans for Meijer that includes the conditional items placed on the project by the Planning Commission. Planner Lynee Wells is finalizing the plans to ensure all conditions have been completed.

Hollywood Drain project. Austin stated that the construction plans are being reviewed and comments are being prepared. Some adjustments may be in order by county engineer Spicer to avoid some areas that may cause conflict.

Purchase of Extrication Cutter. Motion Carried. Loar-Porter moved, seconded by Peterson, to approve the purchase of the JAWS upgrade for extrication cutters, not to exceed \$7,000.

Planning Commission. Florian reported that the application for special use for a Bed and Breakfast on Waverland Path was granted. The commission will be developing a license to coincide with the special use to assist with enforcing compliance.

The text amendments for Article 4 and Article 9 will be presented at the evening meeting.

Utility increases. Stauffer presented the estimated Michigan Gas Utility and Indiana Michigan Power increase notices that were received in the mail. Stauffer will write a letter to each to address tightening the rate increase.

Fire Board. Peterson stated the Fire Board held a budget workshop on February 8th; they reduced their budget by approximately \$4,000.

The 2009 FEMA grant for communication devices was granted.

Reid Litigation. Dienes reported that oral arguments for the case have been completed. An opinion should be announced quickly. The board may need to call a special meeting to review the information that was argued and how it was received.

Liquor License Request. Discussion was held on the issuance of the Class C Liquor License. The board had concerns of approving the use of the last license. Florian stated the owners made their investments without the license; it may have been different if they had asked for approval before starting the business and also felt that the license should be saved for new investments. Norbey stated the owners should pursue buying a license.

Audit Request for Proposal presentation. Schaffer & Layher, David Schaffer made a presentation of their services to the board.

Audit Request for Proposal presentation. Plante Moran, Sharon Vargo and Kenley Penner made a presentation of their services to the board.

Audit Request for Proposal presentation. Scarpone & Co., P.C., Jim Scarpone and Marlene Beach made a presentation of their services to the board.

There being no further business, the Supervisor adjourned the meeting at 2:44 p.m.

Stacy Loar-Porter

Certified Copy