

LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
SPECIAL NOON MEETING
January 12, 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 JANUARY 12, 2010.

Notice was posted January 6, 2010.

THE SPECIAL MEETING of the Lincoln Charter Township Board of Trustees was called to order by Supervisor Dick Stauffer on January 12, 2010 at 11:35 a.m. at the Municipal Building, 2055 W. John Beers Road, Stevensville.

BOARD MEMBERS PRESENT: Florian, Loar-Porter, Norbey, Peterson, Smith, and Stauffer.
BOARD MEMBERS ABSENT: Gillette.

ALSO PRESENT: Attorney Dienes and Engineer Austin.

Letter to Berrien County Commissioners. Stauffer reported that a letter was sent in opposition to the County Drains becoming Chapter 20 drains. County Commissioner stated that the issue has gone into committee and will not likely be brought to a vote at this time.

Meijers. Horizon Environmental holds weekly meetings providing updates on the progress. Township Engineer Austin is present at the meetings. 40% of the contaminated material has been removed from the site. The cleanup is ahead of schedule. The north end, which had the highest contamination level, is almost complete and work will begin on the south end. The first quarter reports are due to the MDEQ by January 31st. As of now the schedule is to be done with cleanup and off the site by March with construction to begin in April.

Budget Workshops. Workshops have been set as follows: February 17th at 6:00pm to review Police, Parks and Fire Department. February 23rd at 6:00 pm to review General Fund and all remaining funds.

Planning Commission. Florian reported that the Planning Commission had discussion on the special use permit application for the Bed & Breakfast on Waverland Path. Discussion centered on developing a Bed & Breakfast License. When a special use is granted on a property the use remains in effect on the parcel even if the current owners were to sell the land, which is a concern. The general feeling of the Planning Commission is to support the request but they want to protect the area should ownership ever change. Majority of the neighbors are in favor of the business, a few have concerns of increased traffic and parking.

Stauffer stated he is in support of the licensing condition. Peterson questioned if conditional zoning was an option. Dienes stated that would not be the most favorable option.

Florian also reported that two text amendments are scheduled to be presented to the board at the February meeting.

AEP Franchise Agreement. Dienes reported he is still in contact with AEP. AEP has not been very receptive to our requests. He is now in contact with an AEP attorney and hoping to make more progress on the changes the Township has requested to be made to the franchise agreement.

Parks. Austin reported the bid package for water and sewer to the soccer fields is ready to be presented to Building Inspector Pheifer. After his approval the project will be placed out for bids and construction should begin in the spring. Construction should not affect the soccer season as the work will be done on the north end of the complex.

Tennis Program. Smith stated that she confirmed with Lakeshore Public Schools the tennis courts at the high school and junior high school are open to the public. There will be notice given to our residents of the availability during the summer tennis program.

Assessing. The assessing report states the residential class decreased by 5% in assessed values which will mostly affect those that have recently purchased a home.

Airport Authority. A Profit and Loss statement was included as requested in this month's package. Florian questioned if the authority explained the bonus that was issued to the director. Stauffer explained that the bonus is part of the director compensation package.

Dienes reported the Airport Authority approached him to provide presentation for a land acquisition. He does not feel there is a conflict of interest, but is looking for consent from the board to proceed. Positive consent was given by the board.

Fire Board. Peterson stated that fire board has a rough draft for the recovery ordinance which includes a broader spectrum of cost recovery. They plan to present the ordinance at the February meeting for Board review. Discussion was held on tracking the expenses that will be recovered from this ordinance once in effect. Also the fire board would like to see unspent expenses tracked and funds put towards funding for future truck purchases. Loar-Porter stated that we need to be mindful the ordinance is a means to recover cost that the township incurs; it should not turn into a revenue source.

Sewer Interceptor. Stauffer reported that the interceptor project will be sent out for re-bids, due to an honest error made in the originally selected bid.

Discussion was held on paying a portion of the bond expense upfront. Attorney for SWMRS&SWA, Dick Wendt, stated if the Township chose to make a payment upfront it would be treated as a loan to the authority and be repaid in the same percentage and over the same time as the bonds the Authority will issue. Some board members expressed concern over making certain that the loan would be paid back to Lincoln Township in the future. Dienes stated we would need to have collateral to back the payment of the loan. Florian requested that we have further discussions with the attorneys and Marc Beauchamp.

There being no further business, the Supervisor adjourned the meeting at 12:51 p.m.

Stacy Loar-Porter

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