

LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
REGULAR MEETING
January 13, 2009

THE REGULAR MEETING of the Lincoln Charter Township Board of Trustees was called to order on January 13, at 7:00 p.m. by Dick Stauffer, Supervisor, in the Municipal Building, 2055 W. John Beers Road, Stevensville.

BOARD MEMBERS PRESENT: Marc Florian, Deb Peterson, Terrie Smith, Dick Stauffer, Stacy Loar-Porter, Tom Norbey, and Kevin Gillette
BOARD MEMBERS ABSENT: None.
ALSO PRESENT: Attorney Dienes.

The PLEDGE OF ALLEGIANCE was given.

CHANGES TO AGENDA. None.

Stauffer announced that the Closed Session meeting with the Township Board and the Brownfield Authority to review a legal opinion scheduled to be held during the noon meeting was cancelled. The meeting planned for 2:30 pm with Meijer representatives had also been cancelled, both due to the weather conditions.

CORRESPONDENCE.

Letter from Lincoln Charter Township sent to Sen. Levin, Stebenow and Rep. Upton requesting inclusion of the General Revenue Sharing Program in the new Economic Stimulus Package.

Loar-Porter read a thank you letter from Mr. Hammermeister concerning a sewer back up in his home in October.

APPROVAL OF CONSENT AGENDA. MOTION CARRIED. Stauffer moved, seconded by Gillette, to approve the consent agenda as presented.

1. Minutes of the 12/9/08, special noon and regular meeting.
2. Approve the 1/15/09 and 12/30/08 bills from the following funds.

General Fund	\$ 127,376.09
Parks Fund	7,416.01
Parks Capital Improvement	-0-
Cemetery Fund	1,323.04
Building Fund	13,620.07
Township Improvement Fund	-0-
Police Fund	89,788.71
Police Drug	-0-
Police Capital Improvement	-0-
Sewer Enterprise	
Sewer Operating	141,429.46
Sewer Improvement	-0-
Water Enterprise	
Water Operating	30,741.69
Water Improvement	-0-
TOTAL	411,695.07

UNFINISHED BUSINESS. None

NEW BUSINESS. None

SUPERVISOR'S REPORT.

Drains. Stauffer reported on a letter from the DEQ concerning the Township's Storm Sewer System Permit (MS4) (MIG619000) annual report. The 2008 annual report was accepted and no corrections or resubmissions were necessary. The Township is still trying to get the cost of the permit fees reduced by applying for jurisdictional permit, but it has not been granted as of yet.

Roads. The Township has received several calls about mailboxes being knocked down by plows and the lack of plowing on side roads, Berrien County Road Commission handles all the plowing of the roads in Lincoln Township. The employees are responding appropriately and directing calls to the Road Commission office.

Trees at Lincoln Township Cemetery. The Township received a notice of tree trimming planned by I & M of trees located at the Lincoln Township Cemetery. The trees are marked to be either trimmed or removed along the westerly boundary line. The Cemetery Committee will meet and discuss options and report back to the Township Board. Loar-Porter will discuss with Jim Pheifer if there is a plan to bury any of the lines during the Meijer Development and possibly spare the trees.

CLERK'S REPORT.

Book Balances at 12/31/08 are as follows: \$638,316.79 in the general fund; \$401,967.14 in police; \$29,065.76 in parks; \$93,910.70 in cemetery; \$58,860.26 in building; \$260,358.39 in township improvement; \$26,834.37 in police capital; \$37,607.85 in parks capital; \$1,997,429.74 in sewer operating; \$1,967,293.51 in sewer replacement; \$271,638.75 in sewer improvement; \$2,264,315.90 in water operating; \$709,061.87 in water replacement; \$4,486,345.06 in water improvement; \$8,824.30 in trust & agency; \$74.93 in Glenlord sidewalk special assessment; \$439.49 in DeFay Rd. special assessment; and \$79,998.19 in street lighting. We also have funds in T & A delinquent taxes \$12,710.20; tax account \$2,165,291.29; fire station debt \$69,922.22; library bond \$132,329.61; flex spending \$2,775.42.

Rezoning Referendum Petition. Loar-Porter reported there were 1,097 valid signatures on the referendum petition for the rezoning request for changing the zoning district of property consisting of approximately 32.59 acres located on the west side of Red Arrow Hwy between Maiden Lane and Glenlord Rd to parcel # 11-12-0009-0022-006 R-3 PUD , 11-12-0009-0022-02-2 C-3, 11-12-0009-0022-01-4 C-3 PUD, also referred to as the Lakeside Beach Club Project. Therefore the issue will be placed on the May 5, 2009 ballot. The May 5th election is a school election as well, but because the Township has an issue on the ballot the Township will be responsible for the cost of the election.

Township Hall Security Cameras. The cameras, DVR and television have all been installed and are working. We are waiting on one more bill, but the project came in approximately \$700 under the estimated cost. The savings was largely due to the fact that Jim Pheifer and Kevin Gebhard were able to run all the wiring and Pheifer installed the television.

Summer Tax Collection. Motion Carried. Loar-Porter moved, seconded by Gillette, to approve the resolution to collect summer tax for Lakeshore, St. Joseph and Bridgman Public Schools, Lake Michigan College, and Berrien RESA. *Resolution 09-01. Attachment A.* Roll Call Vote: Ayes: Norbey, Loar-Porter, Gillette, Stauffer, Smith, Peterson and Florian. Nays: None.

TREASURER'S REPORT. Investments are down approximately \$346,000 for the year. The interest

rates at this time are around 2%.

PLANNING COMMISSION REPORT.

Wyndstone Estates No. 3 extension. Motion Carried. Florian moved, seconded by Peterson to approve the extension of the final approval of the preliminary plat of Wyndstone Estates No. 3 retroactive to March 9, 2008 and to make the two year period end March 9, 2010. Roll Call Vote: Ayes: Florian, Peterson, Norbey, Loar-Porter, Gillette, Stauffer and Smith. Nays: None.

ZONING BOARD OF APPEALS REPORT. None.

ASSESSOR'S REPORT. Distributed to board.

BUILDING DEPARTMENT REPORT. No single family residential permits were issued in December. Year to date there have been 18 permits for single-family dwellings.

AIRPORT AUTHORITY REPORT. Distributed to board.

FIRE BOARD. Minutes distributed to board by e-mail. Peterson presented the board with an updated report from the Fire Board Meeting. There was Discussion on how hydrant repair request are handled and logged by the Township.

POLICE DEPARTMENT REPORT. Distributed to the board by e-mail.

LIBRARY REPORT. None

PARKS REPORT. Stauffer reported Senate Bill 1487 was signed by the governor on January 13, 2009 and is now PA 496 of 2008, the act amends PA 105. PA 496 2008 says that a Township Parks Commission may be dissolved by the vote of the people. It is also retroactive to the November 2006 General Election. The Township will be speaking with their lawyer about disengaging the Supreme Court appeal.

Smith will contact the various sport associations to discuss their request for the upcoming budget year.

LMSWSTA (water authority). Water tower has not been filled at this time because a leak test has to be performed. The test requires the water to sit in the tower for 3 days without any circulation. Due to the weather they are worried about the water freezing. They will fill and test the tower when the cold weather has passed.

2009-2010 Budget Workshops. Budget workshops for the 2009-2010 year have been set. Police, Fire and Parks will be February 25, 2009 at 6:30 pm. All others will be February 26, 2009 at 6:30 pm.

Public Comment. None

ADJOURN. There being no further business, the chair adjourned the meeting at 7:28 p.m.

Stacy Loar-Porter, Clerk

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