

LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
REGULAR MEETING
January 22, 2008

THE REGULAR MEETING of the Lincoln Charter Township Board of Trustees was called to order on January 22, 2008, 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, Sharon Geisler, Brian Jewell and Al Pscholka

BOARD MEMBERS ABSENT: None.

The PLEDGE OF ALLEGIANCE was given.

CHANGES TO AGENDA. None.

CORRESPONDENCE.

Stauffer reported, letters from Police Officers Labor Council to enter into negotiations to modify certain provisions of current contract expiring 3/31/08; Comcast announcing new channels and enhanced services.

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

1. Minutes of the 12/11/07, special noon, regular, and closed session meetings.

2. Approve the 1/22/08 and 12/30/07 bills from the following funds.

General Fund	\$ 165,697.52
Parks Fund	2,302.28
Parks Capital Improvement	242.25
Cemetery Fund	3,465.67
Building Fund	21,205.21
Township Improvement Fund	-0-
Police Fund	124,275.15
Police Capital Improvement	-0-
Sewer Enterprise	
Sewer Operating	134,792.90
Water Enterprise	
Water Operating	33,254.24
Water Improvement	-0-
TOTAL	485,235.22

3. Reappointments. **Attachment A.**

UNFINISHED BUSINESS. None

NEW BUSINESS.

SUPERVISOR'S REPORT.

Drains. Hollywood Consolidated Drain #524 Board of Determination has been set for 2/11/08 at 6:30 p.m. at the North Lincoln Senior Center.

NPDES. Stauffer will further investigate to get out of paying all fees.

Non-Motorized Path. Cost estimate for extended shoulders on Marquette Woods between Cleveland and Washington is \$233,000. We are currently working on "Safe Routes to Schools".

Ordinance Enforcement. Received update.

Other. Federal Agency approved naming manmade lake "Lake Anne."

CLERK'S REPORT.

BOOK BALANCES are as follows: \$699,504.49 in the general fund; \$409,455.60 in police; \$15,647.97 in police capital; \$24,863.03 in parks; \$38,354.14 in parks capital; \$238,465.54 in township improvement; \$1,959,864.66 in sewer operating; \$1,829,658.65 in sewer replacement; \$292,061.00 in sewer improvement; \$2,398,323.53 in water operating; \$596,440.58 in water replacement; \$4,408,049.51 in water improvement; \$78,340.16 in street light fund; \$78,794.52 in building fund; \$455.21 in Glenlord sidewalk special assessment fund; \$0 in Cleveland Ave. sidewalk special assessment fund; \$2,174.31 in DeFay Road special assessment fund; and \$81,567.12 in cemetery fund. We also have funds in trust & agency \$2,987.00; t & a delinquent taxes \$17,828.24; tax account \$1,859,247.53; fire station debt fund \$62,027.44; library bond debt fund \$124,331.01; and flex spending account \$4,588.14. All balances have been verified with the treasurer's records as of 12/31/07.

Budget Adjustment. Motion Carried. Geisler moved, seconded by Peterson, to approve following budget adjustment:

Department	Budget	Adjustment	Adjusted Budget
Planning Commission	\$56,795	\$20,205	\$77,000

Health Insurance. Motion Carried. Geisler moved, seconded by Jewell, to change to an alternate BCBS plan which will result in an \$11,000 annual savings on all but police officers. The revised plan would have to be approved by their union before it could be changed. The trustees requested in four months a report on alternatives for medical insurance and a review of all benefits.

Summer Tax Collection. Motion Carried. Geisler moved, seconded by Pscholka, to approve the resolution to collect summer school tax for Lakeshore, St. Joseph, and Bridgman Public Schools, Lake Michigan College, and the Berrien County Intermediate School District. *Resolution 1-08. Attachment B.* Roll Call Vote: Ayes: Florian, Peterson, Smith, Stauffer, Geisler, Jewell and Pscholka. Nays: None.

TREASURER'S REPORT. Smith reported 96.7% of summer taxes and 54.9% of winter taxes have been collected, and presented her interest income report.

PLANNING COMMISSION REPORT.

Rita Reid Trust Rezoning Request. Request Denied. Stauffer informed the audience the attorney for each side will be given ten minutes and any residents with additional information will have two minutes to speak. Attorney Kaufman reviewed the history. The back half of the property is zoned R-1, a prior rezoning request was denied, and this request is to change from R-1 to C-3. The request is because the property has been for sale since 2004 and is not marketable as zoned, and the access roads won't work. She requested the following handouts be noted in the minutes: land use objectives for the sub area; 12/4/07 Herald Palladium article; future land use map; copy of zoning ordinance 230.1803 transition strip; and Williams & Works Existing Conditions Report, Sub Area Plan. These items will be noted and be a part of the rezoning file. Jim Straub, attorney representing residents of the Sanctuary Subdivision, reminded the Board of the petitions/letters from residents of the Sanctuary stating the rezoning would be detrimental to their properties, listen to the reasons given by Marc Florian, and follow the advice of the Planning Commission. Three Sanctuary residents also spoke to deny the rezoning request. Florian referred to the fourteen items of fact in the Planner's memorandum of November 29, 2007, (**Attachment C**), the Planning Commission's recommendation to deny and the Berrien County Planning Commission's recommendation to deny. Florian moved, seconded by Pscholka, to deny Rita Reid as Trustee of the Rita

Reid Trust rezoning request for the western 700 feet of land located at 4508 Red Arrow Highway, part of parcel #11-12-0016-0045-02-5.

ZONING BOARD OF APPEALS REPORT. None.

ASSESSOR'S REPORT. Distributed to board.

BUILDING DEPARTMENT REPORT. Two single family residential permits were issued in December.

AIRPORT AUTHORITY REPORT. Distributed to board.

FIRE BOARD. Minutes distributed to board.

Purchase Mini Pumper Fire Truck. Motion Carried. Jewell moved, seconded by Stauffer, to purchase the KME truck for \$189,475; authorize the supervisor and clerk to sign the purchase agreement; approve \$50,385 to be paid for chassis build (upon receipt of invoice) and the balance due upon delivery; financing will be with Fifth Third for \$190,000 for five years with interest not to exceed 3.45%. The old pumper truck will be traded in for \$2,500 and is reflected in the \$189,475 quote. It was noted there are two years of payments remaining on the rescue truck, which will result in \$98,000 in payments in 2008/09 and \$78,000 in 2009/10. The additional truck should affect our insurance rating. Roll Call Vote: Ayes: Peterson, Smith, Stauffer, Geisler, Jewell, Pscholka and Florian. Nays: None.

POLICE DEPARTMENT REPORT. November, December and 2007 annual reports were distributed to the board.

LIBRARY REPORT. Dina Reilly reported blood pressure clinics are back; they will be closed 1/30/08 to install a new library system; the "Forever Free: Abraham Lincoln's Journey to Emancipation" program has had excellent attendance and the next program will be on 1/29/08 on the underground railroad.

PARKS REPORT. Smith reported: 2007 projects: community center – resurfaced tennis and basketball courts; new fill under play equipment: baseball/softball – repaired dugouts to complete the season, demolished dugouts at end of season, and took bids for new dugouts: Glenlord Beach – contracted for study for lookout and beach access, and looking into possibility of reclassifying the critical dune area: Lincoln Beach - cleaned with help of Chalet on the Lake, Lakeshore student groups cleaned the parks: North Lake – new pier, surveillance equipment (with help of Lakeshore Rotary), and water fountain; added bark under play equipment; Lakeshore Rotary cleaned the park: soccer park – playground installed, had plans drawn up for water and sewer lines, new restroom/concession facility, landscaping plans for rocket football area, removed trees and created eighth field. Possible 2008 projects: community center – new grills, water fountain, toddler play equipment, fitness stations, wet park and enclosure or pull down doors for pavilion: baseball/softball – new dugouts, aerate and fertilize fields: Glenlord Beach – look-out area, removal of foreign objects on bluff: Lincoln Beach – look into public restrooms with water and septic: North Lake – pull down doors for pavilion: soccer – ADA accessible walkway, possible restroom building, sprinkling system or new heads, aerate and fertilizes fields, begin work on rocket football area, lights.

LMSWSTA (water authority).

Hickory Creek Lift Station Wall Insulation. Motion Carried. Pscholka moved, seconded by Smith, to approve \$200 for wall insulation for the Hickory Creek lift station. Each of the three townships is equally sharing the cost.

Public Water System Interconnection Agreement. Motion Carried. Pscholka moved, seconded by Stauffer, to approve the Water Interconnection Agreement between Lake Charter Township, Lincoln Charter Township, City of St. Joseph, and Southwest Michigan Regional Sanitary Sewer and Water Authority for the connection at Linco Road and Red Arrow Highway. **Attachment D.** Roll Call Vote: Ayes: Smith, Stauffer, Geisler, Jewell, Pscholka, Florian, and Peterson. Nays: None.

Public Comment. Gene Wohler complained about all the trash on a Roosevelt Road property. Stauffer will refer the matter to our ordinance enforcer. Wohler also asked the Board to consider taking out the weeds in the North Lake channel to improve the fishing.

ADJOURN. There being no further business, the chair adjourned the meeting at 8:25 p.m.

Sharon Geisler, Clerk

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