

LINCOLN CHARTER TOWNSHIP  
BERRIEN COUNTY, MICHIGAN  
SPECIAL NOON MEETING  
June 9, 2009

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 JUNE 09, 2009.

Notice was posted June 3, 2009.

THE SPECIAL MEETING of the Lincoln Charter Township Board of Trustees was called to order by Supervisor Dick Stauffer on June 9, 2009 at 11:31 a.m. at the Municipal Building, 2055 W. John Beers Road, Stevensville.

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

ALSO PRESENT: Engineer Austin, Attorney Dienes.

Stauffer introduced Boy Scout Zachary Tuller as a special guest. Zachary presented a project to restore the two gazebos at the Lincoln Township Beach as his Eagle Scout project. The plans include reroofing in spots, repainting, replacing missing benches and replacing the missing cupola on one gazebo. The estimated cost for all repairs and the cupola is \$650.00, he will be asking the company that manufactures the cupola to donate or a reduced price on the cupola. Zachary is placing a donation can at the Township Hall to help defray some of the expenses.

Florian stated he felt this is a great project but if the cupola could not be donated Zachary should consider just removing the cupola from the other gazebo to save money.

Norbey stated he would donate all the paint that Zachary needed for his project.

**Support for the gazebo project. Motion Carried.** Smith moved, seconded by Stauffer, to support the project with the stipulation that if the cupola was not donated then it would be removed and the Township will assist financially for the restoration of the gazebos.

**Lincoln Township Beach bathrooms.** Austin will meet with Building Inspector Jim Pheifer and Maintenance Supervisor Kevin Gebhard to review the possibility of building a structure to house portable restrooms.

Smith reported that Pheifer has begun the pavilion extension projects at the Community Center and North Lake Park. Discussion was held on the North Lake pavilion regarding the north end, the current plans only leave a 7 foot opening. Some board members worried that this would obstruct the view of the lake. Pheifer stated that two doors could be placed on that end but would increase the cost. It was agreed to change the plans to include a two door opening on the north end of the North Lake pavilion.

**LCTP&RC By-Laws.** Norbey presented the by-laws with the changes requested at the May board meeting and to state that the committee cannot enter into any contracts or agreements. Peterson

questioned the wording in Article IV- Terms of Office, 'If a vacancy occurs, a new member shall be appointed to serve the remainder of the term', did it need to be made clear that the Board of Trustees would make the appointment. Dienes stated that the first sentence of the Article IV 'The Lincoln Charter Township Board of Trustees shall appoint members to this committee' covered the issue.

Board requested in Article V- Meeting, it states, 'Meetings shall take place at the Lincoln Charter Township Municipal Building, unless the Committee members at a previous meeting designate an alternate publically owned facility.'

The committee will be a voluntary without compensation advisory committee whose purpose is to advice, support, advocate for and devote effort to the township parks and recreation. The committee does not have authority to approve projects or the spending of any funds.

Dienes stated he had reviewed the bylaws.

**Safe Routes to School.** Austin reported the bids came in on June 5<sup>th</sup> for the project. The project will begin mid July and be done before school begins. There will be informational meetings with the residents on El Dorado, the Library and Roosevelt School to keep them up to date on the project.

**Soccer Complex Restrooms.** Austin and Pheifer will be reviewing the revised plans and will begin pricing and bidding for the project

**Five Year Recreation Plan.** Austin reported that once the new parks committee is in place he will begin working with them and the board of trustees on the five year recreation plan.

Dienes reported that Kim Risk and Attorney Ammeson filed a voluntary dismissal in regards to the parks commission case. Tucker had filed a request for the Berrien County Trial Court to rule on appellate case, but has since filed a voluntary dismissal.

**Village of Stevensville DDA.** Dienes reported under his advisement the tax increments for 2007 and 2008 for the DDA have been held at the township. In 2007 the Township questioned the Village of Stevensville concerning the lawful existence and certain expenditures. Research revealed they did not have documents to support the DDA; while some documents were presented there were large unexplained gaps. Recently the Village sent a letter inquiring the status of the funds.

Discussion was held on how to handle the funds that have been captured and approaching the village on the status of the DDA.

Dienes drafted a letter to be sent to the DDA stating, yes the Township is holding the captured funds and that it is the Township's fiduciary responsibility to seek records that demonstrate compliance with the DDA laws.

If it cannot be demonstrated that there is compliance then the funds will need to be returned to the taxing jurisdictions.

Florian suggested a copy of the letter be sent to the Village Council, Bill Wolff of Berrien County

and the taxing jurisdictions involved.

Stauffer reported that the water towers in Royalton and Lincoln Townships have been filled and are functioning.

**Codification of Township Ordinances. Motion Carried.** Loar-Porter moved, seconded by Peterson, to approve the codification of the Township ordinances through Municipal Code with the cost not to exceed \$9000.

Stauffer reported that there will be no increase from the Wastewater plant in 2010 and a 6% increase in 2011. Stauffer recommends that the board implement a 3% sewer increase this fall as opposed to the suggested 4%.

There being no further business, the Supervisor adjourned the meeting at 1:25 p.m.

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Stacy Loar-Porter, Clerk

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