

LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
SPECIAL NOON MEETING
March 10, 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 MARCH 10, 2009.

Notice was posted February 27, 2009.

THE SPECIAL MEETING of the Lincoln Charter Township Board of Trustees was called to order by Supervisor Dick Stauffer on March 10, 2009 at 11:37 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: Attorney Dienes and Engineer Austin

Millicent Huminsky, on behalf of the Southwestern Michigan Tourist Council, presented to the Board a request to approve a resolution to designate US 31 a State Heritage Route to be named West Michigan Pike. She presented the history. It is a requirement of MDOT to receive a resolution of support for the project to move forward. The support is needed from every County/City/Township/Village in which the route travels.

Sewer Backup. Mike Wittlieff spoke on behalf of the 5 O'clock Sports Bar, 5000 Red Arrow Hwy., concerning sewer backups on August 20, 2007 and July 13, 2008. Wittlieff stated the Township told them that the backups were not the Township's fault, but when the 5 O'clock hired Clean Earth to work on the lines they stated they did not feel it was the bar's fault. The 5 O'clock presented the Township with a letter seeking reimbursement for damages and loss of income dated 2/18/2009.

A memo was presented by Dave Austin for the review of the letter presented by the 5 O'clock. The memo stated that during the video investigation it appeared the cause of the restriction to be from years of grease buildup that likely began when the Schuler's Restaurant occupied the building.

Austin stated the Township is responsible if the problem is due to their negligence, but if a resident/business put items down the line that are not approved then the Township is not responsible. Refer to Ordinance Sec 142.006.B. and 142.006.C.

Wittlieff presented a sample of the substance that was removed during the clean out and stated it had properties other than just grease buildup. Florian stated if not for the grease this would not have happened, no matter what other substance was found the grease should not have been there.

Sewer Reimbursement. Motion dies due to lack of second. Stauffer moved to pay remaining Servpro and Clean Earth invoices in the amount of \$ 17,057.30. No second was made.

Sewer Reimbursement. Motion Carried. Florian moved, seconded by Norbey, to reimburse 5 O'clock Sports Bar \$ 861.60 for the Clean Earth bill that was authorized by the Township on 7/13/08.

Water Authority. Al Pscholka reported on the status of the water contract. There have been a series of meetings and fact finding work done. They are currently working on the possibility of a board with representatives from the townships, the board would oversee the operation, maintenance and capital needs of the water plant, set rates for water production, approve the annual budget for plant operation, maintenance, and capital outlays. The City of St. Joseph will decrease the current 15% surcharge over 5 years so that each person will pay the same amount.

Hollywood Drain Project. Stauffer reported on the Hollywood Road Stormwater Basin Public Information Meeting held on 2/24/09. The meeting was to inform residents of the current conversion of the existing Hollywood Basin into an ecologically balanced wetland that would provide better control of water flow. The project would be funded by a grant from DEQ. He presented the board with sketches of the proposed final design.

Berrien County Road Commission. The Township received a letter from the BCRC stating they are aware of the significant road deterioration and that they are in the process of reviewing the areas. It was reported that the Township roads with the exception of Holden from Linco north to the village limits, were in decent shape.

Safe Routes to School. Austin reported that all easements have been obtained and the project is moving forward. The application will be submitted to MDOT in May.

Stimulus Projects. Austin gave an update on the Township projects that were submitted to MTA for the stimulus funds. MTA stated that each Township has to apply to the state or federal grant programs for the projects they wish to seek funding.

There being no further business, the Supervisor adjourned the meeting at 1:08 p.m.

Stacy Loar-Porter, Clerk

Certified Copy