

LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
SPECIAL NOON MEETING
March 11, 2008

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 11, 2008.

Notice was posted March 5, 2008.

THE SPECIAL MEETING of the Lincoln Charter Township Board of Trustees was called to order by Supervisor Dick Stauffer on March 11, 2008, at 11:32 a.m. at the Municipal Building, 2055 W. John Beers Road, Stevensville.

BOARD MEMBERS PRESENT: Florian, Peterson, Smith, Stauffer, Geisler, and Pscholka

BOARD MEMBERS ABSENT: Jewell.

ALSO PRESENT: Attorney Dienes

Attorney Jim Nelson

Review of City Water Issues. Township engineer, Dave Austin, reviewed the options as listed in the letter from the City of St. Joseph. He explained it was best to have multiple interconnected systems, like we currently have with Benton Harbor and St. Joseph, and the Authority and Lake Charter Township; and with multiple entities it makes sense to share in ownership. If we are asked by St. Joseph City to give up our right to withdraw from our agreement with three years notice, we must consider what we need in return. This is not a short process to accomplish and he is not sure agreements can be reached within the City's short time frame. What does the Board wish to accomplish – ownership, rate formation, maintenance? Pscholka noted had the City of St. Joseph agreed five years ago to form one regional water authority we wouldn't have these issues now and believes we need to work together for one authority. Ron Griffin, St. Joseph Charter Township Supervisor noted they also have issues with the Benton Harbor plant and maybe two large authorities are needed. Ray Mak, Lincoln Charter Township Authority Representative, noted before we move with St. Joseph City, we check with Andrews University, Baroda, and Berrien Springs to form one big authority with everyone being a part owner.

Sewer Back-up. Geisler presented invoices totaling \$1,749.90 from Robert McIlhargie for sewer clean-up resulting from a grease blockage on Ridge Road. There was also an invoice for another property with a sewer back-up on Ridge. This is the second major back-up on Ridge because of a grease trap not being properly maintained. The board approved payment and authorized invoicing Tosi's for the expenses we incurred. Stauffer will contact them about the invoice and also set procedures to prevent this from happening again. Attorney Dienes suggest the amounts be added to their tax bill if our invoice is not paid.

Purchase Bobcat. Motion Carried. Pscholka moved, seconded by Peterson, to purchase a Bobcat 5600 Turbo Toolcat with cab enclosure, bucket, 60" snowblower, 90" mower, and 68" angle broom next year for \$54,346.58 (which includes a municipal discount) with a \$30,000 down payment and a \$24,346.58 payment in April 2009, with 0% interest, and an 80 gallon sprayer for \$3,393.88 from the current year's budget.

Zoning Ordinance. Larry Merritt requested his property on Red Arrow be rezoned to commercial or left as is. Stauffer said the new Zoning Ordinance will be on the April agenda.

Closed Session. Motion Carried. Pscholka moved, seconded by Florian, to enter closed session at 12:20 p.m. as authorized under Sections 8(e) of the Open Meetings Act, MCL 15.268(e) to consult with our attorneys regarding trial or settlement strategy in connection with the pending litigation filed by Rita Reid, Trustee of the Rita Reid Trust, against Lincoln Township, for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the Township. Roll Call Vote: Ayes: Florian, Peterson, Smith, Stauffer, Geisler, and Pscholka. Nays: None.

Stauffer moved, seconded by Pscholka to end the closed session at 1:00 p.m. **Motion Carried.**

Echo Ridge – South Drain. Drain Commissioner, Roger Zilke, explained the need for a resolution to approve needed expenses to maintain this drain.

NPDES - Fitch invoice for our share of program. Because we have drains on our property we still need to be part of the group. Engineer, Dave Austin, is developing a plan and associated costs for on site detention. Stauffer moved, seconded by Florian, to pay this 3/5/08 Fitch invoice and have Stauffer write a letter notifying them we are withdrawing from the group because we plan to create on site detention.

Amendment to Cell Tower Ordinance, which would allow a communication antenna on top of water tower. There was concern if this was needed because when we approved the cell tower, we were told we only needed one tower. Dienes will change the amendment to include the restriction that need must be demonstrated.

Safe Routes grant is Federal money administered by the State and requires no match and the Township would administer the project.

Special Assessments for Fire & Police. Dienes reported there are two public acts that could be used for assessments, letters would be required to each resident; one of them would be spread by benefit received, not an equal amount to each property, and there would be the rite of referendum; the other requires public hearings. Stauffer will contact other townships on how they handled the assessment.

There being no further business, the Supervisor adjourned the meeting at 2:16 p.m.

Sharon Geisler, Clerk