

LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
REGULAR MEETING
May 12, 2009

THE REGULAR MEETING of the Lincoln Charter Township Board of Trustees was called to order on May 12, 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.

The PLEDGE OF ALLEGIANCE was given.

CHANGES TO AGENDA. None.

PRESENTATIONS. None.

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

1. Minutes of the 3/30/09 special meeting.
2. Minutes of the 4/14/09, special noon, regular meeting and closed meeting.
3. Approve the 4/15/09 and 3/31/09 bills from the following funds.

General Fund	\$ 115,863.63
Parks Fund	14,447.27
Parks Capital Improvement	-0-
Cemetery Fund	2,694.11
Building Fund	12,371.67
Township Improvement Fund	61,154.60
Police Fund	99,629.70
Police Drug	-0-
Police Capital Improvement	-0-
Sewer Enterprise	
Sewer Operating	16,506.52
Sewer Improvement	-0-
Water Enterprise	
Water Operating	13,979.85
Water Improvement	-0-
TOTAL	336,647.35

UNFINISHED BUSINESS. None

NEW BUSINESS. None

SUPERVISOR'S REPORT.

Drain Commission. Stauffer reported on the Berrien County Drain Commission 2008 Annual Report. Lincoln Township is # 1 in drain maintenance. The annual drain assessment for the Township was \$ 131,916 or 13% of county expenditures. Total expenditures by the county for the drain system was \$ 1,882,000, expenditures increased 47% over 2007.

Appointments/ Reappointments. At the noon meeting Al Pscholka was appointed as the Township representative to the Lake Michigan Shoreline Water and Sewer Treatment Authority, term to expire

6/30/2011.

Road Commission. Stauffer reported on the Berrien County Road Commission 2008 Annual Report. The Township seal coated 4.07 miles of roads in efforts to increase the life of the roads. Lincoln Charter Township is one of only two townships that participates in the Cape Seal program.

CLERK'S REPORT.

Book Balances at 3/31/09 are as follows: \$1,121,815.03 in the general fund; \$1,306,614.19 in police; \$78,267.92 in parks; \$93,655.75 in cemetery; \$43,048.70 in building; \$332,573.97 in township improvement; \$27,054.61 in police capital; \$86,544.02 in parks capital; \$2,077,951.29 in sewer operating; \$1,994,471.31 in sewer replacement; \$275,897.36 in sewer improvement; \$2,207,632.73 in water operating; \$718,836.68 in water replacement; \$4,665,577.90 in water improvement; \$14,350.52 in trust & agency; \$3.80 in Glenlord sidewalk special assessment; \$0.00 in DeFay Rd. special assessment; and \$117,727.88 in street lighting. We also have funds in T & A delinquent taxes \$15,002.78; tax account \$27,368.54; fire station debt \$190,789.57; library bond \$385,771.30; flex spending \$2,775.42.

Loar-Porter reported that 2008/2009 books are closed; Scarpone & Company has begun the audit. We put \$ 7,025.00 into the General Fund Balance for the year 2008/2009.

Loar-Porter reported on the Governor's Executive Order issued on May 5, 2009 which included a 4.8 % decrease in state revenue sharing. Even though it was promised to the townships that if the constitutional revenue sharing was to decline due to sales tax collection the state would automatically disburse additional statutory funds, this will not happen due to the executive order.

Lincoln Charter Township will notice the first decrease with the June revenue sharing disbursement. The total loss to the Township will be approximately \$ 36,000 in the 2009/2010 fiscal year. The Township will need to start reviewing where cuts can be made, the office staff is currently down to the bare minimum.

Loar-Porter reported on the results of the May 5, 2009 election. The results for the Zoning Amendment Proposal were 1437 yes to 1214 no; there was a 22.93% voter turnout.

TREASURER'S REPORT. Interest rates are currently at 1.5%. Smith presented \$ 152,701.06 as interest earned in 2008/2009. This amount is significantly lower than last year due to the decline in interest rates.

PLANNING COMMISSION REPORT. Florian reported that at the noon meeting the board approved; the extension of the Fox Crossing II Subdivision preliminary plat for two years as recommended by the Planning Commission and the extension of the Meijer PUD rezone for one year as recommended by the Planning Commission.

The board also approved requesting the planning commission to review implications of the recent vote in respect to the height variances in PUDs and offer recommendations.

ZONING BOARD OF APPEALS REPORT. Minutes distributed to board.

ASSESSOR'S REPORT. Distributed to board. Stauffer reported in 2009 Lincoln Charter Township ranked 2nd in taxable value of all communities in Berrien County.

BUILDING DEPARTMENT REPORT. One single family residential permit was issued in April. Year to date there have been two permits for single-family dwellings.

AIRPORT AUTHORITY REPORT. Distributed to board.

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

FIRE BOARD REPORT. Motion Carried. Peterson moved, seconded by Loar-Porter, to approve officers as presented; Randy Fletcher as Assistant Chief, Scott Weiderwax as Captain and Chris Malich as Lieutenant.

Firefighters' Pancake Breakfast is being held May 17, 2009 from 8:00 a.m. to 12:00 p.m.

LIBRARY REPORT. Dina Reilly reported that the Library will be celebrating their 50th birthday Sunday May 17th from 2:00 p.m. to 4:00 p.m.. The summer reading program begins June 8th, sign up begins June 1st. Friends of the Library book sale will be held June 5 & 6. The library will be closed the May 23 & May 25 to observe the Memorial Day Holiday.

PARKS REPORT. Smith reported on the proposed improvements approved at the noon meeting and the completed Eagle Scout projects which included new picnic tables and garbage container holders. Hollerbach Excavating donated their time and graded the ball field driveway and parking lot. Lakeshore Assets Advisory Committee had beach cleanup at Lincoln Township Beach on May 3rd. All the fields have been sprayed, fertilized and aerated. The dugouts will be completed by May 13th.

Norbey reported his effort to enlist the aid of the community, business owners, schools and athletic associations by creating a Parks and Recreation Advisory Committee. Some revisions will be made to the by-laws that were presented and will be presented at the June meeting.

Smith reported that the bids for the restrooms and concession stand at the soccer complex will begin in June.

WATER AUTHORITY. Ray Mak reported on the sewer interceptor repair, the authority looked at 5 different methods of repair, the CIP liner appears to be the best solution. The manholes are opened, they bypass the manholes, clean out the lines, put the CIP liner in the lines then 200 degree water is pumped into the lines and the material then turns into a solid product. The life expectancy of the CIP liner is 50-100 years. The estimated cost for the repair is \$ 10 million. There is an application being completed to apply for stimulus money for this project, the authority is hopeful for assistance. The rate increase with the stimulus grant/loan will be \$ 4.82/ month and without the increase will be \$ 6.30/month. The authority should know by October 9th the status of the applications; however the project will have to be completed regardless of the results of the stimulus money.

Public Comment.

Brian McMann, counsel for KG Mark, convenience store owner who has signed a purchase agreement on land located at 4435 Red Arrow Hwy. The purchase is conditional on the approval of a liquor license. Counsel stated that the owner applied for a SDD & SDM liquor license but was denied by the state because the Township did not approve the final inspection because there is not a building to inspect. The owner is requesting that the Township remove the objection so the liquor license can be approved.

Motion carried. Florian moved, seconded by Peterson, to remove the objection on the liquor license application contingent on the Township lawyer's approval of wording and with the addition of a Certificate of Occupancy required. Nays: Norbey

Resident from 1023 Brookfield requested that the board look into the neighbor running a business out of their home at 1009 Brookfield. Complaints included delivery trucks several times a day, blocking of their

drive way and the large amount of noise. Resident has contacted the police department on occasions and has filed an ordinance complaint. Stauffer stated he would check with the building department to see if the resident has filed for home occupation permit.

ADJOURN. There being no further business, the chair adjourned the meeting at 8:15 p.m.

Stacy Loar-Porter, Clerk

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