

LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
REGULAR MEETING
November 11, 2008

THE REGULAR MEETING of the Lincoln Charter Township Board of Trustees was called to order on November 11, at 7:03 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.

Two boy scouts who are working on their badges introduced themselves.

CHANGES TO AGENDA.

Lakeside Beach Club Project.

Florian moved, seconded by Pscholka, to **remove the second reading of the ordinance amendment to rezone the Lakeside Beach Club property from the agenda** until legal counsel could review the vote under the Robert's Rules of Order procedure. Stauffer responded the vote is appropriate because procedures don't trump the law. The tie vote last month was a non action, it does not have to go back to the Planning Commission and the issue won't be decided until a motion to approve or deny is passed.

Roll Call Vote: Ayes: Florian, Smith and Pscholka. Nays: Peterson, Stauffer, Geisler, and Jewell.

Motion Failed.

Stauffer moved to adopt, at its second reading, the amendment to the Zoning Ordinance to rezone the Lakeside Beach Club property to PUD and to approve the Lakeside Beach Club preliminary PUD plan as recommended with the conditions imposed by the Planning Commission. Florian called a point of order and stated Stauffer could not make the motion. Jewell started to make the motion and again Florian called a point of order because he didn't think Jewell could make the motion because he felt it must come from one the negative voters. Stauffer responded the vote was in order. **Jewell moved, seconded by Stauffer**, to adopt, at its second reading, the amendment to the Zoning Ordinance to rezone the Lakeside Beach Club property, #11-12-0009-0022-00-6, #11-12-0009-0022-02-2, and #11-12-0009-0022-01-4, to a Planned Unit Development, and to approve the Lakeside Beach Club preliminary PUD plan with conditions as recommended by the Planning Commission. Florian did not believe the vote was not in accordance with Roberts Rules of Order. Stauffer called the vote. Roll Call Vote: Ayes: Peterson, Stauffer, Geisler, and Jewell. Nays: Florian, Smith and Pscholka. **Motion Carried.** Florian appealed the decision of the chair to call the vote.

CORRESPONDENCE.

Stauffer reported on a letter in opposition to the Lakeside Beach Club PUD.

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

1. Minutes of the 10/14/08, special noon, two closed sessions, and regular meeting.

2. Approve the 11/15/08 and 10/30/08 bills from the following funds.

General Fund	\$ 136,887.37
Parks Fund	8,822.52
Parks Capital Improvement	30,480.00
Cemetery Fund	3,381.23

Building Fund	15,331.31
Township Improvement Fund	24,278.45
Police Fund	124,517.63
Police Drug	25.00
Police Capital Improvement	-0-
Sewer Enterprise	
Sewer Operating	77,629.23
Sewer Improvement	-0-
Water Enterprise	
Water Operating	3,631.35
Water Improvement	-0-
TOTAL	424,984.09

The following appointments were made: **Attachment A.**

UNFINISHED BUSINESS. None

NEW BUSINESS. None

SUPERVISOR'S REPORT.

Drains. Hollywood drain plan update.

Ordinance Enforcement. Reported 13 issues in October.

Roads. BCRC will continue sealing subdivision roads next year.

Litigation. Update was received at noon workshop.

CLERK'S REPORT.

Book Balances at 10/31/08 are as follows: \$641,494.48 in the general fund; \$623,018.48 in police; \$43,224.31 in parks; \$99,008.85 in cemetery; \$64,118.03 in building; \$280,675.97 in township improvement; \$30,751.93 in police capital; \$58,635.38 in parks capital; \$2,080,464.72 in sewer operating; \$1,962,252.76 in sewer replacement; \$270,977.00 in sewer improvement; \$2,256,767.27 in water operating; \$707,249.69 in water replacement; \$4,574,569.78 in water improvement; \$58,836.73 in trust & agency; \$74.84 in Glenlord sidewalk special assessment; \$438.77 in DeFay Rd. special assessment; and \$79,090.37 in street lighting. We also have funds in T & A delinquent taxes \$12,705.36; tax account \$313,407.21; fire station debt \$69,748.96; library bond \$132,295.86; flex spending \$3,677.01.

Election Update. Geisler reported 8,434 (71%) of registered voters voted, ranging from a low of 64% in the Village (precinct 6) to a high of almost 79% at the Township Hall (precinct 1) and 78% at the fire station (precinct 4) with 20% of the voters voting by absentee ballot.

TREASURER'S REPORT. Summer tax collections are at 93%; winter tax bills will be mailed 11/29; dog licenses will be available on 12/1; will be focusing on delinquent personal property collections; and interest rates are still down.

PLANNING COMMISSION REPORT. Florian reported there will be a workshop (no date has been set) with the ZBA, Planner and Attorney on roles and responsibilities; and the new drawings from Meijer without a porous parking lot and new signage were acceptable to the Planning Commission.

ZONING BOARD OF APPEALS REPORT. None.

ASSESSOR'S REPORT. Distributed to board.

BUILDING DEPARTMENT REPORT. One single family residential permit was issued in October.

AIRPORT AUTHORITY REPORT. Distributed to board.

FIRE BOARD. Minutes distributed to board.

Appointment. Motion Carried. Peterson moved, seconded by Pscholka, to appoint Wendy Dant Chesser to the Fire Board to fill the remaining term of Joe Clark which expires 6/30/10.

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

Health Care Trust Fund. Motion Carried. Stauffer moved, seconded by Florian, to adopt the resolution establishing the Lincoln Charter Township Retiree Health Care Fund Trust. *Resolution 08-15.*

Attachment B. Roll Call Vote: Ayes: Peterson, Smith, Stauffer, Geisler, Jewell and Pscholka. Nays: None.

LIBRARY REPORT. Dina Reilly reported the library had received a \$2,500 grant for book discussions, which covers a guest lecturer and training.

PARKS REPORT. Smith gave an update on the donations for dugouts. To date three have been donated – two from the Hanson foundation and one from Dane Systems, and a donation is coming from Lakeshore Rotary and Attorney Scott and Amy Dienes.

LMSWSTA (water authority).

Water and Sewer Rate Increases. Motion Carried. Stauffer moved, seconded by Geisler, to increase the commodity portion of the water bill by 6.7% to fully cover the city increase, no increase in the township water surcharge, and a sewer increase of 7.1% effective 1/1/09. The sewer rate increase is needed to cover increases from the treatment plant and to continue building our replacement reserves. There was some question about the need to maintain our water reserves, and it was noted we have not yet made a bond payment, only interest, and perhaps we should see what our payments will be. We can adjust our surcharge when we receive next year's commodity increase.

Public Comment.

Resident thought our water and sewer reserves were too large.

Dina Reilly commended the three members leaving the board.

Stauffer thanked Brian, Al and Sharon for their service and presented them plaques.

Pscholka thanked the residents, board, and especially the staff, and he thought it was a good thing the Board doesn't always agree.

Jewell stated he learned a lot and trusted the Board would continue to do a good job.

Geisler thanked the board and staff and she would miss them.

ADJOURN. There being no further business, the chair adjourned the meeting at 7:50 p.m.

Sharon Geisler, Clerk

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