

LINCOLN CHARTER TOWNSHIP
BERRIEN COUNTY, MICHIGAN
REGULAR MEETING
October 14, 2008

THE REGULAR MEETING of the Lincoln Charter Township Board of Trustees was called to order on October 14, 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, Sharon Geisler, Brian Jewell, and Al Pscholka

BOARD MEMBERS ABSENT: None.

The PLEDGE OF ALLEGIANCE was given.

CHANGES TO AGENDA. Add 2008 Street Light Special Assessments.

Forest Brook Street Light Special Assessment District Public Hearing. Stauffer declared the public hearing open for street light special assessments for Forest Brook Subdivision at 7:03 p.m. There were no comments. Supervisor closed the public hearing at 7:04 p.m.

Resolution to Approve the Forest Brook Street Light Special Assessment District. Motion Carried.

Pscholka moved, seconded by Stauffer, to adopt the Forest Brook Street Light Special Assessment District Resolution. **Attachment A.** Roll Call Vote: Ayes: Florian, Peterson, Smith, Stauffer, Geisler, Jewell, and Pscholka. Nays: None.

CORRESPONDENCE.

Stauffer reported on letters from MI Gas regarding anticipated cost increase; Comcast notification of 3% price increase; and opposition to the Lakeside Beach Club PUD.

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

1. Minutes of the 9/09/08, special noon and regular meeting.
2. Approve the 10/15/08 and 9/30/08 bills from the following funds.

General Fund	\$ 132,818.57
Parks Fund	6,511.63
Parks Capital Improvement	-0-
Cemetery Fund	2,724.02
Building Fund	15,170.18
Township Improvement Fund	-0-
Police Fund	90,885.33
Police Drug	-0-
Police Capital Improvement	20,188.00
Sewer Enterprise	
Sewer Operating	105,275.54
Sewer Improvement	-0-
Water Enterprise	
Water Operating	23,281.28
Water Improvement	-0-
TOTAL	396,854.55

UNFINISHED BUSINESS. None

NEW BUSINESS. None

SUPERVISOR'S REPORT.

Drains. Received a report on the Hollywood drain plan at the noon workshop. Royalton and St. Joseph Townships were also in attendance.

Ordinance Enforcement. Received update.

Roads. BCRC annual meeting is on October 30th.

Litigation. Update was received at noon workshop.

Halloween Date Changed. Halloween **changed to October 30** because of safety concerns with a football playoff game on October 31- hours remain at 6:00 to 7:30 p.m.

ISO Rating has been favorably upgraded to a Class 2.

Agendas are now on the web site.

CLERK'S REPORT.

Book Balances at 9/30/08 are as follows: \$801,188.95 in the general fund; \$704,012.50 in police; \$696.74 in parks; \$98,765.10 in cemetery; \$68,173.79 in building; \$284,322.30 in township improvement; \$31,009.88 in police capital; \$58,534.59 in parks capital; \$1,984,023.81 in sewer operating; \$1,957,457.68 in sewer replacement; \$270,362.25 in sewer improvement; \$2,151,790.00 in water operating; \$705,528.38 in water replacement; \$4,568,955.56 in water improvement; \$3,695.76 in trust & agency; \$74.84 in Glenlord sidewalk special assessment; \$438.77 in DeFay Rd. special assessment; and \$78,905.94 in street lighting. We also have funds in T & A delinquent taxes \$12,405.36; tax account \$10,048,957.37; fire station debt \$82,659.41; library bond \$164,938.18; flex spending \$3,683.39. All balances have been verified with the treasurer's records.

2008 Street Light Special Assessments. Motion Carried. Geisler moved, seconded by Peterson, to approve the 2008 Street Light District Special Assessments. **Attachment B.** Roll Call Vote: Ayes: Peterson, Smith, Stauffer, Geisler, Jewell, Pscholka and Florian. Nays: None.

TREASURER'S REPORT. Current interest rates are 2.3%.

PLANNING COMMISSION REPORT.

Lakeside Beach Club. PUD Not Approved Nor Denied – A Non Action. Anthony Perry of A. Perry Designs & Builds P.C., of Libertyville, IL, has applied for a planned unit development for 31.11 acres at 3822 Red Arrow Highway, parcels #11-12-0009-0022-01-4, #11-12-0009-0022-02-2, & #11-12-0009-0022-00-6; has revised the plan to five story condos, and wider roads for the fire trucks. The project was sent back to the Planning Commission for a public hearing and they have recommended approval of the amended plan with conditions. Several residents spoke in favor – unique development and should be judged on its own merit, creates jobs, increases tax base, and attracts people to the area. Several residents spoke against - protect community as it is, no exceptions to the ordinance, and too many stories. Stauffer moved, seconded by Jewell, to amend the zoning ordinance and approve the preliminary site plan contingent upon the planner's conditions of the 9/29/08 memo.

Florian spoke against the project because the ordinance states "shall" not exceed 2 ½ stories; upset that reasons to deny were not sent in advance of meeting; for every issue in favor, there is a reason for denial; doesn't feel "unique" can stop other developers; this is a legacy issue and doesn't want his name associated with it.

Pscholka concurs with Florian; project changes the character of the Township; doesn't know if local contractors will be used; and money was spent on a master plan and we should abide by it.

Jewell noted the ordinance allows for variances by use of a PUD.

Smith was concerned by access points and if the project will be entirely developed.
Perry stated the access points are Lake Pines Path and the commercial area; the project will be done in small phases – single homes first, the market will determine if the commercial or condos are done second, and will start with condos on the north.
Jewell left at 7:55 p.m. (his son was taken to the hospital by ambulance)
Peterson stated changes happen and they can be good, the PUD should be weighed on its own merit.
Smith confirmed that the vote taken would approve the building height and road placement.
Florian noted green space is not increased in this proposal.
Perry pointed out open space would not increase with apartments because it would be parking lots.
Roll Call Vote: Ayes: Stauffer, Geisler, and Peterson. Nays: Smith, Pscholka and Florian. Motion does not pass. Perry thanked the board for their time.

ZONING BOARD OF APPEALS REPORT. None.

ASSESSOR'S REPORT. Distributed to board.

LIBRARY REPORT. Dina Reilly reported Library Board meetings have been changed to the 3rd Tuesday of the month effective November.

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

AIRPORT AUTHORITY REPORT. Distributed to board.

FIRE BOARD. Minutes distributed to board.

Brian Jewell submitted his resignation to the Fire Board.

Motion Carried. Stauffer moved, seconded by Pscholka, to appoint Deb Peterson to fulfill his term expiring 6/30/13.

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

E-Crash Grant. Motion Carried. The grant provides laptops, mounts, and scanners for four patrol cars. The Township's match is \$4,500 for three years. Stauffer moved, seconded by Florian, to approve the grant at an annual match of \$4,500 for three years.

Labor Contract. Motion Carried. Stauffer moved, seconded by Florian, to approve the contract with the Police Officers Labor Council for Patrol Officers, and the Police Officers Labor Council for Sergeants retro to 4/1/08 for three years. The contracts included 3% increases for three years, and an employee contributed health care savings plan. The contracts are on file in the clerk's office.

PARKS REPORT. No new information.

LMSWSTA (water authority). Pscholka reported the water towers should be functioning by the end of the year – the delay has been due to a shortage of welders. They had two audits because there are two authorities. City of St. Joseph has notified us of an 8.3% commodity water increase.

Public Comment.

Resident suggested we use microphones for our meetings. Another asked about parks projects.

ADJOURN. There being no further business, the chair adjourned the meeting at 8:25 p.m.

Sharon Geisler, Clerk

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