

**MINUTES
LAKE CHARTER TOWNSHIP
BOARD MEETING
August 21, 2006
7:00 p.m.**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to Order by Supervisor John Gast at 7:00 p.m. The meeting opened with the Pledge of Allegiance to the Flag.

ROLL CALL

Clerk Payne called the roll. Board members present were John Gast, Supervisor; Gloria Payne, Clerk; Betty Korcek, Treasurer; Terry Eichler, Trustee; William "Bill" Geukes; James Stine, Jr., Trustee and Trustee Tom Carson. Eight visitors were present in the audience.

APPROVAL OF AGENDA & AGENDA AMENDMENTS

It was moved by Payne seconded by Korcek to approve one addition to the agenda. All ayes, motion carried.

APPROVAL OF MINUTES

It was moved by Stine seconded by Geukes to approve the Minutes of the July 17, 2006 Board meeting. All ayes, motion carried.

PUBLIC COMMENT

None.

APPROVAL OF BILLS

After one explanation of expenditures, it was moved by Geukes seconded by Carson to approve the July 2006 bills totaling \$228,599.26. All ayes, motion carried.

COMMUNICATIONS/CORRESPONDENCE PACKET

The following information was included in board members packets: MTA Weekly Legislative Report; Lake Charter Township Fund Balances as of July 2006; Lake Township Water Filtration Plant monthly report; Medic I Agenda and meeting minutes; Lake Charter Township Planning Commission meeting minutes; Galien River Sanitary Sewer Authority Agenda and meeting minutes; Baroda Township bills; Park Committee Agenda; Lake Township Fire and Rescue meeting minutes; Bridgman Public Library meeting minutes; Twin Cities Transportation Study Policy & Technical Advisory meeting minutes.

Copy of a letter from Roger Zilke, Berrien County Drain Commissioner regarding the Stahelin Drain District. Lake Michigan Mailers Postage Savings Statement; Copy of a letter from Lake Charter Township Attorney Scott Dienes regarding the performance guarantee of Sempra Energy Resources; Letter from Fresenius Medical Care and a Newsletter from Cook Nuclear Power Plant.

REPORTS

B. Supervisor's Report

Supervisor Gast reported as follows:

- a. Attended Board of Review;
- b. Had a teleconference with State Budget Office;
- c. Attended Medic One;
- d. Hosted Berrien County Chapter MTA Picnic;
- e. Attended Joint City/Township Meeting;
- f. Attended Utility Board Meeting;
- g. Attended Airport Authority Meeting;
- h. Attended Park Meeting;
- i. Attended Library Meeting;
- j. Attended the rededication of the James Linderman Memorial at the Bridgman Public Library.

B. Clerk's Report

Clerk Payne reported as follows:

- a. Attended the Southwestern Michigan Commission Meeting;
- b. Held the Public Accuracy Test for the Disabled Voting Equipment and the Tabulator;
- c. Attended Meet the Candidates Forum held at Bridgman Public Library;
- d. Held precinct workers' training;
- e. Attended joint City/Township Meeting;
- f. Attended Berrien County Chapter MTA Picnic;
- g. Attended County precinct workers' training;
- h. Attended Utility Board Meeting;
- I. Attended Growth Alliance Meeting;
- j. Held the August 8, 2006 Primary Election;
- k. Attended the Republican Party Precinct Delegate Meeting.

C. Treasurer's Report

Treasurer Korcek reported as follows:

- a.. Attended joint City/Township Meeting;
- b. Attended Utility Board Meeting;
- c. Attended Airport Authority Board Meeting;
- c. Attended Growth Alliance Meeting;
- d. Attended Park Committee Meeting;
- e. Attended the Republican Party Precinct Delegate Meeting.

Interest earned on CD's \$5,724.71. Total of \$332,295.90 paid in taxes. Third round of payments to be made this week.

D. Planning Commission Report

Trustee Geukes reported there was no new business. A review of the six-month budget was discussed.

E. Water Superintendent's Report

Water Superintendent Stewart Beach reported they are half way through excavating the sludge ponds. Pumpage is down due to the rain, pumping 2 MGD. One main break occurred and two galvanic anodes were installed.

F. GRSD Sewer Authority Report

In the absence of Supervisor Gast attending the GRSD Sewer Authority meeting, Trustee Eichler reported an engineer from Jones and Henry reported on the Franklin Lift Station and what needs to be changed or replaced so the casino can hook into it when they are ready. Tom Traciak was also present and discussed sewer connection fees.

G. Police Department

Trustee Eichler reported the Police Department had no meeting.

H. Fire Department/Fire Chief

Trustee Eichler reported the firefighters need additional tools for the jaws of life equipment. The firefighters helped at the Berrien County Youth Fair on Wednesday from Noon to Midnight. They will be taking the Fire truck to Barodafest on September 9, 2006.

Chief Heyn reported 27 fire calls were dispatched. Fifteen medical, three fire related and six alarm calls.

I. Park Report

Treasurer Korcek reported there are plans to get bids on all three irrigation systems. Benches and swings are needed at the Park. Brian took the clay off the ballfield and is ready for the moon dust. Brunke's will be called regarding the water cooler. Purchasing playscapes will be discussed at the next meeting. Grass is bad at the new pavilion. The south side will be tilled and seeded. The eave troughs at the old pavilions are needed, Brian will fix the soffet and then put on the eave troughs. Quotes are needed for dugouts. Sites for spruce trees will be located.

J. Library Report

Lillian Svitil reported the library received penal fines totaling \$53,000.00. Lillian expressed her disappointment regarding the purchasing of new furnishings and that Carol Siewert and herself voted against the purchase and that the minutes did not reflect who voted against the purchase.

K. Cemetery Committee Report

Clerk Payne reported that one burial was conducted in the month of July 2006. Schiller's Nursery was contacted and the dogwood tree will be replaced. Three or four dead trees need to be replaced as well. Trustee Eichler indicated that if the Park needs trees and the cemetery needs trees that we should probably look into getting them from Allegan. Lastly, we have asked the Cemetery Sexton and Maintenance Worker to discontinue using round-up around the cemetery markers.

AGENDA ITEMS

Audit Report

Supervisor Gast turned the floor over to Lake Charter Township Auditor, Dave Schaffer. Mr. Schaffer reviewed the 2005 Audit with board members. He highlighted the fact that Lake Charter Township has no debt. He turned board members attention to the Independent Auditor's Report citing the year ended in conformity with accounting principles generally accepted. It was moved by Payne seconded by Korcek to adopt the 2005 Final Audit of Dave Schaffer of Schaffer & Layher. All ayes, motion carried.

Capitalization Resolution

Supervisor Gast presented board members with a Capitalization Resolution. This Resolution establishes any asset purchased with a value of \$5,000.00 or more and a life expectancy of more than one (1) year shall be capitalized. This conforms to the recently adopted GASB 34 governmental accounting standards. It was moved by Payne seconded by Eichler to approve the Capitalization Resolution as presented. Roll Call: All yes. Motion carried.

Amendment to Water Ordinance

Supervisor Gast brought before board members the second reading of the Ordinance to Amend the Water Ordinance 73-1. At the July 17, 2006 Lake Charter Township Attorney, Scott Dienes of DeFrancesco & Dienes discussed the highlighted sections of the ordinances and reported that the only changes are the amounts charged for services and replaced with "as set by the Township Board with Resolution." Therefore, in the future the rate adjustment will not require a three-month process. Draft language for publication, rather than publish the entire ordinance will be forthcoming for publication by September 1, 2006. It was moved by Eichler seconded by Geukes to approve the Water Ordinance as amended. Roll Call Vote: All yes, motion carried.

Credit Card Resolution

Supervisor Gast presented board members with a Credit Card Use Policy Resolution. The Township credit card was secured in April 2001 and a use policy was never enacted. At the suggestion of Dave Schaffer, Lake Charter Township's Auditor, this Resolution governing the use and handling of the credit card is in order. It was moved by Geukes seconded by Stine to approve the Credit Card Resolution. Roll Call Vote: All Yes. Motion carried.

Tentative Approval of Proposed Platted Subdivison

Supervisor Gast presented to board members the proposed platted subdivision on California Road. The lots are created as a result of the original parcel being split to allotted splits allowed by Zoning. All lots meet the square footage requirements for Res/Ag zoning. It was moved by Payne seconded by Carson to forward this request onto the Planning Commission. All ayes, motion carried.

Text Amendment to Zoning Ordinance

Supervisor Gast brought before board members the text amendment of the Zoning Ordinance. Section 12.02 - The Berrien County Planning Commission concurred with the Lake Charter Township Planning Commission regarding the insertion of the wording "state licensed residential family care facilities with six or less residents, family child day care homes with six or less children, or home occupations." As to Section 12.03 - The Commission concurred with the Lake Charter Township Planning Commission to allow site plan submissions to

be drawn in any scale so long as it does not exceed 1 inch equals 100 feet. It was moved by Payne seconded by Geukes to approve the Text Amendments to the Zoning Ordinance effective upon publication. All ayes, motion carried.

Resolution to Revoke Industrial Facilities Exemption Certificate for South Shore Power

Supervisor Gast reported that the State of Michigan contacted Treasurer Korcek regarding the status of the industrial facilities exemption certificate for South Shore Power. Since the project is not coming to fruition, a resolution is necessary to revoke the IFT. It was moved by Eichler seconded by Geukes to approve the Resolution to Revoke the Industrial Facilities Exemption Certificate 2002-197 for South Shore Power in the name of Lake Charter Township. All ayes, motion carried.

Fire Department Jaws

Supervisor Gast turned the floor over to Chief Harold Heyn. An estimate from Apollo Fire Equipment Company was submitted for three components for one of the existing jaws of life equipment the fire department currently has. A Hurst ML-28" Spreader, Hurst MACH II Cutter; and a Hurst Ram Extension Kit all for \$13,394.00. The current components are approximately 25 years old. Purchasing these components would update the current equipment. Questions included whether these components would be purchased for the second piece of equipment, Chief Heyn answered not at this time. Are there any other vendors we could get quotes from? Chief Heyn answered Apollo is the vendor with the best reputation for fire equipment. What will be done with the old equipment? Chief Heyn answered it will be kept as back-up.

Chief Heyn reported that when purchasing this equipment a free driver's side air bag safety device to go over the steering wheel to protect fire personnel while extracting victims is included in the purchase of the jaws of life equipment components. Trustee Carson asked what typically do these driver's side air bag safety devices cost? Chief Heyn answered he didn't know. Trustee Carson asked that he bring that to the next meeting for possible purchase of additional driver's side air bag safety devices.

It was moved by Stine seconded by Payne to purchase the three components for one of the existing jaws of life equipment for the fire department personnel. All ayes, motion carried.

Cleaning of HVAC system at State Police Post

Supervisor Gast obtained two invoices for cleaning of the State Police Post heating, venting, air conditioner unit. Servpro for \$7,347.50 and Serviclean One for \$1,550.00. After discussion, this agenda item died on the table due to concerns that since we haven't received reimbursement from the State of Michigan for previous expenses incurred to the upkeep of the building, that it wouldn't be wise to incur more expense at this time.

Ballfield Dugout Construction Labor Cost

Supervisor Gast presented board members with a quote from Calvin Session for \$2,500.00 to install cement blocks for the softball dugouts. This includes installing the doorframe and beam. This does not include the rafters or roofing. It was moved by Payne seconded by Carson to approve the quote from Calvin Session for installation of one dugout made of block for the softball dugouts. All ayes, motion carried.

Pricing for Soil Conditioner for new field

Due to the lack of an invoice for the soil conditioner this agenda item is tabled until September 18, 2006.

Invoice of Merritt Engineering for Hydraulic Study

Supervisor Gast presented board members with a bill from Lake Charter Township's engineer, Merritt Engineering for \$4,378.00 for engineering services for hydraulic evaluations for the water main replacement in the southern portion of the water system. After discussion of all the different expenses, it was moved by Carson

seconded by Geukes to approve payment to Merritt Engineering for \$4,378.00 for engineering services for hydraulic evaluations for the water main replacement. All ayes, motion carried.

Proposal for Needs Analysis & Site Review

Supervisor Gast reported two proposals for needs assessment was obtained, one from Tera Architects for \$7,000.00 and one from French Associates \$12,900.00, for the proposed Public Safety Building. It was moved by Geukes seconded by Carson to approve Supervisor Gast signing the feasibility study and footprint of what we need regarding square footage, etc., for the proposed Public Safety Building. All ayes, motion carried.

Proposal for Southwest Michigan Regional Airport Authority

Supervisor Gast reported to board members that the board needs to approve special millages for placement to the electors of Lake Charter Township. The Southwest Michigan Regional Airport Authority has requested a special millage from Lake Charter Township at the rate of .05 mills for a period of ten years. Should this pass, it gains Lake Charter Township a spot on the Southwest Michigan Regional Airport Authority board. The Cook Nuclear Power plant does use the airport for their needs and was in agreement with placing it before the electors of Lake Charter Township. It was moved by Payne seconded by Korcek that the proposal of a special millage for the Southwest Michigan Regional Airport Authority at the rate of .05 mills for a period of ten (10) years be presented to the electors of Lake Charter Township at the general election of November 2006 and further direct the Township Clerk and Attorney for Lake Charter Township to take such action as is necessary and appropriate to accomplish same. Six ayes, one nay (Carson). Motion carried.

PUBLIC COMMENT

Stewart Beach informed board members that Woodland Terrace is having a Cancer Benefit dinner at Lake Charter Township Hall from Noon to 5:00 on Sunday, August 7, 2006.

Lou Barinka expressed his concerns regarding the zoning in his district.

Clerk Payne reminded board members any changes they had for the current budget should be turned into Supervisor Gast for amendment.

ANNOUNCEMENTS

The next regular meeting is scheduled for September 18, 2006 at 7:00 p.m., Lake Township Hall, Bridgman, Michigan.

Lake Charter Township Planning Commission is scheduled for September 11, 2006 at 7:00 p.m., Lake Charter Township Hall, Bridgman, Michigan.

Lake Charter Township Utility Board is scheduled for September 5, 2006 at 12:00 Noon, Lake Charter Township Hall, Bridgman, Michigan.

Lake Charter Township Zoning Board of Appeals meeting September 14, 2006 at 7:00 p.m., Lake Charter Township Hall, Bridgman, Michigan.

Lake Charter Township Park Committee Meeting is scheduled for September 5, 2006 at 7:00 p.m., Lake Charter Township Conference Room, Bridgman, Michigan

Lake Charter Township Police Board Meeting is September 12, 2006 at 7:00 p.m., Baroda Township Hall, Baroda, Michigan

City of Bridgman/Lake Charter Township Growth Alliance meeting is September 7, 2006 at 1:00 p.m., at Lake Charter Township Hall.

Galien River Sewer Authority Board Meeting is September 27, 2006 at 1:00 p.m., Chikaming Township Hall, Lakeside, Michigan

Bridgman Public Library Meeting is September 12, 2006 at 6:00 p.m., Bridgman Public Library, Bridgman, Michigan.

ADJOURNMENT

With no further objection and no further business it was moved by Carson seconded by Stine to adjourn the meeting. All ayes. Motion carried. Meeting adjourned at 9:00 p.m.

Dated: _____

Gloria A. Payne, Clerk

Dated: _____

John Gast, Supervisor