

MINUTES
LAKE CHARTER TOWNSHIP
BOARD MEETING
April 16, 2007
7:00 p.m.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Supervisor Gast called for a moment of silence for the victims of the Blacksburg, Virginia massacre, wherein 33 lives perished when a gunman went on a shooting spree on the campus of Virginia Tech.

The meeting was called to Order by Supervisor John Gast at 7:01 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. Sixteen visitors were present in the audience.

APPROVAL OF AGENDA & AGENDA AMENDMENTS

It was moved by Korcek seconded by Eichler to add one additional item to the agenda. Trustee Carson asked that his agenda item, regarding his letter about the cemeteries, be moved and addressed as agenda item "b." All ayes, motion carried.

APPROVAL OF MINUTES

It was moved by Korcek seconded by Stine to approve the Minutes of the March 19, 2007 Board meeting. All ayes, motion carried.

It was moved by Geukes seconded by Stine to approve the Minutes of the March 22, 2007 Special Board Meeting. All ayes, motion carried.

It was moved by Eichler seconded by Korcek to approve the Minutes of the March 28, 2007 Special Board Meeting. All ayes, motion carried.

PUBLIC COMMENT

Supervisor Gast turned the floor over to Jim Wells, Coach of the Pony League. He presented each board member with two options for equipment and materials needed to kick-off the season which begins in May 2007. Supervisor Gast indicated that action would not be taken on this agenda item, until the request is made to the Park Committee which meets May 1, 2007 at 7:00 p.m., at Lake Township Hall. They will then make recommendation to the Township Board.

APPROVAL OF BILLS

It was moved by Geukes seconded by Payne to approve the March 2007 Lake Charter Township bills in the amount of \$440,175.94. All ayes, motion carried.

COMMUNICATIONS/CORRESPONDENCE PACKET

The following information was included in board members packets: MTA Weekly Legislative Report; Lake Charter Township Planning Commission meeting minutes; Lake Charter Township Fire and Rescue meeting minutes; Lake Charter Township Park Committee meeting minutes; Lake Charter Township Water Plant Construction meeting minutes; Galien River Sanitary Sewer Authority Agenda and meeting minutes; Baroda Township bills; Bridgman Public Library meeting minutes; Lake Charter Township Fund Balances for February and March 2007; Summary Sheet of Lake Charter Township Property Taxes for the year 2006 and the 2006 Consumer Confidence Report; 2006 Water Quality Report.

Copy of a letter from Larry Merrill, Executive Director of the Michigan Townships Association asking we write our legislators regarding the proposed elimination of townships under the population of 5,000. State of Michigan Notice of Hearing for Michigan Gas Utilities Corporation. Par-Plan Newsletter.

REPORTS

A. Supervisor's Report

Supervisor Gast reported as follows:

- a. Finished up Board of Review;
- b. Attended Water Plant Construction Meeting;

- c. Attended Special Meeting regarding Request for Proposal from Architects for the proposed Lake Charter Township Public Safety Building;
- d. Attended Storm Water Phase II meeting at Lincoln Township;
- e. Attended Galien River Sewer Sanitary District Meeting;
- f. Attended and hosted the Bridgman Chamber luncheon;
- g. Attended Cemetery Committee/Special Meeting;
- h. Attended Utility Board Meeting;
- i. Attended Economic Growth Alliance Meeting;
- j. Attended Special Meeting interviewing three Architects for the proposed Lake Charter Township Public Safety Building;
- k. Attended CEO meeting;
- l. Attended Medic One Meeting.

B. Clerk's Report

Clerk Payne reported as follows:

- a. Attended Special Meeting regarding interviewing of Park Candidates;
- b. Attended Special Meeting with Baroda Township, Baroda Village and Chikaming Township regarding their water needs;
- c. Attended Special Meeting regarding Request for Proposal from Architects for the proposed Lake Charter Township Public Safety Building;
- d. Attended the Bridgman Chamber luncheon;
- e. Attended Cemetery Committee/Special Meeting;
- f. Attended Chamber of Commerce meeting;
- g. Attended Utility Board Meeting;
- h. Attended and hosted the State of Michigan Election Training;
- i. Attended Special Meeting interviewing three Architects for the proposed Lake Charter Township Public Safety Building;
- j. Mailed absentee ballot applications out for School Board Election May 8, 2007;
- k. Held quarterly pension review for employees.

C. Treasurer's Report

Treasurer Korcek reported as follows:

- a. Attended Special Meeting regarding interviewing of Park Candidates;
- b. Attended Special Meeting regarding Request for Proposal from Architects for the proposed Lake Charter Township Public Safety Building;
- c. Attended Cemetery Committee/Special Meeting;
- d. Attended Utility Board Meeting;
- e. Attended Park Committee Meeting;
- f. Attended Growth Alliance meeting;
- g. Attended Special Meeting interviewing three Architects for the proposed Lake Charter Township Public Safety Building.

Settled with the County of Berrien on taxes. A report was included in board members agenda packets. Paid out \$680,833.00 to Miller Davis as well as a \$74,441.00 retainer.

D. Planning Commission Report

Trustee Geukes reported the Planning Commission responded to the decision of the Lake Charter Township Board's decision to forego appointing an alternate. If business is tabled by the Planning Commission because of a lack of a quorum, the responsibility for not having a back-up rests with the Township Board and their lack of a decision on an alternate.

E. Water Superintendent's Report

Water Plant Superintendent Stewart Beach reported pumpage is up 18%. He has been offering tours of the facilities. All piping for the reservoir is in. They are busy painting the claricone at the Plant. The progress of the Snow Road finalization is underway, old fire hydrants have been removed, Hollerbach has not started re-sodding, however they have packed and blacktopped Snow to Browntown Road. The phone line is an issue the telephone company needs to handle.

F. GRSD Sewer Authority Report

Supervisor Gast reported Lake Charter Township is using 68% of its allotted capacity. We will have another 100,000 gallons to take us to our 600,000 gallon capacity upon completion of phase 3. Several lift stations were worked on, LS 40 transfer switch broken, LS 44 pump lost prime, LS 46 reset-tripped pump, LS40 replaced transfer switch LS 36 and 37 heaters were replaced and LS 43 high wet well. An inspection was done at 4653 Hickory Drive.

G. Police Department

Trustee Eichler reported there was no meeting, but that the Department is having a photo shoot, don't shoot training here at Lake Township Hall.

H. Fire Department/Fire Chief

Trustee Eichler reported the Fire Department will hold a pancake breakfast on June 3, 2007. He asked that this be placed on the marquee. Two volunteers will be attended the Cook Plant fire training. They will be seeking approval from the Township Board for ten men to attend a Jet Ski Class on June 3, 2007 at \$100.00 per man. Lastly, they need permission to have the fire truck attend the June 16, 2007 Stevensville Days parade. Chief Heyn reported 18 calls were made, of which 15 were medical and three fire.

I. Park Report

Treasurer Korcek reported Brenda Smith was selected as the Park Superintendent. She began her employment on April 9, 2007 and is busy trimming shrubs, painting the bathroom floors and the play equipment. The dugout has been completed.

J. Library Report

Lillian Svitil reported they are working on taking bids and getting the roof completed. They have enacted a "No Smoking" ordinance on all of the Library property. They are holding a film screening geared toward autism entitled "Normal People Scare Me." They will be having a men only Cake decorating class. A remote control car race and the city-wide rummage sale is set for May 19 and 20, 2007. They are launching their summer reading programs.

K. Cemetery Committee Report

Clerk Payne reported that seven benches were pressure washing and oiled. Greenwood and Graceland cemeteries were rolled. Michigan State Police Post was raked and rolled. Graceland Cemetery raked, Water Plant raked. They helped Brenda and got her acclimated at the Park. Three burials were conducted since last month.

AGENDA ITEMS

Resignation of Water Plant Employee

Supervisor Gast informed board members of the confidential envelope laying before them this evening. He asked that board members read it. It contains the resignation of Water Plant Operator, Dennis Miller, wherein he gives two weeks notice as Water Plant Operator for Lake Charter Township Water Plant. It was moved by Korcek seconded by Geukes to accept the resignation of Dennis Miller as Water Plant Operator for Lake Charter Township. Further, to begin the process of posting the position and begin the search to replace him. All ayes, motion carried.

Trustee Carson Letter Regarding Cemetery

Supervisor Gast turned the floor over to Trustee Tom Carson. He read a letter he wrote regarding the Cemetery and the Cemetery personnel (letter attached). Supervisor Gast responded that these questions were asked and answered at the Special Board/Cemetery Meeting held on April 2, 2007 (attached). Trustee Carson responded with a list of people defined as "them." He also demanded to know who said that the benches should be seal coated by Carson Wood Products. Clerk Payne responded Annaliese Linke. To which he shouted, "I called her she didn't say that." Trustee Carson, further, indicated that Supervisor Gast and Trustee Eichler agreed with him that the cemeteries look bad and that something should be done. He continued to demand something be done and said he knows nothing will be done. He concluded his comments and walked out at 7:55 p.m. Let the record reflect that Cemetery Sexton, Dave Williams was present in the audience.

Trustee Stine asked if he could read a letter from Kraig Pike, owner of Pike Funeral Home to bring balance to the issue (letter attached).

Supervisor Gast asked if anyone else would like to comment. Treasurer Korcek commented that the grass should not be cut when its wet. Sticks seem to lay longer than they should. Paint the garbage cans, paint the building at Greenwood. Remove the wreaths, replace trees and have California and Snow Road cemetery mowed more often in the summer.

Clerk Payne indicated that in the newsletter we publish, we ask people to remove the wreaths by April 1, we typically do not remove items from graves.

Approval of 2007-2008 Police Budget

Supervisor Gast explained that the Baroda Lake Township Police Department budget runs from April through March. The new budget figure is 7.53% Lake Charter Township budgeted \$175,000.00 and this figure falls in line with the increase. It was moved by Stine seconded by Geukes to approve the 2007-2008 Baroda Lake Township Police Department budget. Six ayes, motion carried.

Approval of 2007 Critical Bridge Resolution

Supervisor Gast brought before board members a Resolution supporting Berrien County Road Commission's Application for State and Federal Critical Bridge funds. He asked to forego reading the resolution. It was moved by Gast seconded by Eichler to support the Berrien County Road Commission's request for State and Federal funding assistance through the Michigan Department of Transportation by submission of this resolution Bridge No. 11 0001605 B01 on Date Road over Keeler Creek. Six ayes, motion carried.

Amendment to Zoning Ordinance (Michigan Zoning Enabling Act)

Supervisor Gast presented to board members an amendment to the Zoning Ordinance. This amendment changes Lake Charter Township's ordinance to comply with the Michigan Zoning Enabling Act. This amendment was reviewed and prepared by Williams & Works. This amendment becomes effective ten (10) days after publication. It was moved by Geukes seconded by Payne to approve the Amendment to the Zoning Ordinance. Six ayes, motion carried.

Quarterly Budget

Supervisor Gast brought board members attention to the first quarter Lake Charter Township Budget. He asked board members to look over the figures and noted that adjustment will be made in the second quarter.

Bonding Bid for Service

Supervisor Gast directed board members attention to the bid for bonding services of ACI Finance. Tom Traciak's services are \$9,500 plus \$2.00/\$1,000 of principal amount for bonds \$1,000,000 to 25,000,000. After discussion, it was decided that since Tom Traciak of ACI Finance has helped Lake Charter Township in the past and recently secured bonds for New Buffalo Township at a bond rate of 4.21%, that we hire Tom Traciak of ACI Finance to be Lake Charter Township Bond counsel. Six ayes, motion carried.

Bonding for Capital Improvements (Competitive vs. Negotiated)

Supervisor Gast indicated that in light of Tom Traciak being secured as Lake Charter Township's bond consultant, we let him make the decision whether to secure competitive or negotiated bonds.

Approve Invoice for Soil Conditioner for Infield of Ballfield

Supervisor Gast presented to board members an invoice in the amount of \$4,825.00 for 12 pallets of SM red, one pallet rapid dry, one pallet pro-mound clay bricks and two days of consulting on softball field construction. It was moved by Korcek seconded by Geukes to pay \$4,825.00 for soil conditioner for the infield of the ballfield. Six ayes, motion carried.

Approve Invoice from Fishbeck, Thompson, Carr and Huber - Water Capital Improvement Projects

Supervisor Gast presented to board members engineering invoice #172831 from Fishbeck, Thompson, Carr and Huber for the Lake Township membrane system preliminary final design for the period February 24, 2007 through March 23, 2007 in the amount of \$31,624.48. It was moved by Korcek seconded by Geukes to approve payment of engineering invoice #172831 from Fishbeck, Thompson, Carr and Huber for the Lake Township membrane system preliminary final design for the period February 24, 2007 through March 23, 2007 in the amount of \$31,624.48. Six ayes, motion carried.

Supervisor Gast presented to board members the engineering invoice #173375 from Fishbeck, Thompson, Carr and Huber for the Lake Township 1.0 million gallon tank bidding for the period February 24, 2007 through

March 23, 2007 in the amount of \$3,193.28. It was moved by Payne seconded by Korcek to approve payment of engineering invoice #173375 from Fishbeck, Thompson, Carr and Huber for the Lake Township 1.0 million gallon tank bidding for the period February 24, 2007 through March 23, 2007 in the amount of \$3,193.28. Six ayes, motion carried.

Supervisor Gast presented to board members the engineering invoice #172833 from Fishbeck, Thompson, Carr and Huber for the Lake Township 1.0 million gallon tank construction for the period February 24, 2007 through March 23, 2007 in the amount of \$25,991.99. It was moved by Geukes seconded by Payne to approve payment of engineering invoice #172833 from Fishbeck, Thompson, Carr and Huber for the Lake Township 1.0 million gallon tank construction for the period February 24, 2007 through March 23, 2007 in the amount of \$25,991.99. Six ayes, motion carried.

Selection of Architects for Public Safety Building

Supervisor Gast reported that the Lake Charter Township board interviewed three of the low architect bidders for the proposed Public Safety Building. He asked that we wait to select anyone at this time to take time to look at projects each architect has done.

Dug Out Roof Estimate

Supervisor Gast presented a bid from Robert Svoboda, Jr., for installation of a roof over block wall dugout consisting of 2X6 rafters 2 feet on center, 5/8 plywood deck, 30 year laminate shingles over one layer ice and water shield, vinyl soffit and fascia for \$3,975.00. Payment of \$1,974.00 upon acceptance of proposal and \$2,000.00 upon completion. It was moved by Stine seconded by Korcek to approve the bid from Robert Svoboda, Jr., for installation of the roof on the dug-out at the Park. Six ayes, motion carried.

Pavilion Roof Repairs

Supervisor Gast presented a bid from Robert Svoboda, Jr., for roof repairs to two of the pavilions at the Park. The proposal includes replacing two feet of plywood at eaves, installing new metal edge, install 30 year laminate shingles over three feet of ice and water shield at eaves and 15# felt underlayment. Includes ridge vent, properly flashing chimneys and clean-up for \$16,050.00. Payment of \$7,500.00 upon acceptance of proposal and \$7,700.00 upon completion.

Also included in board members packets were copies of the paperwork for the roof job that was done in 2001 by Ken Daugherty for \$13,900.00. Mr. Daugherty has been contacted and the warranty only covered 24 months of the craftsmanship. 25 year shingles were used, but apparently these were not premium shingles.

After discussion, it was moved by Stine seconded by Korcek to approve the bid from Robert Svoboda, Jr., for installation of both pavilion roofs at the Park. Six ayes, motion carried.

Discussion Items for Fifth Monday Joint City/Township Meeting

Supervisor Gast asked if any board members had any agenda items they wished to place on the fifth Monday joint City/Township meeting to be held May 30, 2007. There were none. He further reported, Aaron Anthony, Bridgman City's Manager had no agenda items as well, therefore, most likely, the meeting will be canceled.

PUBLIC COMMENT

Marsha Branch commented that they have a lot of free labor to offer to help get the ballfields ready for the season. If Lake Township is interested, they are willing.

Jim Wells commented that he needs to know by the second week of May what we plan on doing for the equipment for the ballfields.

Fred Beckman indicated he was willing to donate time as well.

Erna Linke asked what costed \$2,336.00 to Michigan Gas. Trustee Eichler responded that is the cost to heat the maintenance building.

Gaylord Rochefort, Planning Commission member asked why the Township Board denied them an alternate. Supervisor Gast responded that first of all it is hard to find people to serve, secondly, compensation was a bit of an issue and lastly how many instances have they had where they did not have a quorum. Lastly, the Zoning Board of Appeals did not see the need for an alternate.

Gaylord Rochefort expressed his opinion that he thought it improper and unprofessional for an elected board member, elected by the people of Lake Township to walk out of a Board meeting.

ANNOUNCEMENTS

The next regular meeting is scheduled for May 21, 2007 at 7:00 p.m., Lake Township Hall, Bridgman, Michigan.

Lake Charter Township Planning Commission is scheduled for May 14, 2007 at 7:00 p.m., Lake Charter Township Hall, Bridgman, Michigan.

Utility Board meeting is scheduled for May 1, 2007 at 12:00 Noon, Lake Charter Township Conference Room, Bridgman, Michigan.

Lake Charter Township Zoning Board of Appeals is scheduled for May 10, 2007 at 7:00 p.m., Lake Charter Township Hall, Bridgman, Michigan.

ADJOURNMENT

With no further objection and no further business it was moved by Payne seconded by Geukes to adjourn the meeting. Six ayes. Motion carried. Meeting adjourned at 9:05 p.m.

Dated: _____

Gloria A. Payne, Clerk

Dated: _____

John Gast, Supervisor