

**MINUTES
LAKE CHARTER TOWNSHIP
BOARD MEETING
December 14, 2009
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; Trustees Patricia L. Heyn, Terry Eichler Tom Carson and James Stine, Jr. Ten visitors were present in the audience.

APPROVAL OF AGENDA

Supervisor Gast asked if anyone had additions to the agenda. It was moved by Stine seconded by Korcek to add two items to the agenda. All ayes, motion carried.

APPROVAL OF MINUTES

November 16, 2009

It was moved by Heyn seconded by Stine to approve the Meeting Minutes of November 16, 2009. All ayes, motion carried.

December 2, 2009

It was moved by Eichler seconded by Korcek to approve the Meeting Minutes of December 2, 2009. All ayes, motion carried.

December 9, 2009

Due to the meeting minutes of December 9, 2009, directly relating to Establishing an Industrial Facilities Exemption District and granting a tax abatement to Trustee Carson, it was moved by Eichler seconded by Korcek to allow Trustee Carson to abstain from voting on the approval of the meeting minutes of December 9, 2009. Six ayes, motion carried.

It was moved by Eichler seconded by Korcek to approve the meeting minutes of December 9, 2009. Six ayes, motion carried.

PUBLIC COMMENT

Charlene Carson expressed her opinion of one planning commission's unprofessional attitude and indicated that instead of appointing the same planning commission members, to consider new ones.

Nicole Anderson expressed her interest in serving on the Planning Commission.

Kevin Burkhard expressed his interest in serving on the Planning Commission.

Dean Conway indicated he was opposed to having Veteran's Day as a floating holiday. If we are going to give Veteran's Day as a holiday, it should be taken on the day it is celebrated.

Erna Linke expressed her opinion to bring new people to the Planning Commission.

Sherry Burkhard indicated she is opposed to the State requiring 10% of all proceeds from property seized during a drug arrest be sent to the state to fund state forensics labs.

APPROVAL OF BILLS

Trustee Carson asked to abstain from approving the bills which involve him in his lawsuit. That being, DeFrancesco, O'Dowd and Dienes in the general fund in the amount of \$4,339.50. It was moved by Gast seconded by Stine to allow Trustee Carson to abstain from his \$4,339.50 for DeFrancesco, O'Dowd and Dienes, which directly relates to his lawsuit against the township. Six ayes, motion carried.

After review of the Lake Charter Township Bills of November 2009, it was moved by Stine seconded by Heyn to approve the November 2009 Lake Charter Township bills in the amount of \$839,579.59, with Carson abstaining from the \$4,339.50 for DeFrancesco, O'Dowd and Dienes which directly relate to his lawsuit against the Township. 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 of December 7, 2009; Galien River Sanitary Sewer Authority Agenda and meeting minutes; Medic 1 agenda and meeting minutes; Lake Charter Township Water Filtration Plant report; Lake Charter Township November 2009 Fund balance report; Bridgman Public Library meeting minutes; Lake Charter Township Zoning Board of Appeals meeting minutes of November 18, 2009; Economic Growth Alliance meeting minutes of November 5, 2009 and Special meeting minutes of November 19, 2009.

Copy of a check from State of Michigan for Michigan State Police Post expenditures for 2007. MacAllister Power Systems Inspection reports for Lake Charter Township generators.

REPORTS

A. Supervisor's Report

Supervisor Gast reported as follows:

- a. Attended four Public Safety Building construction meetings;
- b. Attended two Special Board meetings;
- c. Attended Galien River Sewer District Authority meeting;
- d. Attended Historical Society meeting;
- e. Attended cub scout meeting;
- f. Attended joint City/Township meeting;
- g. Attended Public Hearing on the 2010 Budget;
- h. Attended Carson Wood Specialties Public Hearing;
- i. Met with employees and insurance representative regarding insurance coverages.

B. Clerk's Report

Clerk Payne reported as follows:

- a. Attended the joint City/Township meeting;
- b. Attended Public Safety Special meeting;
- c. Attended Public Hearing on the 2010 Budget;
- d. Attended the Berrien County Clerks Association meeting;
- e. Attended Carson Wood Specialties Public Hearing;
- f. Met with employees and insurance representative regarding insurance coverages.

C. Treasurer's Report

Treasurer Korcek reported as follows:

- a.. Attended Public Safety Special meeting;
- b. Attended the joint City/Township meeting;
- c. Attended Berrien County Treasurers Association meeting;
- d. Attended Public Hearing on the 2010 Budget;
- e. Attended Carson Wood Specialties Public Hearing;
- f. Met with more banks regarding Lake Charter Township accounts.
- g. Met with employees and insurance representative regarding insurance coverages.

D. Planning Commission Report

Trustee Heyn reported the Lake Charter Township Planning Commission tabled a Special Land Use application permit for Algis Markauskas, the applicant did not attend the meeting. Tabled the Special Land Use application for Richard Lenardson and tabled the Special Land Use application for Chris & Trish Pierce. Reports were also given for the Citizen Planner training being attended by Pat Heyn and Gaylord Rochefort.

E. Water Superintendent's Report

Water Plant Superintendent Stewart Beach reported pumpage at the water plant is up by 10%. A small emergency repair was done on the water tower.

F. GRSD Sewer Authority Report

Supervisor Gast reported that engineering on Lift Station #6 and #8 continues. The grease trap interceptors are continuing to be looked at. The bill for the make-up amount at year-end is being worked on.

G. Police Department

Trustee Eichler reported a special meeting was held and Patrolman John Miller was hired on as a full-time officer.

h. Fire Department/Fire Chief

In the absence of Chief Heyn, Supervisor Gast reported 14 calls were dispatched, of which four were medical and one building fire. The Fire Department toured Technisand and were shown the on site chemicals and smoke alarms.

I. Park Report

Treasurer Korcek reported no meeting was held in December.

j. Library Report

Frank French handed out to board members a printout of the Bridgman Public Library website, which is being worked on. He reported that the library had 40,000 visitors.

K. Cemetery Committee Report

Clerk Payne reported there were two burials since our last board meeting.

AGENDA ITEMS

Adoption of 2010 Budget

Supervisor Gast presented to board members the 2010 Budget. Board members met numerous times throughout the past month in an effort to put the budget together for the year 2010. As indicated at the Public Hearing on December 2, 2009, the projected 2010 general budget for expenses is \$1,309,374.07. Projected 2010 expenses for water and sewer total \$1,778,029.75. The projected 2010 general budget for income is \$2,896,210.02. Projected 2010 income for water and sewer is \$1,332,000.00.

It was moved by Eichler seconded by Payne to adopt the 2010 Lake Charter Township Budget. Roll Call Vote: All yes. Motion carried.

Health Insurance Policy Renewal

Supervisor Gast presented to board members the health insurance renewal. He reported, along with agent Kurt Buursma, John, Gloria and Betty have worked together to alter our existing plan designs and increase the employee payroll contributions. Further, the township funding of the Health Savings Account deductible will decrease from \$2,000.00 single/\$4,000.00 with dependents to \$1,750.00 single/\$3,500.00 with dependents. The combined efforts of these changes will result in an overall reduction of the increase to the township from what would have been a 22% increase to an 8.08% increase, while providing our employees with a comprehensive level of benefits.

Trustee Stine asked for a quote wherein the township would be self-funded and have a catastrophic plan in place. After discussion, it was moved by Gast seconded by Heyn to table this agenda item until January 5, 2010 at 12:00 noon, and obtain a quote for self-funding, with a catastrophic rider. All ayes, motion carried.

Floating Holiday - Veterans Day

Supervisor Gast asked the board to consider allowing Lake Charter Township employees to be given Veterans Day as an additional holiday to the personnel policies. This holiday could be taken at any time during the year.

Trustee Carson gave history of Veteran's Day and indicated that should we chose to add Veterans Day to the personnel policies as a day off, that it should be November 11th and not be a floating holiday.

Clerk Payne indicated that she checked with surrounding townships and New Buffalo, Niles, Oronoko and Three Oaks Township all give Veteran's Day off as a holiday, to their employees.

Trustee Stine indicated that in total, we presently observe eight holidays and most other municipalities observe more than eight holidays.

It was moved by Stine seconded by Payne to add Veterans Day to the Lake Charter Township personnel policies as a holiday and have the township hall closed on November 11th to observe and honor veterans' on Veterans Day. All ayes, motion carried.

Amendment of Vacation Policy

Supervisor Gast asked that the board to consider allowing Lake Charter Township employees, with twenty or more years of service, to be paid for vacation time, not to exceed two weeks in lieu of taking the time off. It has become increasingly difficult for some employees to use up their vacation time by the end of the year, rather than risk losing it, this would allow them to be paid for vacation time, thus reducing a liability to the township in paying out a large amount of vacation time, should someone cease employment.

It was moved by Korcek seconded by Payne to add to the Lake Charter Township personnel policies, to allow employees with 20 years of service, to be paid for vacation time, not to exceed two weeks of their vacation time. All ayes, motion carried.

2010 Township Appointments

Supervisor Gast reviewed the appointments to the various committees and boards for 2010. Planning Commission: John Wilk and Gaylord Rochefort (appointed - three year terms), Zoning Board of Appeals: Robert Kamradt (appointed - three year term), Berrien County Road Commission Representative: John Gast (appointed - one year term), Police Board: Terry Eichler and Gloria Payne (appointed - two year terms), Medic One: John Gast (appointed one year), Cemetery Board: Gloria Payne, Terry Eichler and Betty Korcek (appointed one year term), Brownfield Redevelopment Authority: Tom Carson (appointed one year term), Construction Board of Appeals: Roger Stephens, Jerrold Jakubs (appointed two year terms), Economic Growth Alliance: Pat Heyn, James Stine and Betty Korcek (appointed one year term), Park Committee: Betty Korcek, Pat Heyn, Robert Clark, Fred Beckman, Larry Ott (appointed one year term).

Trustee Carson expressed his interest in continuing on the Police Board saying "it's not broke, don't fix it". It was moved by Heyn seconded by Stine to approve the appointment as presented by Supervisor Gast for the year 2010. Six ayes, one nay (Carson). Motion carried.

South Plain Road Discussion

Supervisor Gast introduced Kevin Burkhard who addressed the township on numerous occasions regarding property he purchased for back taxes on South Plain. He asked the board to purchase this piece of property for \$25,000.00. Supervisor Gast indicated that we would research this issue, get a value of condemned property figures and discuss it with Merritt Engineering.

House Bill 5602

Supervisor Gast turned the floor over to Trustee Stine who asked that the township consider sending a letter to State Representative John Proos and Senator Ron Jelenik opposing HB 5602. House Bill 5602 would amend the drug forfeiture laws and require 10% of all proceeds from property seized during drug arrests be sent to the state to fund the state forensics labs. It was moved by Gast seconded by Korcek to approve sending a letter to State Representative John Proos and Senator Ron Jelenik opposing HB 5602 wherein the drug forfeiture laws would be amended and require 10% of all proceeds from property seized during drug arrests be sent to the state to fund the state forensics labs. All ayes, motion carried.

PUBLIC COMMENT

Kenneth Anderson commented that again a Special Land Use issue, came up for the Pierce's on Lemon Creek Road, wherein the home is in an industrial district, he asked that we update and amend the zoning district with Williams & Works to rectify this issue.

Secondly, he indicated that employees at the Cook Nuclear Power Plant pay 25% of their health insurance.

Superintendent Stewart Beach responded that the Cook Nuclear Power Plant employees also make more money than the Lake Charter Township employees.

Dean Conway worked at Industrial Fabrication and is receiving COBRA and pays 35% of the total cost of that insurance. Gary Schaffer of Federated Insurance is the agent.

Clerk Payne indicated that Gary Schaffer, Federated Insurance only writes policies for companies, not municipalities.

Erna Linke indicated that Blue Cross Blue Shield gives away money to freeloaders. She read that in the AARP magazine.

ANNOUNCEMENTS

The next regular meeting is scheduled for January 18, 2010 at 7:00 p.m., Lake Township Hall, Bridgman, Michigan.

Lake Charter Township Planning Commission is scheduled for January 4, 2010 at 7:00 p.m., Lake Charter Township Hall, Bridgman, Michigan.

Lake Charter Township Special Meeting regarding the Public Safety Meeting is scheduled for January 5, 2010 at 12:00 Noon.

Lake Charter Township Zoning Board of Appeals is scheduled for January 14, 2010 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 Korcek to adjourn the meeting. All ayes. Motion carried. Meeting adjourned at 8:38 p.m.

Dated: _____

Gloria A. Payne, Clerk

Dated: _____

John Gast, Supervisor