

MINUTES
LAKE CHARTER TOWNSHIP
BOARD MEETING
February 21, 2017
7:00 p.m.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Supervisor, John Gast, called the meeting to Order 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; Robert Clark, Treasurer; Trustees Nancy Mensinger, Patricia L. Heyn, John Wilk and James Stine Jr. A quorum of the board was declared to be present. Twelve visitors were present in the audience.

APPROVAL OF AGENDA

The agenda stands as presented.

PUBLIC COMMENT

Ed Smith, 11925 Maple Lane, Sawyer, Michigan - Spoke regarding the Petition for Zoning Amendment 11-11-0136-0028-0-3 of Beverly Hildebrandt, 11990 South Hildebrandt Road, Sawyer, Michigan, requesting the property be re-zoned from Residential-Agricultural (R-AG) to Commercial (C-1).

He asked, how will it be used, how will this affect traffic, drainage, property values. He has three children and is concerned for their safety. There is only the natural tree barrier to I-94, will there be a better barrier. He asked that it be returned to the Lake Charter Township Planning Commission for further consideration.

Glen Togtman, 12069 Maple Lane, Sawyer, Michigan - Spoke regarding the Petition for Zoning Amendment 11-11-0136-0028-0-3 of Beverly Hildebrandt, 11990 South Hildebrandt Road, Sawyer, Michigan, requesting the property be re-zoned from Residential-Agricultural (R-AG) to Commercial (C-1).

He indicated that Maple Lane is a dead-end street, and how would there be a connection to the property. Why is it being re-zoned? People who own the land want it re-zoned based on the sale of the land. Warren Dunes is across the street and out of our driveway, how will peace and quiet be maintained.

David and Donna Sparks, 11993 Maple Lane, Sawyer, Michigan - Spoke regarding the Petition for Zoning Amendment 11-11-0136-0028-0-3 of Beverly Hildebrandt, 11990 South Hildebrandt Road, Sawyers, Michigan, requesting the property be re-zoned from Residential-Agricultural (R-AG) to Commercial (C-1)

They heard it would be sold if it changed from Residential-Agricultural to Commercial and that they didn't want another campground, can't keep windows open due to smoke from campfires, worried about fireworks and security. If it is re-zoned are there things that can be regulated?

Supervisor Gast read two letters into the record concerning this issue. Attached is a copy of the November 7, 2016 Planning Commission meeting minutes and a copy of a letter from the County of Berrien concurring with the Lake Charter Township Planning Commission to re-zone the property from

Residential-Agricultural (R-AG) to Commercial (C-1), further, that it is in compliance with the Township's future Land Use Map and Master Plan.

APPROVAL OF MINUTES

January 17, 2017

It was moved by Wilk seconded by Stine to approve the January 17, 2017 Lake Charter Township board meeting minutes. All ayes, motion carried.

APPROVAL OF BILLS

Clerk Payne reported that there was one change in the bills moving the Grasshopper Mower amount of \$15,745.00, out of Cemetery and into Park, but that the bottom line was not affected. It was moved by Stine seconded by Clark to approve the January 2017 bills in the amount of \$437,649.88. All ayes, motion carried.

COMMUNICATIONS/CORRESPONDENCE PACKET

The following information was included in board members packets: copy of Township Insights; Galien River Sanitary Sewer Authority meeting minutes; Bridgman Public Library meeting minutes; Water Filtration Plant report; Lake Charter Township Fund Balances of January 2017; Utility Committee meeting minutes; Medic One meeting minutes; Fire Department Report through January 2017 and Lake Charter Township Planning Commission meeting minutes of February 6, 2017.

Copy of a State of Michigan Payment In Lieu of Taxes (PILT) check, the Certificate of Occupancy for the renovations of the old fire station and the memorandum from Scott Cunningham, Lake Charter Township Assessor scheduling the Board of Review, was included in board members' packet.

REPORTS

1Supervisor's Report

Attached.

Clerk's Report

Attached.

Clerk Payne reported that she attended a preview of new voting equipment that the State of Michigan has narrowed down to three vendors. The current equipment is ten years old and is in need of replacement. There is some Help America Vote Act ("HAVA") money left and will be used toward the purchase of new equipment. However, there will be an amount Lake Charter Township will have to pay and it is in the 2017 budget.

Treasurer's Report

Attached.

Treasurer Clark reported that 91% of winter tax payments were collected in the last few weeks before the due date. Tax payers still have until February 28, 2017 to pay taxes at the Township before turning it over to the County of Berrien.

Planning Commission Report

Attached - Meeting minutes are on file in the Township Hall offices.

Water Plant Report

Attached.

GRSD Sewer Authority Report

The Galien River Sanitary District meeting minutes are attached.

Police Department

Baroda-Lake Township Police Board meeting is scheduled for March 14, 2017.

Fire Department Report

Attached.

Park Report

Park Committee meets March 8, 2017.

Library Report

Library meeting minutes attached. Gretchan Evans, Bridgman Library Director reported that the library board is taking a look at their investments.

Cemetery Committee Report

Attached.

Building Department Report

Attached.

Lake Township Economic Growth Alliance Report

CGA meets March 9, 2017.

Utility Committee Report

Attached.

Capital Improvement Report

No report.

Zoning Board of Appeals Report

Zoning Board of Appeals meeting is March 9, 2017.

AGENDA ITEMS

Petition of Re-zoning Request of Beverly Hildebrandt Tax ID#11-11-0136-0028-0-3

Residential-Agricultural (Res-Ag) to Commercial (C-1)

Supervisor Gast informed board members' that the Petition of Beverly Hildebrandt, Tax ID#11-11-0136-0028-0-3 requesting re-zoning from Residential-Agricultural (Res-Ag) to Commercial (C-1) is before the Lake Charter Township Board.

The Lake Charter Township Planning Commission held a public hearing on the matter, the County of Berrien Planning Commission reviewed the request and concurred with the Lake Charter Township Planning Commission.

Supervisor Gast turned the floor over to Art Atilla, Realtor for Beverly Hildebrandt. He asked that board members' approve the re-zoning request, it is in compliance with the Township's future Land Use Map and Master Plan.

Supervisor Gast indicated that we have three options. Vote to deny the Petition, vote to approve the Petition, or send it back to the Lake Charter Township Planning Commission.

Trustee Stine indicated that he was not in favor of re-zoning the property that there were too many issues, no access road to the property, that we needed to deny the request.

Trustee Mensinger indicated that we are not to be concerned about the issues, that we are to vote only on the re-zoning of the property. It fits with the Master Plan and the property all around is zoned commercial.

Trustee Wilk was still on the Planning Commission when this issue was discussed and concurred that the County of Berrien agreed with the re-zoning, it fits with the Master Plan and the property all around is zoned commercial.

It was moved by Gast seconded by Mensinger to approve the Petition of Beverly Hildebrandt, Tax ID#11-11-0136-0028-0-3 re-zoning the property from Residential-Agricultural (Res-Ag) to Commercial (C-1). Roll Call Vote: Gast Yes; Payne Yes; Clark Yes; Mensinger Yes; Stine No; Wilk Yes; Heyn Yes. Motion carried.

Fiskars, Inc. Final Pay Request No. 4

Supervisor Gast indicated that Fiskars, Inc., final pay request #4, in the amount of \$27,220.30, for renovations to the old fire station is before the board for approval. The occupancy permit has been issued and the project is complete.

It was moved by Stine seconded by Wilk to approve final pay request #4 to Fiskars, Inc., in the amount of \$27,220.30 for renovations to the old first station. All ayes, motion carried.

Brooks Architectural Inc., Final Pay Request No. 4

Supervisor Gast presented final pay request #4 from Brooks Architectural, Inc., in the amount of \$1,759.00, for renovations to the old fire station. The project is complete.

It was moved by Gast seconded by Payne to approve final pay request #4, from Brooks Architectural, Inc., in the amount of \$1,759.00 for renovations to the old fire station. All ayes, motion carried.

Recycling Event

Supervisor Gast reported he was contacted by Berrien County Cancer Service, asking to use our east parking lot for a fund raiser recycling event. The event is scheduled for September 22, 2017 from 11:00 a.m. - 3:00 p.m. It is an outdoor collection and the site will be left as found.

It was moved by Wilk seconded by Stine to the Berrien County Cancer Service to use our east parking lot for a fund raiser recycling event. All ayes, motion carried.

Dress Uniforms for Fire Department

Supervisor Gast turned the floor over to Harold Heyn, Lake Charter Township Fire Chief. He informed board members' that Nye Uniform Company will provide 17 dress uniforms for \$5,594.45. These to be

worn for funerals, parades, etc., anytime the Fire Department holds an event. So that all are in the same uniform and look presentable.

It was moved by Payne seconded by Wilk to approve the purchase of 17 dress uniforms from Nye Uniform Company in the amount of \$5,594.45. All ayes, motion carried.

Community Growth Alliance Contribution

Supervisor Gast brought board members attention to the invoice from the Greater Bridgman Area Chamber of Commerce in the amount of \$10,000.00 for the 2017 CGA Membership. This is in the Lake Charter Township 2017 budget. Last year, the Service Agreement between Lake Charter Township and the Greater Bridgman Area Chamber of Commerce Growth Alliance was signed. This is the second year of a three-year agreement which spelled out the scope of work the CGA shall perform. This is the same amount that was contributed last year and the City of Bridgman contributes \$10,000.00 as well.

It was moved by Payne seconded by Mensinger to contribute the budgeted amount of \$10,000.00 to the Community Growth Alliance. All ayes, motion carried.

PUBLIC COMMENT

Chief Heyn thanked the board for the approval of the dress uniforms.

ANNOUNCEMENTS

Lake Charter Township next regular meeting is scheduled for March 21, 2017 at 7:00 p.m., Lake Charter Township Hall.

Lake Charter Township Planning Commission meeting is scheduled for March 6, 2017 at 7:00 p.m., and will be held in Lawrence Michigan.

Lake Charter Township Zoning Board of Appeals meeting is scheduled for March 9, 2017 at 7:00 p.m., Lake Charter Township Hall.

Board of Review meets: March 20, 2017 - 9:00 a.m. - 12:00 Noon and 2:00 p.m. - 5:00 p.m.

March 21, 2017 - 1:00 p.m. - 4:00 p.m. and 6:00 p.m. - 9:00 p.m.

ADJOURNMENT

With no further business, it was moved by Payne seconded by Clark to adjourn the Lake Charter Township board meeting. All ayes, motion carried. Meeting adjourned at 7:50 p.m.

Dated: _____

Gloria A. Payne Lake Charter Township

Clerk

Dated: _____

John Gast, Lake Charter Township

Supervisor