

**CHIKAMING TOWNSHIP BOARD  
MINUTES  
October 11, 2007**

The October 11, 2007 meeting of the Chikaming Township Board was called to order at 7:00 p.m. by Supervisor Dudeck with members Simmons, Marske, Van Ginhoven and Bohac present.

Marske moved, Simmons supported, to approve the minutes of the September 13, 2007 regular meeting. Motion carried.

The Treasurer's report was presented by Treasurer Dorothy Simmons for the month of September 2007 with balances as follows: General Fund cash - \$516,965.87; Investments - \$265,956.97; Trust & Agency cash- \$3,524.08; Summer Tax Fund - \$968,612.40; Winter Tax Fund - \$0.00. Bohac moved, Van Ginhoven supported, to approve the report as submitted. Motion carried.

Simmons moved, Marske supported, to approve the Agenda as presented. Motion carried.

Supervisor Dudeck welcomed new Trustee Adrian Van Ginhoven to his first Township Board meeting.

Dudeck introduced Mary Dunbar, Executive Director of the Pokagon Fund. Dunder explained that the Pokagon Fund was formed about 7 or 8 years ago in order to give back to the community 2% of the net proceeds from the electronic gaming at the Four Winds Casino. Ten percent of those funds would be allocated to the Pokagon Band, while 45% would be divided along the surrounding municipalities, with the remaining 45% distributed to non-profit organizations. The applications, forms and guidelines are available on their website at [www.pokagonfund.org](http://www.pokagonfund.org). Dunbar explained it is like asking for a grant and at this time all requests are being reviewed, however, no requests for infrastructures, such as water, sewer, bridges, etc. are allowed. She will be offering grant writing courses for any interested parties.

Marske moved, Bohac supported to accept Van Ginhoven's letter of resignation from the Board of Review. He cannot be a Township Trustee and serve on the Board of Review. Motion carried.

Dudeck moved, supported by Marske to appoint Edward Gramberg, 12382 Dunes Rd., Sawyer, to complete the term ending December 31, 2008 for vacated seat on the Board of Review. Motion carried.

Supervisor Dudeck gave the highlights of her memo to the Board regarding the upgrade of the MERS Pension Plan. Seventy-seven percent of the currently enrolled employees have stated they are willing to cover the increase in cost for the upgrade from a B-1 (1.7%) to a B-2 (2.0%) defined benefit. In Office participants now at 3% would increase their contribution to 6.75%, and Out of Office participants also at 3% would pay an additional 3.48%, for a total of 6.48%. No additional monies would be contributed by the Township.

Marske moved, Van Ginhoven supported to adopt the required RESOLUTION OF CHANGING MERS BENEFITS from B-1 current Benefit Multiplier to B-2, new Benefit Multiplier, effective November 1, 2007 and to authorize Betsy Bohac to transfer her assets from the current John Hancock Plan to the MERS OFFICE DIVISION per the information and explanation provided in the October 2, 2007 memo from Supervisor Dudeck. All members voted aye. Resolution adopted.

Dudeck updated the Board on the status of the Memory Book from the Sesquicentennial Celebration. The book will be a 125-page (approx) high quality color book. The project is at the stage to be laid-out and then sent to the printer. Simmons moved to approve up to \$6,000 for the layout work required, Marske supported. Bohac voted yes, provided the project would be at the printer by January 2008. Motion carried. The winter newsletter would provide information for advance orders.

Board members discussed the revenue and expenditure report for the first six months of the fiscal year. Revenue Sharing income would probably be the same or lower, and all departments have been very conscientious about spending. Most of the figures were in line with the budget except for items like gasoline and pay for fire calls, which are not something that can be controlled. We will continue to monitor spending, carefully look at any major purchases and possibly reduce staff if activity and revenue do not improve.

Dudeck read a letter dated October 11, 2007 from Attorney Larry Frankle asking to take the request for approval of the preliminary site plan for Harbert Hills site condominium off tonight's agenda. His letter stated he would either go back to the Planning Commission or return to the Township Board next month.

Thaddeus Wong, Charles Ammeson, and Jeff Holstrom were present to request approval for preliminary site plan review of Mr. Wong's development on Property Code Nos. 11-07-0016-0012-20-7 and 11-07-0016-0012-30-4. The 15 acre development would consist of 15 single family homes, a private road, and municipal water and sanitary sewer. The project was not recommended by the Planning Commission at their October 3, 2007 meeting.

Holstrom summarized the plan stating in part, the project is residential, consistent with the surrounding neighborhood and has met all the dimensional requirements for an R-1 Single Family Residential District. He explained that the project failed at the Planning Commission because there was a 2 to 2 vote on whether the plan met the goals of the Master Plan. He felt it met the goals because it developed a "green community", leaving trees and wetlands untouched. He felt the Township needed to recognize the environmental issues and then leave the county and state agencies to determine the impact on the natural features. He stated the plan shows the 25 ft. setback from the regulated wetlands as required by the Zoning Ordinance.

Wong then commented that he had done a good job designing this project, it's a development everyone wants to see, and that he had met the neighbors and addressed their concerns about the entrance at Red Arrow Highway, the water drainage issues and the access points to the adjacent subdivision.

Attorney Ammeson then asked the Board to approve the development so that they may go forward to get the other agencies' approval.

Dudeck stated that all board members have received the site plan, related documents and the minutes of the Planning Commission and asked for comments. Bohac asked if this was the plan they are asking for approval on and if so, she stated that the access points to Rea Ave show on the plan even though Wong stated they would be vacated. The setbacks for each of the lots show the required 30 ft. front and rear and 10 ft side yards but do not show the 25 ft setbacks from the regulated wetlands. The two lots that are situated in the subdivision to the east have not been delineated for the presence of wetlands. Bohac continued that she felt the plan did not meet any goals of the Master Plan. Van Ginhoven asked why there had been three wetland assessments to which Holstrom explained the three different people that performed them. Marske asked about the lots containing wetlands and how they were going to protect them. Bohac then ran through the 12 goals of the Master Plan and stated why she felt the plan did not meet any goals. She continued to explain the plan did not protect any of the regulated wetlands; that roads that go through wetlands do not hold up and become a safety issue; previous developments put regulated wetlands in 'common area' or 'conservation easement' to protect them; the neighborhood is known for poorly drained soils and perhaps a petition for a county drain is in order. The plan calls for a drainage plan for a 25-year event and there already have been 2 – 100-year events in the last 12 months. Finally, she stated that poorly designed developments become the Township's problem when the developers are gone and the new property owners want to know why they are having problems with their land. She stated there are other land use plans which would be more suitable for this property, such as a Planned Unit or Open Space Development.

Dudeck moved, Marske supported, to send the Preliminary Site Plan proposed for the Harbert Road Development back to the Planning Commission based on the information provided by Township Clerk Bohac. The revised plan shall provide a permanent solution to the high water conditions on the property by petitioning for a county drain to serve the property to be developed, as well as the neighboring properties which would be impacted by the development and meet the requirements of the Chikaming Township Master Plan Goal No. 6, which states: "Ensure that the future growth and development of Chikaming Township is compatible with the long-term health of natural systems that sustain man and

other life and that contribute greatly to the character and attractiveness of the Township.” Specifically, the objective “to protect selected high-priority open lands (including woodlands, wetlands, river corridor lands, dunes, beaches and other valuable natural resources) for future generations through a variety of public and private initiatives”. Dudeck, Simmons, Van Ginhoven and Marske voted aye. Bohac voted nay. Motion carried.

Marske moved to schedule Trick & Treat in Chikaming Township on Tuesday, October 30, 2007 from 4:00 p.m. to 6:00 p.m. Bohac supported. Motion carried.

Dudeck informed the Board that the annual meeting with the Berrien County Road Commission has been scheduled for Thursday, October 25, 2007 at 10:00 a.m. Simmons requested we ask about the hole at the intersection of Prairie and Red Arrow.

Simmons moved, Van Ginhoven supported to approve the RESOLUTION for Fitzgerald’s of Sawyer, Inc. request to transfer ownership escrowed 2007 Class C Licensed Business, with dance and entertainment permit, from R.A.H. Enterprises, Inc. located at 5875 Sawyer, Sawyer, Michigan 49125. Both owners, Jo Webster and Jim Schuman presented a letter dated October 8, 2007 detailing their business plan. All background checks have been completed by Police Chief Stormont. Roll call vote: Simmons – Yes; Van Ginhoven – Yes; Marske – Yes; Dudeck – Yes; Bohac – Yes. Motion carried.

Marske moved, Van Ginhoven supported to proceed to implement the option for water and sewer customers to use automatic payment of utility bills through auto debit to pay their utility bills. Members agreed customers want us to provide this service to them.

With Supervisor Dudeck being unable to attend the November 8, 2007 Township Board meeting, Bohac moved, seconded by Simmons to schedule the **next regular Township Board Meeting on Thursday, November 15, 2007 at 6:00 p.m.** The regularly scheduled Utility Board meeting will immediately follow. Motion carried. The rescheduling will be posted and the media notified.

Dudeck informed the board that she and Bohac would be attending a free municipal seminar “Current Issues” in Kalamazoo on October 23, 2007 offered by Siegfried Crandall, CPA’s.

The Safety Commission reported that the beach marker post installation with beach access name is completed and work has started to establish access points which relate to the mile markers.

Dudeck read a letter received from Molly Burke, a resident of Harbert, complementing Officer Todd Taylor for his remarkably capable and conscientious law enforcement professionalism in handling an incident at her home.

There was no public comment.

Van Ginhoven moved, Simmons supported to accept and place on file the monthly reports for the First Responder Service, Police and Fire Departments, Zoning Administrator’s report and website report for September 2007. Motion carried.

After reviewing the monthly bills, Marske moved, Van Ginhoven supported to authorize the amount of \$67,987.18. Motion carried.

There being no further business to come before the Board, Simmons moved, Marske supported to adjourn the meeting at 8:50 P. M.

The next regular meeting of the Chikaming Township Board will be held on **Thursday, November 15, 2007 at 6:00 p.m.** in the Chikaming Township Center meeting room.