

**CHARTER TOWNSHIP OF LYON  
BOARD OF TRUSTEES  
MEETING MINUTES  
January 6, 2003**

Approved as submitted February 3, 2003.

DATE: January 6, 2003  
TIME: 7:00 PM  
PLACE: 58000 Grand River

Call to Order: Supervisor Shigley called the meeting to order at 6:58 PM.

Roll Call: Present: Joseph Shigley, Supervisor  
Patricia Carcone, Treasurer  
Pamela Johnson, Clerk  
Ray Bisio, Trustee  
Daniel Cash, Trustee  
Steven Adams, Trustee  
Lannie Young, Trustee

Also Present: Matthew Quinn, Township Attorney  
Chris Olson, Township Superintendent  
Chris Doozan, Township Planner  
Loren Crandell, Township Engineer  
Larry Phillips, Building Official  
Les Cash, Fire Chief

Guests: 62

**1. APPROVAL OF THE CONSENT AGENDA**

Mr. Adams stated that with regard to the Fire Department Report, in the future he would like to see a MIOSHA report presented to the Board.

Ms. Johnson stated that she found some minor corrections in the minutes of December 11, 2002 and December 2, 2002. She noted that they were grammatical errors.

Mr. Bisio questioned an entry in the check register report. Ms. Johnson responded that this is a once a year expense for the Fire Department for soda products. The money is collected in the machine and brought to the Treasurer's office. Ms. Carcone stated that this is really a purchase reimbursement item.

Mr. Young made a motion to approve the consent agenda with the corrections mentioned by

Ms. Johnson. Ms. Carcone supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none.

Roll Call Vote:	Ayes:	Bisio, Carcone, Cash, Johnson, Shigley, Young, Adams
	Nays:	None

Motion approved.

## 2. CALL TO THE PUBLIC ON NON-AGENDA ITEMS

James Huffman, 58560 Grand River, stated that he wanted to make a comment to the Board in

general and then to Mr. Adams. He discussed several articles that were printed in the South Lyon

Herald. He stated that every time somebody writes a negative letter about another Board member or another citizen, it does not help any of them. It hurts all of them. He stated that in the

articles Mr. Adams has called people tacky and un-American. He felt that this is unacceptable.

He felt that Mr. Adams has lied in the articles written in the paper.

Mr. Adams stated that when he took this oath of office he said that he would serve the community but this does not mean that he is going to give up his right to voice his opinion. He stated that the statements in the articles are his opinions. When this Township does something wrong, he will tell them about it.

Mr. Cash called for a point of order. He stated that the Board made a policy not to respond to public comments and he expects the Chair to follow the rules that were set by the Board.

Jon Albert, 60533 Nine Mile Road, read the following statement into the record:

*"Over two years ago I answered an advertisement in the South Lyon Herald asking for volunteers for the Lyon Township Parks Committee. Since that time, I believe the Parks Committee has been a success. We've "brought back" the Annual Clean-Up Day logging countless hours of volunteer time and generous donations of funds and supplies. We've researched and published the Parks and Recreation Master Plan for 2002-2007. We've proposed and hosted several new events in the Park. And, we've improved and increased the use of all of the baseball and softball fields in the park.*

However, several events have cause me to resign from the Parks Committee. I can detail more items later, but these four stand out in my mind:

- This
- 1) A member of the Parks Committee was verbally assaulted by the Township Treasurer. occurred outside of the Treasurer's office. No one deserves to be yelled at in public or private when they are trying to volunteer their time for the betterment of the community.
  - 2) I was told by the Township Clerk that the Parks Fund was "not my concern" when I was trying to balance the fund and had requested information on specific transactions. How can the Parks Committee function without understanding how the funds are spent?
  - 3) The Park's budget for 2003 was submitted on behalf of the Park Committee without participation, review or approval from the Committee.
  - 4) Early last year we were notified by Gas Recovery Services that the contract with the Township over methane/electricity production was being reinterpreted and that the Township would be receiving a fraction of the amount it previously had. Since then, despite the pleas and offers of assistance from the Park Committee, it seems that almost nothing has been done by the Board to resolve the situation. To date, we have lost nearly \$100,000 of Park revenue.

It is obvious to me that the Township Board either doesn't want a Park Committee or doesn't want certain people to serve on the Committee. I have had enough of the petty politics and scrambling for some perceived power that has overshadowed the real reason this Township government exists. I'm tired of being told I'm wrong, when one can tell me what the right answer is. I'm tired of taking initiative and then being criticized for attempting change. I'm tired of struggling to do the right thing for the Park and then having our ideas dismissed by the Board. All of this has drained me of my desire to serve and support the Township.

A few months ago, Teresa, a newer member of the Committee who hadn't yet been officially appointed, left the Committee due to objections to the new Township policy forcing committee volunteers to be interviewed. Shortly after, Don left the committee because he didn't feel the Committee was able to accomplish its goals due to actions of the Board. Vic, another member who hadn't been officially appointed, has also decided to leave the Committee. Finally, Michelle will also be resigning as of today.

What does this tell you? Perhaps after the next election, this Township may be a better place to work and volunteer. But for now, it is not worth the hassle.

Jon Albert  
Michelle Noel"

Mr. Shigley stated that he hates to receive resignation letters from any members of committees.

He stated that he felt that Mr. Albert has done a very good job. Even though some of

these items

mentioned do need to be looked at, he thanked Mr. Albert for all the services that he has done for the Township.

Mr. Bisio stated that as a liaison of the Park Committee for the past year and half, he felt that the members have done a tremendous job and hates to see the Township losing Jon, Michelle and other members.

Mr. Adams concurred. He felt that it is a shame that when they get volunteers to treat them in this fashion. He stated that he will do everything in his power to make the changes necessary.

Ms. Carcone stated that she worked on the Park Committee for ten years. She stated that she loves the park and has great respect for the committee members. She stated that what happened between her and Michelle had nothing to do with this.

Ms. Johnson stated that Mr. Albert wanted records that she had no objections to him viewing. He happened to choose a time to view these records when she was out of the office at a Clerk's conference. She stated that her Deputy could not fully help him. She stated that she asked him if he wanted her to dig through the files again at a later time, but did not get a response from him.

The Park Committee failed to realize that they do not have spending power. This is a committee, it is not an elected commission. There is a major difference. She noted that the Park Committee has worked very hard. She stated that there are some things that come with a committee that are not part of a commission, which is spending power.

Mr. Albert stated that he told himself that he was going to leave right after he spoke because he didn't want to get into a debate. He stated that it is true that they did ask for information and it was provided, but the problem was that it took six months of constantly hounding people in the office to get what he needed. He stated that he does understand about the spending aspect and is not asking for a blank check to write for park items. He stated that his point is that when they ask for things it takes months to get them or it just doesn't happen.

Theresa Olechiw, 30520 Martindale Road, stated that she is the person mentioned in Mr. Albert's letter. She stated that she wants to offer her support to Mr. Albert because she feels that he did a really good job. She briefly discussed some of the activities that have happened in the park.

She stated that it is a shame that they have lost these people who are concerned. She felt that there are a lot of issues in this Township that require professional advice and Chris really can't do it all. She wished Jon good luck and hoped that things work out for him.

### **3. APPROVAL OF AGENDA**

Mr. Shigley stated that there are a few items that he asked to have put on the agenda, but are not on the agenda. They are:

- Final print out of the 2002 and 2003 budget for the Board members.
- Report regarding the status of the Fire Department review. (Mr. Olson noted that he is waiting for the return of some documentation).
- MTA Meeting – Who is attending? (It was noted that everybody but Ms. Johnson would be attending.)
- Employee Performance Review status. (Mr. Olson noted that he is working on this and should have something ready for the next meeting.)

Mr. Young made a motion to approve the agenda as submitted. Mr. Bisio supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

#### 4. ANNOUNCEMENTS AND COMMUNICATIONS

##### a. Proposed Erwin Orchard Development

Mr. Olson explained that in the Board's packet is a letter dated December 23, 2002 addressed to him from Kamran Qadeer, Beztak Companies. He stated that they had a meeting in the early part of December to discuss the Erwin Orchard site. He stated that the Beztak Companies would like to engage in a similar process to the Elkow process. They would like to do this sometime in the middle of February.

Mr. Bisio questioned if they were going to go through this charrette process with every developer who comes into to the Township. Mr. Olson responded that if the developer makes the request, they will do this. Mr. Bisio stated that if this is what the majority of members wants to do, then he has no problem with it. He discussed compensation for the Planning Commissioners for the extra meetings.

Mr. Olson stated that the developer has made a request, and the Board can accept or

modify  
the request.

Mr. Bisio stated that they have had a long discussion with Legal Counsel as to what the Planning Commissioners can do or can't do with discussion with the developers. He stated that they have to be real careful of what they say. Mr. Doozan stated that they recently held an orientation for the Planning Commissioners and discussed exparte contacts. Mr. Quinn briefly discussed this issue as it relates to the Planning Commission and Board.

Mr. Olson noted that these meetings are in an open forum with public invited. He felt that these types of meetings are really on the behalf of the community rather than on the behalf of the developer.

Mr. Young stated that he personally feels that this is a great process to work with the developers and come up with the best possible development. He stated that he does realize that this is very time consuming.

Mr. Adams stated that he does feel that a charrette is a good process, but questioned who pays for the Planner, the Attorneys and the Consultants. He felt that the community should not have to pay for this. Mr. Doozan responded that the developer pays for this, the community does not.

Mr. Cash stated that they adopted a policy quite awhile ago where the developer would pay for any special meetings of the Planning Commission.

Mr. Doozan stated that when they initially talked with Kamran he was lukewarm to this idea. He stated that until Kamran demonstrates to the Township that he has a qualified planner and has done some work on the property so that this is worthwhile to follow this process, there will not be any meetings scheduled.

## 5. UNFINISHED BUSINESS

### a. Second Reading and Adoption of Proposed Ordinance #-01, On Site Sewage Disposal Systems Regulations

Mr. Shigley stated that this is the second reading and that there have been a number of changes made because the Board is basically opposed to some of the conditions. He stated that he has been against this from the start. He stated that if is his understanding that there has been some softening of this so that it won't be a burden on the Township residents.

Mr. Bisio questioned if this if only for the Rouge Watershed or is it for the whole Township. Mr. Quinn responded that it is only for the Rouge Watershed. He noted that there is a map attached that indicates the area involved.

Mr. Quinn explained the changes that were made to this Ordinance to soften it up. The Township will have to establish a register for qualified inspectors. Inspectors are those who have been qualified as such in any other municipality, mostly Wayne and Washtenaw Counties. The Township will be expected to keep the list and accept the reports. There is no other action required by the Township so there will not be any undue burden on the support staff. He stated that this Ordinance will automatically go away once the County adopts a County wide Ordinance to address this issue.

Mr. Quinn stated that this is a requirement that the Township is mandated to do because they are a participant in the Rouge Watershed and subject to a Court order in this regard. This is a stop gap method until the County steps in and takes over.

Mr. Young asked for clarification of Item 4c on page 7. He questioned if it needed to stipulate whose office will handle this. Mr. Quinn stated that if this passes tonight, they will bring back a resolution at the next meeting. He stated that he would propose that the Building Department would be the logical place to keep this list, because this is where people would typically call.

Mr. Cash made a motion to consider this the second reading of the Ordinance to establish a program to provide for the systematic evaluation of on-site sewage disposal systems within the Rouge River Watershed in order to identify the need for maintenance and repair of those systems, and to provide penalties for a violation of that program. Mr. Bisio supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Carcone, Cash, Johnson, Shigley, Young, Adams, Bisio  
Nays: None

Motion approved.

**b. Resolution of Tentative Declaration of Intention to Make Improvements for the Pontiac Trial/  
Martindale Sanitary Sewer Improvements Special Assessment District**

Mr. Shigley stated that when he first saw this, which was Friday, it was given to him to certify 56% of the land area to begin the SAD. He stated that he reviewed this, the number of property owners who are citizens of the Township, the signatures added up to less than 10%. He stated that he does have a problem with this.

Mr. Quinn stated that the Board has been presented with a petition that asks for a SAD for sanitary sewer improvements in the Pontiac Trail/Martindale Road area to be created.

The

petition has, upon review of the Engineers, has more than 50% of the land area within this

district

signed. He stated that therefore, under the State Law, the 50% of land area requirement

has

been met. For this type of a SAD for sanitary sewer there is no statutory requirement of a

majority

of land owners, merely of land area to create the district. He stated that previously the

petition

was accepted by the Board and the Engineers have certified that there are 56.3% of the

total

land area is contained within the petition. He stated that today it was discovered by one

of the

signers that his brother inadvertently signed his signature, therefore, one of the properties is

removed. He stated that after a quick review with the Engineers, this would not reduce

this down

to less than 50%.

Mr. Quinn stated that in accordance with the SAD procedure, presented this evening is a resolution of tentative declaration of intention to make the improvements. He stated that this resolution does not bind the Township to do anything other than to schedule a public hearing at the March 3, 2003 Board meeting. In the interim, the Engineers would be directed to refine the plan and the costs and at the March 3, 2003 meeting the exact financial figures would be brought back for the public to review along with the plan. Public comments would be taken to determine whether or not this project will move forward.

Mr. Quinn stated that after the meeting of March 3, 2003, there would be a final public hearing, which would be to confirm the roll. This meeting would be held approximately two months later. There would be specific allocations made to each parcel of property as to how much they would be charged for construction costs. Everyone within this SAD would have the opportunity, if they desire, to have their REU's or sewer tap purchase within the SAD also.

Mr. Quinn stated that the Board has the choice of adopting the resolution as it is stated, which schedules the public hearing for March 3, 2003. They could also table this resolution, if there is more information requested from the Engineers or the people who have precipitated this resolution. They could also reject this resolution.

Mr. Bisio stated that he was contacted by some of the residents about this situation and there are a ton of questions that are unanswered. He stated that he probably won't go into details because there are a lot of residents here tonight that would like to express their views on this. He stated that when the petitioner went around and talked to the residents, the residents were told that this would be for a 15 year SAD and the Township stated that it would be a 10 year SAD. He stated that he is a little confused on this and questioned which it is, 10 year or 15 year. Mr. Quinn responded that right now there is no time limit for the SAD, this will be up to the Board to set at the time they have the resolution confirming the roll.

Mr. Young stated that in keeping with the process, he asked Mr. Quinn to briefly emphasize the process again so that everybody knows what is going on. He stated that they are not going to push anything down the resident's throats. He stated that the Township does not initiate the SAD's. Mr. Quinn briefly explained the process again.

Mr. Bisio questioned if the certificate needed to be signed by Mr. Shigley before the Board votes on the resolution. Mr. Quinn responded that they go hand in hand. Mr. Bisio questioned if Mr. Shigley does not sign this, and they were to push this through, they would be verifying the petition. Mr. Quinn responded that what they are verifying is that the acreage referenced within the certificate is greater than 50%. This is the sole purpose of the certificate. He stated that the Engineers have taken the information from the petition and have calculated the total land area and they have calculated the petition signature land area and have come up with the 56% figure. Mr. Bisio questioned if the Township is paying for this. Mr. Quinn responded that there is a contract for the Engineering expense with Beztak.

Mr. Crandell stated that when you establish a district, the Board is directing the Engineers to create plans. The Township would then be incurring cost. If they do not establish a district at the hearings, then the Township would not re-coup the cost. He stated that if there is concern that the Board will not proceed after the hearings, he would suggest that their concerns are taken care of first so that the Township does not waste any money.

Mr. Adams stated that he also had the pleasure of meeting with the residents and discussing this. He stated that the two things that really disturbed him were the following:

- The one person that was representative of signing the petition, was not the correct person.
- The people were lied to when they were presented the petition. They were told that there would be no cost to them.

Mr. Adams stated that he would like to propose that they throw the whole petition out and let the petitioner go back and petition all the people and not just the 50% because they all live there and should all have a voice in this.

Mr. Shigley stated that the reason he did not sign this and wanted to present this to the Board, is that looking at this he is seeing many, many citizens have not signed this. He stated that this tells him that they don't want this. Whether or not they were asked or not, he does not know, he sees that more than 90% of this list has not signed. He stated that he understands that because there are a few property owners who own lots of land, this is what added up to the 50%. He stated that he would like to have every citizen be totally aware of this and of all the costs, at least something that is better than what has been presented to him.

Mr. Cash stated that this issue was on the December 2, 2002 meeting agenda. He noted that he has a copy of the minutes from that meeting. He read his comments and Larry Wilkinson's comments from the minutes of this meeting. He stated that the reason he voted for this is because

Mr. Wilkinson stated that they are going to absorb the cost of this and the residents would not be bearing the cost of this. He stated that the residents don't want this, the developer wants this. He stated that the point he tried to make at the December 2, 2002 meeting is that the developer

should pay the cost.

Mr. Bisio stated that they have to slow down the process in the Township because they make mistakes when they move too fast. He stated they can't read and analyze all the information they get.

Mr. Cash stated that if the developer said they were going to bear the cost, he didn't think that anybody would turn it down. He stated that when the numbers come up and they see what the developer is willing to pay and what each resident is going to be charged, this is when he is going to make his final decision as to whether this is something that the residents want or don't want.

Mr. Young stated that in order to find out what the costs are they have to go through the first couple steps of the process. He stated that they don't want to leave any of the residents with the impression that they are going to go through each of the step automatically. He stated that until they get to the third step in the process when they actually start working with the numbers, the residents won't know what their actual assessment is. He stated that if the developer really wants to do this project, then the cost is going to have to be minimal or none to the residents. He stated that he does not know if it is appropriate to go forward to get to the step to see what the numbers are actually going to generate or if they should throw it all out and have the developer come back with a new plan.

Mr. Olson stated that they held an information meeting with regard to this project last Thursday. It came out that a large part of the residents heard of this project for the first time at the meeting. He stated that the Township did take affirmative steps in notifying the public, otherwise there probably would not be the large amount of residents present at this meeting tonight. The next required step in the process is the notice of public hearing on the need for the project. He stated that it became apparent that there was not a majority of support by the residents for this project.

Mr. Cash questioned how much it would cost for everyone to receive the numbers so that they can see exactly what it would cost per parcel. Mr. Bisio stated that the residents have the numbers. Mr. Crandell stated that preliminary numbers were presented to the residents at the information meeting.

Ms. Carcone and Mr. Cash stated that they have never seen the numbers. Mr. Olson stated that the overall project cost is approximately \$1,700,000.00. Ms. Carcone stated that she has seen this, but has never seen any breakdown of the costs. Mr. Olson stated that \$240,000.00 was distributed across the 48 properties at \$5,000.00 per lot for single family residential. He stated that 86% of this is on the developer of this project.

Mr. Cash made a motion to table this issue until the February meeting in order to review the numbers that some members have already received to have a better understanding of what the costs are per resident.

Mr. Adams stated that he would like to add to the motion that the petition be 100% re-circulated and include all the members in that area so that the Board has a clear understanding of all who desire this.

Mr. Young supported the motion. Mr. Shigley asked if the support was for the amended motion. Mr. Young responded that it is.

Mr. Shigley asked if there were any comments regarding the motion from the Board.

Mr. Bisio stated that they should just throw the whole thing out. Mr. Young asked Mr. Shigley to repeat the motion that was made. Mr. Shigley did so. Mr. Young withdrew his support for the amended motion.

Mr. Young stated that he would support the original motion made by Mr. Cash without the amendment by Mr. Adams.

Mr. Shigley stated that he has to agree that this should be deleted because they are not going to be going out for any other information other than what has been presented.

Mr. Shigley asked if there were any public comments.

Bob Roggendorf, 59300 Montego Drive, stated that he is part of this SAD. He stated that he received a letter dated December 20, 2002 notifying him that there was going to be an informational meeting held on Thursday, January 2, 2003. He stated that he did attend this meeting as well as most of the people in attendance tonight. This was the first time that they were made aware of this SAD. It is obvious that this is developer driven and not residential driven. He stated that they were also given a preliminary assessment of what it would cost them just for the sewer. It would be about \$5,000.00 for the 48 individual single family residences. He stated that water would be approximately \$2,600.00 to \$2800.00 on top of this. He stated that these numbers were also brought up even though they are not part of this particular petition. Since this meeting, Stan Carnes has tried to contact most of the 48 residences that are listed on this. He stated that of the 48, they have 40 people that have signed a form which asks that the Board reject this. He stated that they believe that the developer should pay for this because they are not going to tap into the sewer or the water.

Mr. Roggendorf stated that they also saw a letter that the developer or petitioner was circulating indicating that this would be a 15 year assessment, which after hearing tonight's comments, it is not true. Of the 62 land owners, 48 are individual and the rest are larger property owners. Of

these there were 10 signatures, 2 of which have been pulled off. He stated that there are over 90% of the residents listed on this that do not want this and ask that the Board reject it entirely.

He stated that if the developer wants to do it at their expense, that is up to them.

Stan Carnes, Martindale Road, stated that he is also affected by this SAD. He stated that one person, whose name he will not mention, was misled to believe that this would cost them nothing and at the point where they could tap in it would cost them \$5,000.00. He questioned how many other people were misled. He stated that he also believes that this should be totally thrown out.

Theresa Olechiw, Martindale Road, stated that she concurs with the comments made by Mr. Roggendorf and Mr. Carnes. She stated that it was indicated at a meeting that this would be a minimal amount for each of the residents. She stated that as a stay home mom, any amount is really a big amount for her because she really needs to watch her dollars.

Bob Roggendorf, 59300 Montego Drive, stated that one of the things that they are finding out is that there was not a very good notification process for notifying the residents that these types of things are coming up. He stated that now they found out that this did come before the Board before. The majority of the residents were never aware of this. He stated that if they would not have gotten the letter they never would have been at the January 2, 2003 meeting. He felt that there needs to be a better process of notifying the residents. He felt that a letter sent to each of the residents involved would be appropriate. He believed that the signatures are not of those authorized to sign. He stated that this would be verified when they are certified. He stated that the process leaves some holes that need to be plugged up.

Mr. Adams asked Mr. Shigley to re-state the motion, which he did.

Mr. Cash stated that the reason that he does not want to kill this right now is because there is a chance that the developer will foot the whole bill and by killing it, it is done. By tabling it, it would give them time to review the numbers. The developer obviously will know where the residents stand after this meeting. If the developer wants this to go through, then he will step up to the plate and fund it. If not, then it sounds like the Board is ready to kill it. Mr. Cash stated that he agrees with the residents and that they are not going to ram anything down their throats that they don't want.

Stan Carnes, Martindale Road, questioned if they killed this couldn't the developer come

back

with a different proposal all together. At that time they could move forward with it, if the developer comes forward to pay for this.

Mr. Shigley stated that personally, he will probably vote No on this to try and kill it. He stated that the developer is present and asked if he had any comments.

Kamran Qadeer, Beztak Companies, stated that they have heard loud and clear from the residents. He stated that nothing is set in stone, even the \$5,000.00 figure. He stated that they have heard the residents concerns and asked the Board to give them some time to go back and talk to the residents and come back with a plan that is a win, win situation for everybody.

Mr. Adams stated that he would like to ask Mr. Qadeer to redo the petition so that everybody has a chance to say either Yes or No.

Mr. Bisio stated that there are too many gray areas in the process. He stated that there were too many discrepancies with the petition.

Mr. Doozan stated that in the case of the non-residential SAD's where they wanted to promote the sanitary sewers and there was a district put together, the Township has gone out and circulated a petition. The Township has never wanted to use the sanitary sewer to promote residential growth with higher density through the extension of the sanitary sewer. For the Township to go out and circulate the petition, this would really put them in an awkward position, since this is solely for residential development.

Mr. Doozan stated that what he feels needs to happen before a petition is circulated is that Mr. Qadeer needs to come back with his plan and present it to the Township Board. If the Board likes the plan, then the plan could be put in writing and a petition could be circulated. This way the Township Board will know what is being circulated. He stated that the other thing to remember is that the whole process is set forth by State Law and does allow anybody to go out and circulate a petition, even without the knowledge of the Township. He noted that the Township does have safeguards in place, one is that the Supervisor has to certify the petition.

Mike Olechiw, 30520 Martindale Road, stated that the fact that the petition was circulated with the 10 or 15 number on it, and it has already been determined that it is the Board who determines this amount of years, he questioned if this wouldn't invalidate the petition.

Bob Roggendorf, 59300 Montego Drive, stated that he has a letter dated October 29, 2002 from the Beztak Company to one of the homeowners involved in this. He read the letter to the Board.

The letter indicates that the cost would be paid over a minimum of 15 years. He stated that he would prefer not to give the Board a copy of the letter per a request of the homeowner, who did



Mr. Young questioned if the \$109,000.00 Tri-Party money that is available, this would be \$43,720.00, but the Township's portion would be \$14,584.00. Mr. Olson responded that this is correct. Mr. Young felt that this is a good deal.

Mr. Shigley questioned if this is primarily to pay for the Engineering of the road. Mr. Olson responded that this is correct. Mr. Shigley stated that this would give them a drawing that is suitable for them to go out for bid. Mr. Olson stated that preliminary Engineering would include the initial survey work and the things that lay it all out. He stated that the most important thing here would be the eligibility for State and Federal Grants.

Mr. Olson asked Mr. Crandell what kind of documents they would get under PE. Mr. Crandell responded that his is not sure, but it would be pretty close to bid documents. Mr. Olson noted that the Township Engineers are not doing these documents, it is the Road Commission's Engineers that will be doing these. He stated that it is his understanding that there is some Civil Engineering that also has to be incurred, but the Road Commission will be paying for that cost.

Mr. Shigley stated that at the last meeting they had he did not get a comfortable feeling that the property owners along Griswold Road were excited about this to where the Township is going to have 51%. He questioned if this has changed. Mr. Olson stated that if they don't have this, then the Township will not be eligible for this money. He stated that they have to have some kind of plans ready otherwise they would probably lose this money to other communities.

Mr. Young stated that they could go ahead and approve the money with the contingency to hold it until they get the petitions in on January 15, 2003 to see if they actually have 51%.

Mr. Doozan stated that he has a gut feeling that they are going to have to knock on doors and be aggressive in order to get over 50% of the signatures. He noted that they only have four or five signatures at the present time. He stated that they are calling the other property owners. He stated that his expectation is that on January 15, 2003 they will not have 50%. He stated that they will be dogging them to get the 50%.

Mr. Olson stated that he felt that they need to take a leadership stance on this and pay their fair share for this project.

Ms. Carcone questioned if the school has signed. Mr. Doozan responded that they have not as of yet. Mr. Young stated that the school said they would sign. Mr. Olson noted that the school is not required to sign since they are a public entity.

Mr. Bisio questioned how many petitioners are we talking about. Mr. Doozan responded that there are between 30 and 40 property owners along Griswold Road. There was discussion as to what would happen if they did not get the 51%.

After further discussion, Mr. Shigley asked for a motion.

Mr. Young made a motion to approve the cost participation agreement as stipulated in the forms



stated that he would give a copy of the survey he did to the Board for their review.

Mr. Shigley stated that the Board, if they would like, could table this issue so that they could review the information and then bring it back at the next meeting. Mr. Bisio stated that he would provide copies to the Board for their review.

Mr. Young questioned if there has ever been any consideration given to have a particular night open later. He noted that the Secretary of State has late hours on Wednesday.

Mr. Olson stated that if there is a need to stay, they do accommodate the residents.

Ms. Carcone stated that she has taken tax bills sitting in Putters or at the grocery store and had to come to the office to lock them up. She noted that she has even had residents bring tax bills to her home. She also noted that she gets calls at home from residents. She stated that whatever it takes, you do it.

Mr. Adams questioned if all the employees work eight hours. Mr. Bisio stated that he believed that they have a one hour lunch break, therefore, they work seven hours.

Mr. Adams made a motion to table this issue until the next meeting until they can review the information in order to make a reasonable and sound judgement. Mr. Bisio supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments.

Larry Baker, 57209 Grand River, stated that although they appreciate Pat taking the tax rolls at Putters, he wondered if the office was opened late one night would the Township residents have to impose upon her or other Board members to conduct business after hours. If the offices were open one night a week, then the opportunity to conduct business would be open to the residents.

Ms. Johnson stated that all the residents have to do is call if they can't make it in.

James Huffman, 58560 Grand River, questioned if this gets voted on at the next meeting and is voted down is Steve Adams going to call the Board members tacky in a letter to the Editor.

Jim Hamilton, 24200 Martindale Road, stated that normal business hours are 9:00 to 5:00 and he felt the Township offices should have these hours.

Voice Vote:                      Ayes:                      All

Nays: None

Motion approved.

**e. Second Reading and Proposed Adoption – Subdivision Control Ordinance**

Mr. Doozan stated that this is the second reading of the comprehensive revision of the Subdivision Control Ordinance for the purpose of bringing this Ordinance standards in the Township up to the goals for development of the Township. He stated that the new standards are much more explicit and would achieve the type of development that the Township is looking for. He stated that one of the things he would recommend that the Board do, if they decide to go forth with the second reading this evening, is outlined in the January 6, 2003 memorandum from him.

Mr. Doozan stated that there is something that Mr. Quinn brought up, since they do have the Ordinances codified, the numbering of the sections would have to be changed in order to match the codification.

Mr. Cash made a motion to consider this the second reading of the Subdivision Control Ordinance adding the January 6, 2003 memorandum from McKenna Associates, Inc and allowing for the renumbering to comply with the codification. Mr. Adams supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Shigley, Young, Adams, Bisio, Carcone, Cash, Johnson  
Nays: None

Motion approved.

**f. Second Reading and Proposed Adoption of Amendments to the Zoning Ordinance to Require Wetlands and Watercourse Setbacks**

Mr. Doozan stated that basically this would implement the watercourse and wetland setback in the Zoning Ordinance with the same setbacks as he just reviewed in the January 6, 2003 memorandum from McKenna Associates, Inc. He stated that this would be a second reading and an amendment to the Zoning Ordinance.

Mr. Young made a motion to consider this the second reading and adopt the

amendment to the Zoning Ordinance in the form provided with the stipulations outlined in the memorandum dated January 6, 2003 from McKenna Associates, Inc. Mr. Bisio supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Young, Adams, Bisio, Carcone, Cash, Johnson, Shigley  
Nays: None

Motion approved.

**g. Kojaian Development – Restaurant Capital Charges – Discussion**

Mr. Quinn stated that he spoke with Mr. Olson earlier who indicated that there is really nothing to present tonight. He stated that the Engineers are still working on the study the Board requested and that Kojaian is still working on compiling their information.

Mr. Young made a motion to table this issue until the next meeting. Ms. Carcone supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Voice Vote: Ayes: All  
Nays: None

Motion approved.

**6. NEW BUSINESS**

**a. Quadrants, Inc. – Request to Revise Site Condominium**

Mr. Doozan read the December 31, 2002 McKenna Associates, Inc. review letter into the record.

He noted that there is a meeting scheduled with the developer next week to try and resolve the sanitary sewer issue.

Nate Simpson, Attorney for Quadrants, proposed that they take one more item off the agenda this evening. This being the request for the revision of the boundaries being coterminous with the

wetlands. He stated that he would like the Board to table this issue along with the issue of the sanitary sewers. He stated that they would like a little more time to analyze the Board's adoption of the 50' setback from wetlands. He stated that this would leave the one item, that being the renumbering of the lots, which they do not have a problem correcting the plans to reflect the right lots.

Mr. Adams asked Mr. Simpson if all they are asking the Board to act on this evening is the Division of Unit 2 and the correction to the notes. Mr. Simpson responded that this is correct.

Mr. Young stated that the question regarding the sanitary sewer is to determine whether or not Quadrants is in violation of the Township Ordinance. He questioned if they are going to get this information after the meeting on Thursday. Mr. Quinn stated that this information will be provided at the next meeting that is why the applicant has asked to have it tabled until the next meeting.

Mr. Young stated that he would rather look at this thing as a whole rather than bits and pieces. He stated that he would rather see the applicant come back with all the conditions met and it is clean unless there is some hardship that this creates. Mr. Simpson stated that there is actually a hardship. There are some property owners with approved site plans that are affected by this.

Mr. Doozan questioned if the applicant is certain that in the meantime they will not be submitting any plans for Unit 5, 6 and 7. Mr. Simpson responded that they will not be submitting any plans between now and Thursday.

Mr. Doozan stated that he felt that what the applicant is asking for is a motion to approve the division of Unit 2 and the renumbering of Units 4 through 18 and subject to the notes on Sheet 2 being updated and subject to future resolution of the sanitary sewer issue and the amendment to the unit boundaries to Units 5, 6, and 7.

Mr. Simpson stated that he is not sure that he would want to make this subject to the renumbering because there is an approved plan right now. He stated that, if for example, the Township and Quadrants could not reach an agreement on the sanitary sewer, this would not affect the renumbering of the units that already exist. He stated that they do have an approved site plan that shows the sanitary sewer on Twelve Mile Road.

Mr. Olson stated that the Board may want to parcel this out and approve items 1 and 4 and 3 with the additional information. He stated that item 2 should be tabled.

Mr. Cash questioned if the condominium plan that was indicated as approved, is the one that was recorded but not approved by the Board. Mr. Simpson responded that this is correct. He stated that there is two approved site plans with the split lots. Mr. Young stated that the Planning Commission approved the site plan but the condominium document was never approved. Mr. Simpson responded that this is correct.

Mr. Adams made a motion with regard to AP-02-01, Quadrants Industrial/Research Centre, that the Board approve Item 1, Division of Unit 2, and Item 4, Corrections to Notes, and leave Items 2 and 3 open for further discussion with the Township this coming Thursday. Mr. Young supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Roll Call Vote: Ayes: Adams, Bisio, Carcone, Cash, Johnson, Shigley, Young  
Nays: None

Motion approved.

**b. Autumn Ridge – Private Road Located on the South Side of Nine Mile Road, West of Currie Road  
Request to Vacate Private Road Easement**

Mr. Doozan read the McKenna Associates, Inc. review letter dated October 3, 2002.

Mr. Quinn questioned if this is part of a condominium. Mr. Doozan responded that it is not.

Mr. Young made a motion to approve the request to vacate the portion of the Autumn Ridge private road easement subject to the conditions cited in the October 3, 2002 McKenna Associates, Inc. letter. Mr. Cash supported the motion.

Mr. Shigley asked if there were any comments regarding the motion from the Board. There were none. He then asked if there were any public comments. There were none.

Voice Vote: Ayes: All  
Nays: None

Motion approved.

**c. Appointment of Board of Review (Two Year Terms)**

Mr. Shigley stated that Jim Hamilton, Dean Jensen and Don Cash have all given him a verbal yes that they would like to continue to serve on the Board of Review.

Ms. Johnson questioned if this was opened up to anyone else. She stated that she was

approached by someone else who is interested in serving on this Board. This person is very qualified, it is former Supervisor, Jim Atchison. Mr. Shigley stated that he has brought this to the attention of both Ms. Johnson and Mr. Olson. Ms. Johnson stated that there has been a rumor that Don Cash did not want to serve on this Board anymore.

Mr. Shigley stated that all three of these men have done a very good job and the County Assessor has indicated that he would like to see them stay on.

Mr. Young made a motion to re-appoint Jim Hamilton to the Board of Review for a two year term.

Ms. Johnson supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

Mr. Adams made a motion to re-appoint Don Cash to the Board of Review for a two year term.

Mr. Bisio supported the motion.

Roll Call Vote:	Ayes:	Bisio, Shigley, Adams
	Nays:	Carcone, Cash, Johnson, Young

Motion failed.

Mr. Cash made a motion to re-appoint Dean Jensen to the Board of Review for a two year term.

Ms. Carcone supported the motion.

Roll Call Vote:	Ayes:	Carcone, Cash, Johnson, Shigley, Young, Adams, Bisio
	Nays:	None

Motion approved.

Mr. Bisio stated that he has very little knowledge of the Board of Review members. He questioned how long these men have been on this Board. Mr. Shigley responded that Dean Jensen has been on the Board for approximately ten years, Don Cash has been on longer than this. Mr. Bisio stated that he too has residents that may be interested in this.

Ms. Carcone made a motion to appoint Jim Atchison to the Board of Review for a two year term.

Mr. Young supported the motion.

Mr. Adams felt that this motion was not proper at this time and asked Mr. Quinn if it was. Mr. Quinn responded that this is a Board appointed position. Mr. Adams stated that to appoint this at an open session like this without looking at other candidates.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

#### **d. Executive Session for Discussion of Pending Litigation**

Ms. Carcone made a motion to close the regular meeting and go into an Executive Session to discuss pending litigation. Mr. Cash supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

The regular meeting was closed and the Executive Session was opened at 9:37 PM.

Mr. Quinn discussed pending litigation.

Mr. Young made a motion to close the Executive Session and re-open the regular meeting. Mr. Adams supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

The Executive Session was closed and the regular meeting was re-opened at 10:23 PM.

### **7. Adjournment**

Mr. Young made a motion to adjourn the meeting. Ms. Carcone supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved. The meeting was adjourned at 10:24 PM.

Respectfully Submitted,

# Deby Cothery

Deby Cothery  
Recording Secretary

Pamela Johnson  
Clerk