

**CHARTER TOWNSHIP OF LYON
BOARD OF TRUSTEES
MEETING MINUTES
May 5, 2003**

Approved as submitted June 2, 2003.

DATE: May 5, 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: 50

1. APPROVAL OF THE CONSENT AGENDA

- Approval of Regular Meeting Minutes of April 7, 2003
- Approval of Disbursements
- Approval of Financial Statements through March, 2003
- Superintendent Report
- Engineer Monthly Report
- Building Department Monthly Report
- Fire Department Monthly Report
- Sheriff Department Report
- Zoning Officer Report
- Earth Tech – WWTP Operating Report

Ms. Carcone made a motion to approve the consent agenda as submitted. Ms. Johnson supported the motion.

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

Motion approved.

2. CALL TO THE PUBLIC ON NON-AGENDA ITEMS

Board
the
letter
form.

Mr. Adams stated that there have been many citizens who have commented that they does not answer their questions in a timely fashion. He suggested that they put an item on the June agenda to discuss a process where the questions are answered either verbally or in form.

announcements.
on the
contract with
eight weeks
recommendation on
give
throughout the
process.

Bill Altgilbers, 794 Huntington Drive, President of Continental Aluminum, made two announcements. He stated that with the break in the weather, they have been shutting their bag houses off week-ends. He stated that they have finalized the negotiations and have a signed an Environmental Engineering Firm. He stated that it is a long process. It will be about of sound measurement and about four weeks for computer modeling and how to fix any problems. He stated that with the lawsuit still pending, they are reluctant to out the name of the firm, but they will keep the Township informed of the progress throughout the process.

Lane and
disturbed. He
encourage the
shore up
the Ordinances.

John Lockley, 55505 Woody Lane, discussed the development going on between Woody Lane and Nine Mile Road. He noted that there have been a lot of trees taken down and land disturbed. He stated that he knows that the Township has taken action in Court and wanted to encourage the Township to continue doing this. He stated that they need to do whatever they can to shore up the Ordinances.

and the
understanding
that they
are in the process of having parcels appraised in order to possibly acquire parcels for the

Jerry Powell, 58740 Travis Road, discussed the upcoming opening of the shopping center and the lack of the ring road being completed on the east side. He stated that it was his understanding that the ring road was going to be open before any of the businesses. Mr. Doozan stated that they are in the process of having parcels appraised in order to possibly acquire parcels for the

ring

road to extend. There was further discussion with regard to the process.

been

Mr. Powell discussed the water problem on Milford Road. Mr. Olson stated that a SAD has

that they

proposed of which the Lyon Crossing is approximately 67% to drain this area. He noted

to the

have declined, thus far, to sign the petition. He noted that the responsibility for this points

Road Commission and Drain Commission.

is an

Mr. Powell stated that on the southeast corner of Martindale Road and Pontiac Trail there

someone

overgrown bush in the road right-of-way that blocks the view of traffic. He asked if

could look into this.

contract

Khanh Pham, Singh Development, discussed the property that they are trying to do a

everybody. He

annexation. He stated that they would like to make this a win, win situation for

with

requested that they schedule a special meeting to discuss this so that they can move on

the process.

Darcy Hollon, 24300 Martindale Road, submitted some paperwork to Mr. Shigley.

presented

Mark Theisen, Lyon Township Fire Department, gave a brief presentation and then

Chief Cash with an award for 30 service years as Chief.

questions he

Robin Allen, 28550 Tindale Trail, questioned when he could expect answers to the

asked at last month's meeting regarding Continental. He stated that he is getting tired of picking up scrap pieces of metal from his yard. He noted that there are trucks that go into Continental without tarps on. He asked if something could be done to stop the trash from going onto his property.

3. APPROVAL OF AGENDA

Mr. Shigley asked to add the following added to Unfinished Business:

- Singh Corporation – Discussion
- Continental Aluminum

have

Mr. Young stated that in fairness to the issues already on the agenda, he would prefer to

these items added under New Business. Mr. Cash concurred.

Mr. Shigley stated that he would like to make a cut off time of 10:00 PM tonight.

Mr. Doozan asked to have the following added to the agenda:

- Schedule a public hearing for reprogramming of CDBG funds

Mr. Shigley noted that this could be discussed along with New Business Item a.

Mr. Adams made a motion to approve the agenda as modified, adding Continental Aluminum and Singh development under Unfinished Business and a cut off time of 10:00 PM. There was no support for the motion, therefore, the motion dies.

Mr. Young made a motion to approve the agenda as modified moving the added items to the end of the agenda. Ms. Carcone supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

Mr. Bisio made a motion to have a cut off time of 10:00 PM for the meeting tonight. Ms. Carcone supported the motion.

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

Motion approved.

4. ANNOUNCEMENTS AND COMMUNICATIONS NONE

5. UNFINISHED BUSINESS

a. Proposed Policy regarding Ordinance Enforcement

Mr. Olson stated that in the Board's packet this evening is a resolution from Counsel which is put in proper legal form the policy that was discussed at the last Board meeting regarding Ordinance Enforcement. He stated that also included was an explanatory item from him that regarded how this would work.

Mr. Young made a motion to adopt the Ordinance Enforcement policy as presented on the form provided. Mr. Cash supported the motion.

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

Mr. Adams stated that he is for the resolution, however, the direction to the Building

Official and

Enforcement Officer, as stated in paragraph 2 on page 2, takes away their decision making, which the Board has delegated to them. He felt that they should have some discretion and conversation before the ticketing takes affect. He stated that he would like to see this paragraph reworded so that it states that the Township will support the Township Administration and Building Officials.

Ms. Johnson stated that she had a discussion with Mr. Young on the purpose of this resolution, and feels that when every Board member took the oath of office it is their responsibility to see that the Ordinances are enforced. She stated that they put a policy together as to how they wanted them to be enforced and who was to have the enforcement authority. She stated that this paper only indicates that they are in favor of enforcing the Ordinances. She stated that she would like to see some policy changes, but only after there is discussion with all parties. She felt that they should hold off on adopting this at this time.

Mr. Bisio stated that he is leaning toward this way also. He stated that he would like review this further. He noted that there are some tremendous ideas in this, but feels that this should be reviewed further.

Mr. Young stated that he is in support of this document. He stated that this document makes a statement that this Board is unified in this. He stated that he would not want to see this proposed without a unanimous decision in support of it. He felt that if there is further editing that needs to be done, then he is support of doing it.

Ms. Carcone stated that she likes the comments that Ms. Johnson has made. She feels that it is needed, but does not want to be too restrictive.

Mr. Olson noted that this was worked on by the Township Planner, Township Engineer, Larry Phillips and himself. He stated that it has been a team effort. He stated that any language issues that the Board feels needs to be examined, he will look at them and incorporate them.

Mr. Shigley stated that in his view this Township has always tried to be a friendly Township. He stated that he has some reservations on the idea of always going to issuing tickets. He stated that they have a new administrator and felt that he is doing a wonderful job. He felt that the Ordinances they now have in place are being administered more now than ever before. He felt that to come up with something that is "Gestapo" methods is wrong. He felt that this should go back to the mill.

Mr. Shigley asked if there were any public comments. There were none.

Mr. Young stated that based on the comments this evening he will withdraw his motion.

Mr. Cash suggested that each Board member give their comments, in writing, to Mr. Olson who can compile them and report back to the Board.

After further brief discussion, it was determined that this issue would be put on the agenda for the next meeting as a discussion item.

b. Proposed Uniform Traffic Code Amendment – Vehicles Displayed for Sale – Second Reading

Mr. Quinn explained that after the first introduction of this Ordinance, Dave Gillam was directed to get together with Larry Phillips and Sgt. Crockett to modify this and make it softer as it specifically pertains to the residential properties. He stated that they have modified this and now have a new proposal regarding this amendment. He stated that as it pertains to individuals placing their own vehicle for sale on their property, it is allowed and that vehicle may be closer than 100 feet from any road right-of-way. He stated that this was the main issue that the Board addressed last time. The balance of the Ordinance still prohibits that any other vehicles for sale to be parked on any other street or public parking lots. He stated that the definition of vehicle was expanded per a request of Sgt. Crockett to include automobiles, motorcycles, boats, trailers and recreational vehicles. These could not be parked in any public place.

Mr. Quinn stated that this is in a form for approval this evening or if there are any other modifications, they would be more than happy to consider them.

Mr. Bisio made a motion to reject this Ordinance. Ms. Johnson supported the motion.

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

Mr. Bisio stated that he feels that the 100 feet from the road right-of-way is too restrictive.

He

stated that he feels that they need some type of Ordinance, but this particular one is too restrictive.

Mr. Adams stated that he agrees with Mr. Bisio in the fact that they do some type of

Ordinance

because they don't want the Township to junk up. He stated that they should specifically state that they don't want any cars parked in the new malls or shopping centers or gas

stations

that are for sale. He stated that they should not restrict a person from parking a car on his

own

property. He too felt that this is too restrictive and that more work should be done on this.

Ms. Johnson stated that she agrees with Mr. Bisio and Mr. Adams. She feels that this should

be

looked at a little further. She stated that she does not feel that it meets the purpose of the problematic areas that they have and that it infringes on the average individual in this community.

Ms. Carcone concurred with the comments made. She too felt that this is too restrictive.

Mr. Cash stated that this is the for the second reading. He felt that with the first reading if

there

are some issues with an Ordinance, it should be addressed at that time.

Mr. Quinn suggested that Mr. Shigley appoint a two person sub-committee to meet with Sgt. Crockett, Larry Phillips and Dave Gillam to discuss any changes. Mr. Adams stated

that he

would be willing to work on this. Mr. Shigley stated that he would also be willing to work on

the

sub-committee.

Mr. Bisio stated that on his way to the meeting he noticed a car for sale on Milford Road

that

was extremely close to the road. He stated that he would like to see a minimum of 20' –

25'

from the roadway passed.

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

Darcy Hollon, 24300 Martindale, stated that she likes this. She noted that there are a lot of

things

on the books that need to be enforced, but aren't being enforced. She stated that things that people have asked for over and over in general are not getting dealt with. She felt that they should concentrate on things that people need first.

Bob Roggendorf, 59300 Montego Drive, stated that he would recommend that the Board include in the Ordinance, no multiple vehicles. No more than one vehicle be on the lot at a time. He stated that anyone who has a vehicle that is not owned by the property owner, they should have written permission to park there so that there is no problem if it is a vacant piece of property. He stated that he felt that it is necessary to have second and third readings so that if there is any tweaking that needs to be done, it should be done. He noted that if a vehicle is too far back from the roadway, then it will not be seen.

Jerry Powell, 58740 Travis Road, stated that if the vehicle is off the road right-of-way, then it is more than enough. If they go with 100' then it will probably be in some people's living room.

Robin Allen, 28550 Tindale Trail, questioned if this is going to allow a resident's friends to put their cars for sale on their property. Mr. Shigley stated that the motion is to deny this Ordinance. This only makes property owners have the right to have their car on their property.

Mr. Bisio amended his motion to deny by adding that a sub-committee be formed to further investigate this. The sub-committee will be comprised of Joe Shigley and Steve Adams who will work with Sgt. Crockett, Larry Phillips and Dave Gillam. Ms. Johnson supported the amendment to the motion.

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

Motion approved.

c. Final Change Orders for East Grand River Sanitary Sewer Project

Mr. Crandell explained that the East Grand River Sanitary Sewer Project is complete. He stated that in November they reported to the Board all the change orders for this project. He stated that they have all the Engineer's written decisions on all the change orders. Most of these have been

accepted by the contractor. He stated that one undercut change order was not accepted by the contractor. The contractor was asking for \$128,157.62. He stated that through negotiations they have settled this change order at \$65,000.00. He stated that he believes that this is a fair settlement for this issue. He felt that if this was taken to litigation it would be very hard to settle and that it would never be at zero.

Ms. Carcone made a motion to approve the \$128,157.62 to complete the East Grand River Sanitary Sewer Project with the monies coming from the Sewer Enterprise fund subject to the release and settlement agreement being entered into between the parties. Mr. Young supported the motion.

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

Mr. Adams stated that he hopes that maybe this will be a lesson for the Township. That in fact they have firm commitments from the builders and contractors in the future and are not surprised by excess amounts of monies in the future that are not allocated or planned for.

Mr. Bisio concurred with Mr. Adams comments. He stated that he is not thrilled with the additional monies being spent, but taking it to litigation is not the answer either. He stated that they need to be more careful in the future.

Mr. Young stated that it looks like the Engineers made a lot of headway in getting from \$128,157.62 for the undercutting to \$65,000.00. He stated that this should be spelled out explicitly in a contract, unfortunately the contractor felt that there was some gray areas there. He stated that he felt that Mr. Adams point is well taken but there will be times that they need to negotiate at the end of a contract. He stated that he does agree that they need to make sure that a contract is so definitive so that every clause is in there. He stated that under these circumstances, he feels that this is a fair settlement.

Mr. Shigley stated that he agrees with what the Board is saying, first being from the contractor's side, he knows things like this happen. He stated that he will have to vote the way he feels it should be.

some block grant funds. He stated that these are funds from the program years 2001, 2002 and 2003. They have previously been allocated for drain improvements, road improvements and what was the moderate income area. He noted that under the 2003 Census data that has just been released, the Township no longer has a low to moderate income area in the Township. He stated the funds that they have allocated for this purpose now have to be reallocated. He explained what the funds could be reallocated for. He stated that they are recommending that these funds, \$45,363.00, be allocated to condemnation and demolition of blighted structures.

Mr. Bisio made a motion to schedule a public hearing for the next regular Board meeting. 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 comments from the public. There were none.

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

Motion approved.

b. Contract with Earth Tech for Operation of the Waste Water Treatment Plant Sanitary Sewer

Mr. Olson explained that in the Board's packet there is a contract and letter dated April 4, 2003 from Earth Tech. He stated that he has highlighted a couple items that they need to look at. He noted that the Board also has a memo from him dated May 2, 2003 which contains some additional information.

Mr. Olson stated that there is an automatic provision in both contracts to increase the monthly payments by the rate of inflation, as measured by Detroit, Ann Arbor, Flint metropolitan statistical area. This comes out to be 2.85%. The monthly expenses for these maintenance and operation agreements would go from \$5,278.00 to \$5,382.00 for the sewer treatment system. For the waste water treatment plant the monthly expenses go from \$10,785.00 to \$11,063.00. He stated that an added item is that the contract also calls for certain concentrations to be dealt with if they go over 10%. He discussed a letter that he received dated May 1, 2003 from Kevin Moreau, Project Manager for Earth Tech.

Mr. Olson stated that he recommended that they roll over any maintenance allowance surpluses from 2002 and 2003. He also recommended that they make the end date of the contracts coincide. The treatment plant contract started April 1, 2002 and ends on March 31, 2005. The collection system started February 18, 2002 and goes to February 17, 2007. He stated that he does not see a reason why these two contracts shouldn't coincide.

Jim Pawlowski, Regional Manager of Earth Tech, discussed the contracts they have with the Township.

Mr. Young questioned if there is an advantage going one way or the other. Are they going to save more money by this. Kevin Moreau, Project Manager, responded that there is not a financial savings by extending to five years. He noted that in talking with Mr. Olson, it was suggested to bring this to the Board in order to keep continuity in both contracts. He reminded the Board that their contracts do have a 90 day exit clause.

Mr. Shigley stated that he read this as being more convenient if they do this. Mr. Olson stated that this is correct.

Mr. Young made a motion to change the collection system end date to February 17, 2007 to coincide with the end date of the waste water treatment plan and to roll over surplus maintenance funds. Mr. Cash supported the motion.

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

**c. Resolution of Tentative Declaration of Intention to make Improvements for the Pontiac Trail/
Martindale Sanitary Sewer Improvements Special Assessment District**

Mr. Quinn stated that this matter is back in front of the Board on the original petition and then the supplemental signatures that were received after a couple of public informational meetings for creation of this SAD. This will allow the construction of sewer and also the purchasing of REU's.

Mr. Quinn stated that in consultation with Bond Counsel regarding the additional signatures, they were satisfied that they could be added to the original petition. He stated that with Bond Counsel's opinion, the Supervisor's certificate shows 73.2% of all the property owners have signed for this project. There is a total of 216 acres in this project and they have signatures for 152 acres.

Mr. Quinn stated that the proposed Resolution of Tentative Declaration of Intention to Make Improvements for the Pontiac Trail/Martindale Sanitary Sewer Improvements Special Assessment District is in front of the Board this evening. It states that the estimated cost for the

construction

activity would be \$1,091,121.00. This also contains a revised paragraph 5 of the resolution per recommendation of Bond Counsel. He noted that this resolution would establish the first public hearing on August 4, 2003. This is a tentative agreement establishing the district.

Mr. Adams stated that Kamran Qadeer and Jeff Appel should be complimented in working with the residents and making this very amiable to both parties.

Mr. Young made a motion to adopt the Resolution of Tentative Declaration of Intention to Make Improvements of the Pontiac Trail/Martindale Sanitary Sewer Improvements Special Assessment District per the May 2, 2003 document. 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.

Sharon Chalifour, 57620 Pontiac Trail, questioned why everybody did not receive a letter regarding this. She questioned if they would get this in writing so that they are not shafted at the end. Mr. Quinn stated that the law provides that when there is a public hearing, everybody will be notified who resides in this SAD. He stated that there will be plenty of notice for the public hearings. He stated that the agreement mentioned will be between the Township and the developer.

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

Motion approved.

**d. Resolution Declining Ownership and Operational Responsibility for Type I Public Water System
Woodwind**

Mr. Olson stated that before the Board is a resolution as well as a memo attempting to explain what the resolution states. He stated that what it essentially states is that the Township is not interested in owning the water system at this time, but reserves the right to request ownership in the future. It also encourages that the MDEQ immediately review engineering plans that will be provided by South Hill Development, Bob Harris, to provide water to Woodwind Planned

Development.

Mr. Olson stated that this has been in discussions for quite a long time and that this formalizes the action the Board should take.

Mr. Adams made a motion that the Charter Township of Lyon declines ownership and operational responsibility for the Type 1 Public Water System in Woodwind. Mr. Bisio supported the motion.

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

Mr. Young discussed some paragraphs in the resolution. He stated that it looks like there are some options that the Township could have.

Phil Atkinson, Attorney for Woodwind, stated that the regulations that implement the statutory scheme for the public water system requires that anyone who is going to develop a Type 1 water system, requires that the system first be offered to the local municipality for ownership and operational responsibilities before the MDEQ will even look at the plans.

Mr. Atkinson stated that initially the discussions were for the sale of this but recently, as determined by his client, it would be more advantageous for him to donate this to the Township. He discussed some of the portions of this resolution. He stated that the sole purpose of this is to get the process moving on the plans.

Mr. Shigley asked if there were any public comments. There were none.

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

Motion approved.

e. Proposed 2003 Budget Amendments

Mr. Olson explained that before the Board is three pages of budget amendments. He explained the budget amendments that are being proposed.

Mr. Bisio stated that he would like time to go over these and review this. He stated that he is

leaning toward tabling this for further review. He stated that he is really impressed with the information.

Ms. Carcone made a motion approve the 2003 budget amendment request as presented and the report from Chris Olson dated May 3, 2003. Mr. Cash supported the motion.

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

Mr. Bisio stated that he is not ready to support this and would prefer to table this issue.

Mr. Shigley asked if there were any public comments. There were none.

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

Motion approved.

f. West Nile Virus Resolution

Mr. Olson explained that this a resolution that came from the County as a sample resolution through the County Commissioner, Jeff Potter, in a letter to Mr. Shigley dated April 9, 2003. He stated that this allows the Township to request reimbursement from the County for approved mosquito and West Nile Virus control activities. He noted that this would make the Township eligible to deal with these types of expenses should they be incurred.

Mr. Shigley stated that he felt that the West Nile is something that they need to pay attention to. He felt that this is a great thing with regard to getting some funds to help take care of this situation. He thanked Mr. Olson for attending the seminar on this to learn more about it.

Mr. Bisio made a motion to adopt the Resolution for the West Nile Virus. Mr. Adams supported the motion.

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

Ms. Johnson stated that for many years they have done a joint effort with the Lake Angela. She stated that she hopes that the Township's portion may qualify for this.

Mr. Young questioned the procedure once this resolution is adopted. Mr. Olson responded that they have to describe the projects, pass the resolution and when they have any bills for this, they can ask the County for reimbursement.

Mr. Adams stated that Mr. Olson did a good job in getting the Township their share of the money.

He questioned if it was based on the square mileage of the Township. Mr. Olson responded that it was. He noted that a lot of the credit for this goes to the County Commissioner.

Mr. Shigley asked if there were any public comments.

Sharon Chalifour, 57620 Pontiac Trail, stated that she is very happy with this. She note that they really need something like this.

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

Motion approved.

g. Consideration of DDA Membership - Removal

Mr. Olson explained that this is a request from the DDA regarding a member who has not been able to attend the meetings. He noted that a letter was received indicating that the member was on a leave of absence. He stated that DDA members can be removed for cause. The cause in this case would be for failure to attend meetings.

Mr. Olson stated that he did send a letter to Mark Santoni regarding this, but received no response.

Mr. Quinn stated that they should make note that the letter was sent to Mark Santoni and that he is not present this evening.

Mr. Cash made a motion to remove Mark Santoni for excessive absences from the DDA. Ms. Carcone supported the motion.

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

Mr. Young questioned if they know for sure that Mr. Santoni received the letter. He questioned if it is possible that Mr. Santoni is not aware of this. Mr. Olson responded that he wouldn't know how. He stated that he faxed it over to him.

Mr. Bisio questioned if anyone has talked with Mr. Santoni. Mr. Olson responded that he has in the

Mr. Adams stated that he felt that this is a very important issue and that the Board must address these concerns.

Mr. Shigley stated that he feels that these resolutions are important because they show the position that the Township Board has taken. He stated that he does not want these to fly by the wayside for further review. He stated that he sees no reason why they cannot make a decision on these tonight.

Mr. Bisio questioned if Alpena has passed similar resolutions. Mr. Shigley responded that they have.

Ms. Johnson stated that she would like to have the opportunity to review these. She would prefer not to have a resolution put on the agenda with a request for adoption at the same time.

Mr. Bisio rescinded his support for Mr. Adams motion.

Ms. Carcone stated that she would like to see these on the Township's resolution form because it will be coming from all of them.

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

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

Bob Roggendorf, 59300 Montego Drive, stated that in listening to this he has heard two things, one is that this be put on the agenda and the other is that this just be reviewed. He stated that he would like to see this put on the agenda. Mr. Shigley stated that this will be placed on the agenda for the next meeting.

Bill Altgilbers, Continental Aluminum, stated that Continental Aluminum is making an attempt to work with the Lyon Township Board of Trustees. He stated that he does feel blindsided by these resolutions tonight. A copy of these resolutions were given to Mr. Altgilbers.

Robin Allen, 28550 Tindale Trail, commended whoever put this together. It is long

overdue. He

stated that he appreciates the Board putting this on the next meeting's agenda. He stated that

with regard to the meetings that Continental has been having with the Board members, he would

like to be a part of these meetings. He stated that he and a number of other residents would like to know what is going on.

Darcy Hollon, 24300 Martindale Road, stated that she feels that it is a good idea for these resolutions. She stated that she would hope that Continental installs some additional pollution

control devices. She felt that this is really what they need. She further discussed the types of pollution controls that they may need.

Bill Altgilbers, Continental Aluminum, stated that as part of the negotiations with the class action

law suit, the plaintiffs attorneys have a list of things that they wanted Continental to do which

include additional pollution control devices. He stated that Continental Aluminum and the plaintiff's attorney agreed to a list of things costing about \$700,000.00. He stated that he can assure

the residents that Continental Aluminum is willing to spend the money. He stated that at the last

negotiation meeting the plaintiff's attorney said to forget about all the improvements, they just

want \$1,000,000. He stated that it is obvious from the plaintiff's attorney that they don't care about

environmental improvements, they just want money.

Robin Allen, 28550 Tindale Trail, stated that this is not correct. He stated that there is a resident in

the Township, Ted Soper, who has put together a monitoring proposal for monitoring Continental.

He encouraged the Board to contact Mr. Soper regarding this.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

i. Singh Development

Khanh Pham, Singh Development, asked the Board to schedule a special meeting so that they

could proceed forward and finish what was started in January.

There was brief discussion and the Board concurred that they would schedule a special meeting on Monday, May 12, 2003 at 6:00 PM.

Ms. Carcone made a motion to schedule a special meeting for Monday, May 12, 2003 at 6:00 PM for the Singh Development issue. Mr. Cash supported the motion.

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

7. Adjournment

Mr. Cash made a motion to adjourn the regular meeting and go into an Executive Session. Mr. Young supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved. The regular meeting was adjourned at 9:15 PM.

8. Executive Session Regarding Pending Litigation

Mr. Quinn discussed pending litigation.

Ms. Carcone made a motion to adjourn the Executive Session and re-open the regular meeting. Mr. Young supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved. The Executive Session was adjourned at 10:25 PM.

Mr. Young made a motion to establish a negotiating committee for Mill River consisting of two members of the Board, Mr. Cash and Mr. Young, and to include the Consultants. Ms. Carcone supported the motion.

Voice Vote:	Ayes:	All
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Nays: None

Motion approved.

Ms. Carcone made a motion to adjourn the meeting. Ms. Johnson supported the motion.

Voice Vote: Ayes: All
Nays: None

Motion approved. The regular meeting was adjourned at 10:27 PM.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary

Pamela Johnson
Clerk