

**CHARTER TOWNSHIP OF LYON
BOARD OF TRUSTEES
MEETING MINUTES
August 4, 2003**

Approved as submitted September 8, 2003.

DATE: August 4, 2003
TIME: 7:00 PM
PLACE: 58000 Grand River

Call to Order: Supervisor Shigley called the meeting to order at 7:02 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: Matt Quinn, Township Attorney
Chris Olson, Township Superintendent
Chris Doozan, Township Planner
Loren Crandell, Township Engineer
Larry Phillips, Building Official
Les Cash, Fire Chief

Guests: 86

1. APPROVAL OF THE CONSENT AGENDA

- Approval of Regular Meeting Minutes of July 7, 2003
- Approval of Special Meeting Minutes of July 21, 2003
- Approval of Disbursements
- Approval of Financial Statements through June, 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

Mr. Shigley requested that the Approval of Disbursements and the Approval of Financial Statements

through June, 2003 be removed from the Consent Agenda for discussion at the end of the meeting.

Ms. Carcone made a motion to approve the consent agenda as amended. Mr. Bisio 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

Robin Allen, 28550 Tindale Trail, discussed the flooding problem at the intersection in town. He stated that this has been a problem and questioned if the problem will ever be corrected. He stated that he would also like to know the status of the ring road, since Wal-Mart is scheduled to open Saturday.

Sharon Chalifour, 57620 Pontiac Trail, questioned if the Township has gotten any funds yet for the spraying for West Nile Virus. Mr. Shigley responded that Mr. Olson has that information available and for Ms. Chalifour to contact him.

Jeff Potter, Oakland County Commissioner, updated the Board with regard to the funds for the West Nile Virus spraying. He also updated the Board on other things happening in the Township.

3. APPROVAL OF AGENDA

Mr. Shigley requested that Item 9h, Erwin Orchards – Request for Special Event – Haunted House 2003 be moved up.

Mr. Bisio made a motion to approve the agenda as modified. Ms. Carcone supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

4. ANNOUNCEMENTS AND COMMUNICATIONS NONE

5. UNFINISHED BUSINESS

a. Consideration of DDA Membership - Removal

Mr. Olson noted that he has not received written notification from Mike Schmitt. He stated that he has spoken with Mr. Schmitt and indicated that nothing has changed since they sent the original letter to Mr. Schmitt two months ago.

Mr. Shigley stated that he did speak with Mr. Schmitt who indicated to him that he would be forwarding a letter stating that he would like to be removed from the DDA.

Mr. Young questioned if there is an urgency to make this decision. Mr. Shigley noted that they need to advertise for the open position.

Ms. Carcone made a motion to remove Mike Schmitt from the DDA per his conversation with Mr. Shigley. Mr. Bisio supported the motion.

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

Mr. Adams stated that he feels uncomfortable doing this without receipt of a resignation letter. He stated that he would like to give Mr. Schmitt every opportunity to voice his opinion and that the Township should have the resignation letter in hand before they take action.

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

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

Motion approved

b. Second Reading and Proposed Adoption of Text Amendment to the Zoning Ordinance to require Performance Guarantee/Bonding

Mr. Quinn stated that this is the ordinance that was approved as a first reading at the last meeting. He explained how the amendments will affect the zoning ordinance. He stated that this is ready for adoption tonight.

Mr. Adams made a motion to consider this the second reading and adoption of the proposed text amendment to the zoning ordinance to require a performance guarantee bond. Mr. Bisio supported the motion.

Mr. Shigley asked if there was any discussion on the motion from the Board.

Mr. Young questioned if this has changed from the first reading. Mr. Quinn responded that it has not.

Mr. Shigley asked if there was any discussion on the motion from the public. There was none.

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

Motion approved.

c. Erwin Orchards – Request for Special Event – Haunted House 2003

Bill Erwin stated that they would like to have their Haunted House on the dates and the times that are indicated in his July 8, 2003 letter.

Ms. Carcone stated that she lives next door to the orchards and has never heard any complaints. She stated that she does not have a problem with this.

Mr. Quinn noted that Mr. Erwin needs to provide proof of insurance to the Township. Mr. Erwin stated that he is meeting with his Insurance Representative tomorrow.

Mr. Adams made a motion to approve the Erwin Orchards request for special event for Haunted House 2003 for the dates and times indicated in Bill Erwin's letter dated July 8, 2003 and subject to the submittal of the certificate of insurance to the Township. Ms. Johnson 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.

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

Motion approved.

6. NEW BUSINESS

**a. Public Hearing on the Proposed Pontiac Trail/Martindale Road Sanitary Sewer Improvements
Special Assessment District**

Ms. Carcone made a motion to close the regular meeting of August 3, 2003 and open a public hearing for the proposed Pontiac Trail/Martindale Sanitary Sewer Improvements Special Assessment District. Ms. Johnson supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved. The public hearing opened at 7:19 PM.

Mr. Quinn explained that this is the first scheduled public hearing of two public hearings that will be held regarding this special assessment district. At the conclusion of tonight's public hearing the Board will be considering a Resolution Determining Sufficiency of the Petition and Necessity of Improvements and Designating Special Assessment District for the Pontiac Trail/Martindale Sanitary Sewer Improvements Special Assessment District. He stated that the Engineers have submitted this project for bids. The low bid came in at \$655,313.83. Adding this bid cost with the contingencies, engineering, Bond Counsel and Financial Advisor and administrative fee the cost of the special assessment district construction of \$1,017,313.80. He stated that the individual property owners will be able to purchase the capacity right to tie their dwellings into the municipal sewer system for a REU cost of \$7,753.29. As stated, a portion of this can be included in the special assessment district costs. He further explained the costs related to the special assessment district. He stated that the total cost not to exceed figure for this project would be \$3,671,464.00.

Bob Roggendorf, 59300 Montego, thanked the Board and the developers for working with the residents and revising the special assessment amount and bringing it down to the \$1.00 amount for anyone who owns four acres or less. He stated that the majority of the residents do not wish to tap into the system. He stated that as he understands this, none of the residents in the district have to tap into the system unless their own septic systems fail more than 50% and if they are within than 200 of the sewer. He questioned if this is a State rule, County rule or a Township rule. Mr. Shigley responded that this is the Township's Ordinance. Mr. Quinn stated that the Township's Ordinance is an adoption of the State Statute.

Mr. Roggendorf stated that one of the concerns that the residents in the district has is, can this be changed so that they would be required to tap in regardless of whether or not they have a failed system? He stated that the residents do not want this to happen. He stated that the residents would like to be grandfathered. He questioned if an addendum or language could be added to the Ordinance so that this won't happen. Mr. Shigley responded that he did not know if this is possible. He stated that it is always open for the Board to modify or update the Ordinances. He stated that this is pretty much a standard for the State and the Township is following it.

Theresa Olechiw, 30520 Martindale, stated that she is looking for some sort of written documentation with regard to the residents who own four acres or less that will only be assessed \$1.00. Mr. Quinn stated that before the next public hearing, it will be listed specifically for every parcel.

Sharon Chalifour, 57620 Pontiac Trail, discussed her concerns with all the development that is happening with regard to the schools and the crime rate in the Township.

Ronna Straub, 58840 Pontiac Trail, questioned what the payment term would be and what the interest rate would be, if they purchased REU's. Mr. Quinn responded that the Board will determine the length of the SAD at the next meeting, but it would be recommended to be a ten year term. He stated that with regard to the interest rate, it would depend on the bond sale. Ms. Straub questioned when the sewers would be done. Mr. Crandell stated that they anticipate breaking ground before the end of the year, once the permits have been issued.

Doug McCarthy, 59451 Bishop, stated that he would like to get on the mailing list for information from the Engineers. He noted that he has not received anything yet.

Darcy Hollon, 24300 Martindale, stated that they don't want developers to come in and develop all the land and max the Township out. She agrees with putting in sewers because it will prevent future annexations. She felt that they do need to surround the entire Township with sewers.

Bob Roggendorf, 59300 Montego, asked for clarification of the REU cost. Ms. Carcone explained that the cost of the REU will be split into two portions, the Township's portion and Park Place Environmental's portion.

Judy Roscoe, 25700 Milford Road, questioned if this would all be tied into the Waste Treatment Plant that is located on Eleven Mile Road. She noted that this is creating ground water problems for the residents in this area. She stated that there is a creek that has never been dried up in the eighteen years that she has lived in this area, but has been dried up since last summer. She stated that she is very concerned about her well. She stated that the Township does need sewers but it has to be done intelligently, they just cant suck all the ground water out.

Stan Carnes, 30620 Martindale, discussed the correspondence that he received with regard to the cost of the sewers. He questioned what the additional cost would be to extend the sewer to the other side of the road. Mr. Crandell responded that it would be in the area of \$5,000.00 to \$7,000.00 to extend the sewer under the road.

Doug McCarthy, 59451 Bishop, questioned the 200 feet measurement, how is this determined. Mr. Crandell responded that it is from the sewer line to the structure.

Ms. Carcone made a motion to close the public hearing and re-open the regular meeting. Mr. Adams supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved. The regular meeting re-opened at 7:48 PM.

b. Resolution Setting Hearing Date on Pontiac Trail/Martindale Road Sanitary Sewer Improvements

Special Assessment District

Mr. Quinn stated that this is the consideration of the Resolution Determining Sufficiency of the Petition and Necessity of Improvements and Designating Special Assessment District for the Pontiac

Trail/Martindale Sanitary Sewer Improvements Special Assessment District. He noted that in paragraph three the total cost of \$3,671,464.00 will be filled in and in paragraph five this figure will also be filled in. He stated that the resolution is in proper form for the Board's consideration at this time.

Mr. Bisio made a motion to adopt the Resolution Determining Sufficiency of the Petition and Necessity of Improvements and Designating Special Assessment District for the Pontiac Trail/Martindale Sanitary Sewer Improvements Special Assessment District for the amount of \$3,671,464.00. 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.

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

Motion approved.

Mr. Quinn stated the next motion needed is for the Resolution setting the public hearing for September 8, 2003 for the Special Assessment Roll for the Pontiac Trail/Martindale Sanitary Sewer Improvements Special Assessment District. He noted that the amount to be filled in will be \$3,671,464.00. This resolution is in proper form for the Board's consideration.

Mr. Bisio made a motion to adopt the Resolution setting the date for the public hearing for the Special Assessment Roll for the Pontiac Trail/Martindale Sanitary Sewer Improvements Special Assessment District for September 8, 2003. Ms. Carcone 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. There were none.

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

Motion approved.

c. Resolution Opposing House Bill No. 4919

Mr. Shigley stated that he felt that Mr. Adams contacted him to discuss this and they felt that it would be a good idea to present a resolution to the Board for their consideration. Mr. Adams explained what House Bill No. 4919 does. He read the six points included in the resolution.

Mr. Shigley stated that he felt that they should try to encourage other communities to adopt a resolution to oppose this Bill.

Mr. Young stated that the farther they get away from having local control the more endangered they are going to become. He stated that they need to keep local control so that the residents of Lyon Township can control their destiny. He stated that this Bill takes that away from them. He felt that they need to call the lawmakers and put the pressure on them to defeat this Bill.

Ms. Carcone stated that she would like this Resolution sent to the MTA open chapters for their discussion.

Mr. Adams made a motion to have this Board and this Township adopt a Resolution expressing their opposition to Bill No. 4919. Ms. Johnson supported the motion.

Mr. Shigley asked if there were any comments on 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.

d. Pinehurst Planned Development – Request for Approval of R-0.3 Rezoning, PD Rezoning and Final Plan

Mr. Doozan reviewed the comments indicated in two letters from McKenna Associates, Inc. regarding this issue. The letters are dated July 31, 2003 and August 4, 2003.

Gary Rentrop, Attorney for Phoenix Land Development, gave a brief history of how they got to this stage that they are at today. He gave an introduction to the plan and then turned it over to Mr. Michael to give a more detailed presentation.

Bruce Michael, Development Director for Phoenix Land Development, gave a brief presentation of the plan. He explained the changes that they have made to the plan based on the comments from the Planning Commission, the Township Board and the residents at the prior meetings.

Mike Labadie, Tetra Tech, discussed the traffic impact. Using charts, he explained the level of service of the roads in the area as they are today and as they will be once this development is constructed. The level of services do not change that much. He also explained some of the improvements that will be done to the roads.

The Board requested that the public have an opportunity to express their comments before they give their comments.

Abe Ayoub, 21962 N. Lyon Trail, stated that the density is ridiculous. He stated that they should take the animosity toward the City and the emotion out of this and just say "NO". He discussed

the impact that this will have on the school district. He stated that the Planning Commission did their jobs and now the Board needs to do their job, or they shouldn't be sitting there.

Joseph McDonald, 56330 Ten Mile Road, questioned how this would be transitioned from City to country since this is the same zoning that it would have been if this were to be developed in the City. He stated that he doesn't quite understand how this would be considered transition since the other surrounding properties are zoned R-1.0.

Mr. McDonald stated that he spoke with Mr. Olson today who indicated that this development will give the Township \$166,000 to the positive. He stated that if this is the case, are the residents going to see a reduction in taxes.

Mr. McDonald questioned what the purpose of the Planning Commission is. He stated that the Planning Commission voted 5 to 1 to deny this request. If the Board approves this request, where does it put the Planning Commission.

Mr. McDonald stated that he does not feel that they should reward threats by this developer or other developers down the road. He noted that other developers will now use the threat of annexation to get the density that they want.

Jim Hamilton, 24200 Martindale, stated that at the July 7, 2003 meeting when the Mayor stated that the City is not working with this developer and then on July 28, 2003 Mr. Rentrop stated that they have burned their bridges with the City. He felt that this should be taken back to the Planning Commission to review the changes and not have the Board make the decision on this tonight.

Janice James, 56275 Ten Mile, discussed the traffic on Ten Mile Road. She felt that they rural character of the Township is being ruined by all the developers coming in and requesting higher density.

Darcy Hollon, 24300 Martindale, stated that she has been to all the meetings and basically re-iterated a lot of the comments that she and other residents have made at these meetings. She asked that the Board either table this issue or vote it down. The residents don't want the density.

Eileen Bennett, 24940 Douglas Drive, questioned if the developer has done other developments in the area. Mr. Schafer responded that they have not done any developments in the South Lyon area. Ms. Bennett asked if the developer could tell them where some of their other developments are so that they could go and take a look at them. Mr. Adams briefly discussed two developments that this developer has done, one in Canton and one in Commerce. He stated that they are both very high quality developments.

Ms. Bennett stated that one of her concerns is with the wildlife in the area. She stated that she would not like to see anything happen to the wildlife.

Joseph McDonald, 56330 Ten Mile Road, questioned the size of the lots in the other developments and if they are comparable to what is being proposed here. Mr. Adams stated that he is not sure what size the lots are.

Dave Talaga, 25001 Douglas Drive, stated that the City's annexation should not be a threat. He stated that the City is going to do what they want. He stated that he hopes that the Board will make their decisions according to what they feel the residents objectives are for the Township. He briefly discussed the traffic issue. He questioned what type of lighting would be used in the development.

Robert McCullough, 59450 Ten Mile Road, resides at the corner of Ten Mile Road and Martindale Road and would like to see Township properties detached from the City.

Mr. Shigley stated that at this time he would like to hear the comments or questions of the Board members.

Mr. Bisio stated that a resident is concerned about lighting and asked the developer to address this. Scott Durham, Phoenix Land Development, stated that they are proposing a carriage type light at the entrances that will light the intersection at Ten Mile Road and Martindale Road. The recreational areas will also be lit. The only other light from this development will be from the individual homes.

Mr. Adams that the residents would not even have the opportunity to be sitting here if it weren't for the members of the Board who asked the developer to come in and go through this process with the Township. As of August 19, 2003 this property could be in the City and residents wouldn't have this opportunity to go through the planning process. He stated that they are not the big bad developers, and that the Township asked them to come back and work with them. He stated that if this does go to the City, the annexation will not stop here, it will continue. He stated that if the Township does not protect their borders, it could possibly be another Novi. He noted that the City has already annexed 1,500 acres of Township property.

Mr. Adams stated that with this development in the Township, it allows the Township to have a say so as to what goes in there. If the City gets the development, the Township has no say so. This development will provide tax base for the Township.

Mr. Cash stated that this is one of the toughest decisions he has had to make as a Trustee. He stated that he has gone back and forth trying to decide how to vote. He stated that he is not happy with their choice of home density but the thought of this land being annexed to the City as well as the thought of not having the Township being able to voice an opinion as to how this property should be developed, has made his decision clear. He stated that if this piece of land is annexed into the City it will create a domino affect. Every landowner that wants to cash in will want to go to the City for density. He stated that the City is actively working to take the Township's land and take as many houses as they can. He felt that this has been going on far too long. He stated that they must stop all annexation. He briefly discussed some of the annexations that have taken place. He stated that he makes this decision realizing that the people in the annexed area will be greatly impacted and he feels for them. He stated that he feels that he is properly

representing all 12,000 plus residents of Lyon Township. A decision like this is tough enough without much of the resident's input. He noted that many of the residents never attend a Board meeting but count on the Board to make the best decisions for the Township and to fight to protect the rural character. He stated that they need to look at detachment to protect the City from itself and to protect Lyon Township.

Ms. Carcone stated that she adamantly disagrees. She stated that this has nothing to do with the developers ability to do a fine development. She stated that she feels that the Township's neck is in a noose. She stated that she has felt this way from day one. She stated that if this developer came to the Township without the threat of annexation, there is no way that this Board would ever vote for something like this. She stated that she cannot vote for this kind of density, this kind of lot size and she will not sacrifice the Township's rural character. She stated that she will not vote to rezone this property. She stated that she feels that there are other options.

Mr. Bisio discussed the fiscal impact figures that were provided by Mr. Olson tonight. He stated that it takes money to run a Township. They need to keep the tax base and not have it go into the City. He noted that Mr. Cash and Mr. Adams pretty much summed up what he has to say, therefore, he won't repeat it.

Mr. Young stated that they have spent a lot of time over the past several weeks pondering this issue. He stated that this is probably one of the most important decisions that this Board will make. He stated that as a previous Chairman of the Planning Commission, he does support the Planning Commission and the Township's Master Plan. He stated that his focus is much different as a Board member than as a Planning Commissioner. His vision of what he wants for the Township is different. He stated that he has heard all the comments that were made at the Planning Commission level, as well as tonight, but the reality of it is, is that land is going to be developed because the Peters' have rights just like everybody else in the Township. The question is how will it be developed. He briefly discussed the numerous annexations that have taken place.

Mr. Young stated that he is an advocate of big lots, he doesn't like the layout and he doesn't like the density, but he also doesn't like the alternatives.

Ms. Johnson stated that she is not here to campaign or make a speech, but she feels that this development has been wrong from the beginning. She stated that she doesn't feel that it is a benefit for either community. She stated that she has nothing against the Phoenix Group, and is sure that they would do a fine development, but this is not Canton, Farmington Hills or Livonia.

She stated that people from these communities are moving to Lyon Township every day to live in a rural character community. She stated that she would like to see it stay that way.

Mr. Shigley stated that this is a hard decision for him also. He stated that tonight the Board unanimously voted to oppose House Bill 4919, which could promote eight homes per acre. He stated that he has lived in Lyon Township since the mid 1960's and have seen the City continue to widen their borders. He stated that he would really hate to see the City widen their borders even further.

After further brief discussion, Mr. Shigley asked for a motion for the rezoning.

Mr. Adams made a motion to approve the Pinehurst Planned Development request to rezone 98.5 acres to R.03. Mr. Bisio supported the motion.

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

Mr. Young requested that the motion have a little bit more body to it, possibly referencing the McKenna Associates, Inc. July 31, 2003 letter.

Mr. Adams amended his motion to include "subject to the comments cited in the July 31 2003 McKenna Associates, Inc. letter" in the motion. Mr. Bisio supported the amendment.

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

Motion approved.

Mr. Shigley asked for a motion on the final review. Mr. Doozan stated that this would be a first reading subject to the conditions cited in the August 4, 2003 McKenna Associates, Inc. letter.

Mr. Quinn stated that items added during Mr. Doozan's oral presentation, item 2 be included, in accordance with the meeting held today regarding the changes to the PD Agreement. He stated that item 8 should be changed to reflect that "Planning Commission recommend and the Township Board approval of the Master Deed and By-Laws".

Mr. Young stated that with regard to the Master Deed and By-Laws, it stipulates the sizes of the homes. He stated that the homes are spelled out as the minimum size. Mr. Doozan stated that in the PD Agreement the homes do have sizes specified. Mr. Quinn stated that the agreement now states that the house sizes will be in accordance with the minimum sizes indicated in the Zoning Ordinance.

Scott Durham, Phoenix Land Development, stated that in terms of square footages, they did not put anything other than a minimum size in the agreement because they would like to identify the market more clearly. He stated that that it is their intention to build homes in the area of 2,000 to 2,400 square feet. He stated that they would like to have the flexibility to move with the market.

Mr. Young made a motion to approve the first reading of the planned development for Pinehurst Planned Development, AP-03-27 contingent on the condition that the Board has an option to review the square footage of the homes, page 6 of the McKenna Associates, Inc. August 4, 2003 letter and the change noted by Mr. Cash. Mr. Adams supported the motion.

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

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

The Board took a five minute break.

e. Approval of Class C Liquor License Transfer from City of Novi for Applebee's Restaurant

Scott Edwards, Vice President of Applebee's, explained that they are requesting approval of the transfer of a Class C Liquor License. The license will be transferred from a business in Novi that no longer requires it.

Mr. Bisio made a motion to approve a resolution for the approval of the transfer of a Class C Liquor License from Novi to Applebee's in the form provided. Ms. Carcone supported the motion.

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

Mr. Cash questioned if this transfer of a liquor license will count against the Township or is this a bonus. Ms. Johnson responded that this is a bonus. Mr. Quinn stated that it would only count against the Township, if it came from this municipality.

Mr. Shigley 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.

f. Right of Way Cost Participation Agreement for Griswold Road Paving from Nine Mile to Ten Mile Road

Mr. Olson stated that before the Board is the last of the signed documents from the Road Commission for the cost participation for the Griswold Road paving. He stated that the Township's out of pocket cost is \$2,687.00.

Mr. Olson updated the Board on the progress of this project. He stated that the bids were opened

August 1, 2003 and they came in 15% lower than the Engineer's estimate for the project.

Mr. Bisio made a motion to approve the right-of-way cost participation agreement for the Griswold

Road paving from Nine Mile Road to Ten Mile Road in the amount of \$8,059.00 out of Tri-Party Funds.

Ms. Carcone 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.

Darcy Hollon, 24300 Martindale Road, requested that the Board not approve any additional funds to pave any roads until the sewers have been extended.

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

Motion approved.

g. South Lyon Youth Assistance – Bob Ziegler – Request for Budget Allocation

Bob Ziegler introduced Donna Spencer and Laurie Morrison. They gave a brief presentation of what South Lyon Youth Assistance does in the Township.

Mr. Young made a motion to allocate \$13,000, which is budgeted, to the South Lyon Youth Assistance Program. Ms. Johnson 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. There were none.

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

Motion approved.

7. Items Removed from Consent Agenda for Action or Discussion

a. Approval of Disbursements

b. Approval of Financial Statements through June, 2003

Mr. Shigley discussed some concerns he had with the disbursements and the financial statements

and asked for clarification. After brief discussion, his concerns were addressed.

Ms. Johnson made a motion to approve the disbursements and financial statements as submitted

on the Consent Agenda once the questions were answered. Ms. Carcone supported the motion.

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

Motion approved.

8. Executive Session regarding Pending Litigation

Mr. Young made a motion to amend the agenda to indicate that the Executive Session is to include land acquisition discussion. Mr. Adams supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved.

Mr. Bisio made a motion to close the regular meeting and go into an Executive Session to discuss pending litigation and land acquisition. Mr. Young supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved. The regular meeting closed at 10:33 PM.

Mr. Quinn updated the Board on the status of pending litigation and land acquisition.

Ms. Carcone made a motion to close the Executive Session and reopen the regular meeting.

Mr. Cash supported the motion.

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved. The regular meeting reopened at 11:17 PM.

10. Adjournment

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

Voice Vote:	Ayes:	All
	Nays:	None

Motion approved. The regular meeting was adjourned at 11:17 PM.

Respectfully Submitted,

Deby Cothery

Deby Cothery
Recording Secretary

Pamela Johnson
Clerk